

JAN 19 2018

# A BILL FOR AN ACT

RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION.

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

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

"[+]§353F-1[+] Corrections population management commission established. There is established a corrections population management commission, hereinafter referred to as the commission, to be attached administratively to the department of public safety. The objective of the commission shall be to establish maximum inmate population limits for each correctional facility and to formulate policies and procedures to prevent the inmate population from exceeding the capacity of each correctional facility.

The commission shall meet not less than once per quarter."

SECTION 2. Section 353F-3, Hawaii Revised Statutes, is amended to read as follows:

"[+]§353F-3[+] Recommendations. (a) The commission shall recommend to the appropriate authorities, cost-effective mechanisms, legislation, and policies to prevent the inmate



1 population from exceeding the limits established pursuant to  
2 section 353F-2. These recommendations shall include estimates  
3 of fiscal impact. In addition, the commission shall consider  
4 and make recommendations on the following to the appropriate  
5 authorities:

- 6 (1) Strategies for the management of projected growth in  
7 the inmate population;
- 8 (2) Bail and other pretrial release programs;
- 9 (3) Legislation relating to sentencing;
- 10 (4) Judicial sentencing policies;
- 11 (5) Intermediate punishments and other alternatives to  
12 incarceration;
- 13 (6) Probation programs;
- 14 (7) Inmate classification systems;
- 15 (8) Reintegration and treatment programs for inmates;
- 16 (9) Paroling policies and supervision programs; and
- 17 (10) Future construction of correctional facilities.

18 (b) The department of public safety shall provide each  
19 member of the commission with:

- 20 (1) Access to all internal reports, documents, and other  
21 information compiled or retained by the department



1           relevant to the recommendations required by this  
2           section; and

3        (2) The authority to conduct spot checks on any  
4           correctional center or facility, subject to existing  
5           security protocols."

6        SECTION 3. Section 353F-4, Hawaii Revised Statutes, is  
7 amended by amending subsection (a) to read as follows:

8        "(a) The corrections population management commission  
9 shall consist of [~~thirteen~~] fifteen members. The state attorney  
10 general, the director of public safety, the administrator of the  
11 office of Hawaiian affairs, a representative of the county  
12 departments of the prosecuting attorney to be selected by the  
13 prosecuting attorneys, the state public defender, the  
14 chairperson of the [~~Hawai'i~~] Hawaii paroling authority, the  
15 president of the senate, and the speaker of the house of  
16 representatives, or their designated representatives, shall be  
17 members of the commission. The chief justice of the [~~Hawai'i~~]  
18 Hawaii supreme court shall appoint one judge and one adult  
19 probation administrator of the judiciary as members of the  
20 commission. The governor shall appoint one member from the  
21 private sector who is knowledgeable on issues pertaining to



1 reintegrating offenders into the community [~~and~~], one member  
2 from the public who is knowledgeable on issues relating to the  
3 criminal justice system and has substantial experience or  
4 expertise in traditional Native Hawaiian practices [~~-~~], one  
5 member from the public who is knowledgeable on issues relating  
6 to substance abuse or mental health, and one member from a  
7 nonprofit service provider that advocates for incarcerated  
8 individuals. Additionally, the chairperson of the [~~Hawai'i~~]  
9 Hawaii paroling authority shall appoint one rehabilitated  
10 offender, who is knowledgeable on issues pertaining to  
11 reintegrating offenders into the community, as a member of the  
12 commission."

13 SECTION 4. Section 353F-5, Hawaii Revised Statutes, is  
14 amended to read as follows:

15 "[~~{~~]**§353F-5**[~~}~~] **Annual report.** The commission shall submit  
16 to the legislature, [~~not fewer~~] no later than twenty days prior  
17 to the convening of each regular session, an annual report [~~of~~  
18 ~~its~~]. Each annual report shall include:

19 (1) The activities [~~and of its recommended~~] of the  
20 commission, including a summary of the decisions made



# S.B. NO. 2426

1 by the commission in each of its meetings for the  
2 previous year;

3 (2) Any recommended legislative proposals[-]; and

4 (3) Data and status updates regarding each of the

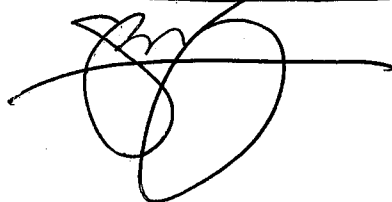
5 commission's recommendations under section 353F-3(a)."

6 SECTION 5. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8 SECTION 6. This Act shall take effect upon its approval.  
9

INTRODUCED BY: Clarence R. Guishikan

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# S.B. NO. 2426

**Report Title:**

Corrections Population Management Commission; PSD

**Description:**

Requires the Corrections Population Management Commission to meet at least once per quarter. Expands the commission membership to include 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.

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

