
A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Chapter 353C, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§353C- Annual report; inmate deaths; serious or violent incidents. The director of public safety shall submit an annual public report to the legislature no later than twenty days prior to the convening of each regular session of the legislature.

The report shall include:

(1) Information related to inmates held in-state and out-of-state, including but not limited to, statistics on:

(A) Inmate deaths; and

(B) Serious or violent incidents involving inmates;

and

(2) A review of the department of public safety's procedures to prevent inmate deaths and serious or violent incidents involving inmates."



SECTION 2. Section 353-16.2, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) Terms and conditions of the transfer and any reimbursement for expenses shall be agreed upon between the department and the out-of-state correctional institution prior to transfer[-]; provided that the terms and conditions of the transfer shall provide that any inmate transferred to any correctional institution pursuant to this section shall at all times be subject to the jurisdiction of the State of Hawaii and may at any time be removed from the out-of-state institution for:

- (1) Transfer to a prison or other correctional institution within Hawaii;
- (2) Transfer to another correctional institution in which Hawaii may have a contractual or other right to confine inmates;
- (3) Release on probation or parole;
- (4) Discharge; or
- (5) Any other purpose permitted by the laws of Hawaii;



1 provided further that the department shall continue to be
2 obligated to payments required under the terms and conditions of
3 any contract entered into pursuant to this subsection."

4 SECTION 3. This Act shall not be applied so as to impair
5 any contract existing as of the effective date of this Act in a
6 manner violative of either the Hawaii State Constitution or
7 Article I, section 10, of the United States Constitution.

8 SECTION 4. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Inmates; Out-of-State Correctional Institutions; Public Safety;
Annual Report

Description:

Requires the Director of Public Safety to submit an annual public report of information, statistics, and Department procedures on inmate deaths and serious or violent incidents involving inmates. Specifies that any inmate transferred to any out-of-state correctional institution shall remain subject to continuing Hawaii jurisdiction and may be removed from the institution pursuant to Hawaii law. (HB1993 HD1)

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