S.B. NO. <sup>1293</sup> S.D. 2 PROPOSED

### A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1 SECTION 1. Section 353F-1, Hawaii Revised Statutes, is 2 amended to read as follows:

#### 3 "[+]§353F-1[+] Corrections population management

4 commission established. There is established a corrections 5 population management commission, hereinafter referred to as the 6 commission, to be attached administratively to the [department 7 of public safety.] judiciary. The objective of the commission 8 shall be to establish maximum inmate population limits for each 9 correctional facility [and-to], formulate policies and 10 procedures to prevent the inmate population from exceeding the 11 capacity of each correctional facility[-], and provide general 12 supervisory oversight of the number of inmates in correctional 13 facilities. 14 The commission shall meet not less than once per quarter." 15 SECTION 2. Section 353F-3, Hawaii Revised Statutes, is

16 amended to read as follows:

### SB1293 SD2 PROPOSED LRB 18-1344.doc

### S.B. NO. <sup>1293</sup> S.D. 2 PROPOSED

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## SB1293 SD2 PROPOSED LRB 18-1344.doc

Page 3

### S.B. NO. <sup>1293</sup> S.D. 2 PROPOSED

1	<u>(b)</u>	The department of public safety shall provide each
2	member of	the commission with:
3	(1)	Access to all internal reports, documents, and other
4		information compiled or retained by the department
5		relevant to the recommendations required by this
6		section; and
7	(2)	The authority to conduct spot checks on any
8		correctional center or facility, subject to existing
9		security protocols."
10	SECT	ION 3. Section 353F-4, Hawaii Revised Statutes, is
11	amended by	y amending subsection (a) to read as follows:
12	"(a)	The corrections population management commission
13	shall cons	sist of thirteen members. The state attorney general,
14	the [ <del>dire</del>	ctor of public safety,] chief justice, the
15	administra	ator of the office of Hawaiian affairs, a
16	representa	ative of the county departments of the prosecuting
17	attorney t	to be selected by the prosecuting attorneys, the state
18	public det	fender, the chairperson of the [ <del>Hawaiʻi</del> ] <u>Hawaii</u> paroling
19	authority,	, the president of the senate, and the speaker of the
20	house of 1	representatives, or their designated representatives,
21	shall be r	nembers of the commission. The chief justice [ <del>of the</del>

## SB1293 SD2 PROPOSED LRB 18-1344.doc

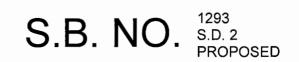
Page 4

### S.B. NO. <sup>1293</sup> S.D. 2 PROPOSED

1 Hawai'i supreme court] shall appoint [one judge and] one adult probation administrator of the judiciary as [members] a member 2 of the commission. The governor shall appoint [one-member from 3 the private sector who is knowledgeable on issues pertaining to 4 reintegrating offenders into the community and one]: 5 (1) One member from the public who is knowledgeable on 6 issues relating to the criminal justice system and has 7 substantial experience or expertise in traditional 8 Native Hawaiian practices [-]; 9 (2) One member from the public who is knowledgeable on 10 issues relating to substance abuse or mental health; 11 12 and One member from a nonprofit service provider that 13 (3) 14 advocates for incarcerated individuals. Additionally, the chairperson of the [Hawai'i] Hawaii paroling 15 authority shall appoint one rehabilitated offender, who is 16 knowledgeable on issues pertaining to reintegrating offenders 17 into the community, as a member of the commission." 18 SECTION 4. Section 353F-5, Hawaii Revised Statutes, is 19 amended to read as follows: 20

### SB1293 SD2 PROPOSED LRB 18-1344.doc

Page 5



1	"[+]§353F-5[+] Annual report. The commission shall submit			
2	to the legislature, [ <del>not fewer</del> ] <u>no later</u> than twenty days prior			
3	to the convening of each regular session, an annual report [ <del>of</del>			
4	its]. Each annual report shall include:			
5	(1) The activities [and of its recommended] of the			
6	commission, including a summary of the decisions made			
7	by the commission in each of its meetings for the			
8	previous year;			
9	(2) Any recommended legislative proposals [-]; and			
10	(3) Data and status updates regarding each of the			
11	commission's recommendations under section 353F-3(a)."			
12	SECTION 5. Section 353F-6, Hawaii Revised Statutes, is			
13	amended to read as follows:			
14	"[ <b>]§353F-6[<del>]</del>] Executive secretary; staff.</b> The			
15	[department of public safety] judiciary shall appoint an			
16	executive secretary and additional staff as necessary to carry			
17	out the functions of the commission. All staff shall be			
18	appointed without regard to chapter 76."			
19	SECTION 6. The director of finance shall transfer any			
20	funds appropriated to the department of public safety for			

# SB1293 SD2 PROPOSED LRB 18-1344.doc

Page 6

### S.B. NO. <sup>1293</sup> S.D. 2 PROPOSED

administration of the corrections population management 1 2 commission to the judiciary. SECTION 7. All appropriations, records, equipment, 3 machines, files, supplies, contracts, books, papers, documents, 4 maps, and other personal property heretofore made, used, 5 6 acquired, or held by the department of public safety relating to 7 the functions transferred to the judiciary shall be transferred with the functions to which they relate. 8 SECTION 8. Statutory material to be repealed is bracketed 9 and stricken. New statutory material is underscored. 10 SECTION 9. This Act shall take effect upon its approval. 11





PROPOSED

#### Report Title:

Corrections Population Management Commission; PSD; Judiciary

#### Description:

Transfers the Corrections Population Management Commission from the Department of Public Safety to the Judiciary. Replaces the Director of Public Safety with the Chief Justice as a member of the Commission. Requires the Commission to meet at least once per quarter. Repeals provisions requiring as commission members: an individual who is knowledgeable on issues pertaining to reintegrating offenders into the community; and a judge. Adds as members: a substance abuse or mental health expert; and an advocate for incarcerated individuals. Requires the Department of Public Safety to provide commission members with access to internal information and the authority to conduct spot checks on correctional centers and facilities. Requires the commission's annual report to include a summary of the commission's decisions and data and status updates for commission recommendations. (SD2 PROPOSED)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

