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# A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1           SECTION 1. The legislature finds that Act 8, First Special  
2 Session Laws of Hawaii 2007 (Act 8), enacted the Community  
3 Safety Act, which is codified as chapter 353H, Hawaii Revised  
4 Statutes. The Community Safety Act established a comprehensive  
5 offender reentry system under the purview of the department of  
6 public safety. Act 8 also required the department of public  
7 safety to submit to the legislature annual reports through 2010  
8 relating to the implementation, progress, and effectiveness of  
9 the program components specified in Act 8.

10           The legislature notes that while the department of public  
11 safety's annual reports required by Act 8 listed program  
12 activities and statistics, they did not include information on  
13 program outcomes. The legislature finds that performance  
14 indicators are an effective way to track the progress of the  
15 comprehensive reentry system and to reflect any change to the  
16 department's approach to rehabilitation and reentry as mandated  
17 by Act 8.



1 The purpose of this Act is to:

- 2 (1) Require the department of public safety to establish
- 3 key performance indicators or measures to be
- 4 incorporated in reports that evaluate the department's
- 5 efforts to improve offender reentry and
- 6 rehabilitation; and
- 7 (2) Consolidate into one report other specified reports of
- 8 the department of public safety.

9 SECTION 2. Chapter 353, Hawaii Revised Statutes, is  
10 amended by adding a new section to be appropriately designated  
11 and to read as follows:

12 "§353- Annual corrections program report. (a) No later  
13 than twenty days prior to the convening of each regular session,  
14 beginning with the regular session of 2019, the department shall  
15 submit an annual corrections and program report, among other  
16 reports that may be required from time to time, that  
17 consolidates into one report the reports required by the  
18 following laws:

- 19 (1) Act 144, Session Laws of Hawaii 2007, section 4,
- 20 codified as section 353C-2(b), relating to mental
- 21 health services for committed persons;



1        (2) Act 193, Session Laws of Hawaii 2010, relating to  
2            cognitive restructuring;  
3        (3) Section 353H- , relating to key performance  
4            indicators; and  
5        (4) Section 367D-8, relating to gender-responsive programs  
6            for women;  
7 provided that the repeal or expiration of any individual  
8 reporting requirement described in paragraphs (1) through (4)  
9 shall not repeal or otherwise affect the department's duty to  
10 submit the consolidated report pursuant to this section with the  
11 content required for the remaining reporting requirements that  
12 have not been repealed or expired.

13        (b) The department shall post the report electronically on  
14 the department's website in a timely manner."

15        SECTION 3. Chapter 353H, Hawaii Revised Statutes, is  
16 amended by adding a new section to be appropriately designated  
17 and to read as follows:

18        "§353H- Key performance indicators; reporting. (a) The  
19 department shall develop key performance indicators that  
20 accurately reflect progress toward specific goals, including:

21        (1) Reducing the rate of recidivism;



- 1        (2) Decreasing prisoner assaults on correctional staff;
- 2        (3) Reducing correctional staff turnover; and
- 3        (4) Improving departmental efficiencies in staffing,
- 4                budgeting, and data management and analysis.

5        (b) The department shall include in its annual report to  
6 the legislature pursuant to section 353-        a report section  
7 that shall reference key performance indicators for the fiscal  
8 year that ended before the report. The section shall track  
9 rehabilitation and reentry efforts for individuals who are  
10 prepared to exit the correctional system.

11        (c) The key performance indicators shall include:

12        (1) The total number of intakes, by month, including how  
13                many intakes by facility in each month have been in  
14                the system within the last fiscal year;

15        (2) Offender population counts by facility for each month  
16                of the fiscal year;

17        (3) The number of individuals who have obtained a high  
18                school diploma by successfully completing the general  
19                educational development test or an equivalent  
20                competency-based diploma;



- 1        (4) The number of individuals who received vocational
- 2                    training or rehabilitation programming;
- 3        (5) The number of inmates assessed with substance abuse
- 4                    problems, and the total number of inmates assessed
- 5                    with no reported substance issues;
- 6        (6) Drug test failure rates of inmates while incarcerated;
- 7        (7) The number of individuals who have completed a drug
- 8                    treatment program provided by the department;
- 9        (8) The number of individuals who have completed drug
- 10                   education classes and out-patient treatment services;
- 11        (9) The cost per inmate per day, per facility;
- 12        (10) The median length of stay, excluding inmates who have
- 13                   life or parole sentences;
- 14        (11) The total number of inmates released, by month by max
- 15                   out or parole;
- 16        (12) The number of individuals who applied for reduction of
- 17                   minimum inclusive of approval or denial by
- 18                   jurisdiction and month, the number of parole
- 19                   revocation hearings approved or denied per month, and
- 20                   the number of individuals for whom a reentry plan is



- 1           filed and the number of individuals who exit jail or
- 2           prison with a reentry plan;
- 3       (13) The total number of pretrial detainees and the number
- 4           of pretrial detainees admitted each month by type of
- 5           crime, bail amount, risk assessed, gender, race, and
- 6           age;
- 7       (14) The number of pretrial detainees released or
- 8           discharged each month and the reason for the release
- 9           or discharge by type of crime, bail amount, risk
- 10          assessed, gender, race, and age;
- 11       (15) The average length of stay for pretrial detainees by
- 12           reason for release or discharge, type of crime, bail
- 13           amount, risk assessed, gender, race, and age;
- 14       (16) The number of pretrial detainees held on cash bail by
- 15           type of crime, bail amount, risk assessed, gender,
- 16           race, and age;
- 17       (17) The average amount of time for completing and
- 18           verifying pretrial risk assessment by type of crime,
- 19           bail amount, risk assessed, gender, race, and age; and



1        (18) The number of pretrial detainees readmitted by reason  
2                    for release, reason for readmission, type of crime,  
3                    bail amount, risk assessed, gender, race, and age."

4            SECTION 4. Section 353C-2, Hawaii Revised Statutes, is  
5 amended by amending subsection (b) to read as follows:

6            "[+] (b) [+] The department of public safety shall include in  
7 its annual report to the legislature [~~not later than twenty days~~  
8 ~~prior to the commencement of the 2008 regular session, and every~~  
9 ~~session thereafter, with]~~ pursuant to section 353- a report  
10 section that includes its achievements, continuing improvements,  
11 and ongoing problems in providing the appropriate mental health  
12 care to committed persons under its jurisdiction."

13            SECTION 5. Section 367D-8, Hawaii Revised Statutes, is  
14 amended to read as follows:

15            "**§367D-8 Annual report.** The department of public safety  
16 and the office of youth services shall [~~submit an~~] include in  
17 its annual report to the legislature [~~no later than twenty days~~  
18 ~~before the convening of each regular session]~~ pursuant to  
19 section 353- a report section on the following areas:  
20 program descriptions, type and costs of contracts made, name of  
21 the private agency awarded each contract, and the success of

1 each contract in meeting program specifications. The report  
2 section shall detail the development of the comprehensive  
3 continuum of care to address the gender-responsive needs of  
4 Hawaii's female offenders and female adjudicated youth both in-  
5 state and abroad. The report section shall also highlight the  
6 existing gaps in the system and include recommendations for  
7 resources needed to reach a seamless continuum of care and other  
8 relevant information concerning the creation of a gender-  
9 responsive environment for female offenders and female  
10 adjudicated youth."

11 SECTION 6. Act 193, Session Laws of Hawaii 2010, is  
12 amended by amending subsection (c) of section 2 to read as  
13 follows:

14 "(c) The department of public safety shall [~~submit an~~]  
15 include in its annual report to the legislature pursuant to  
16 section 353- , Hawaii Revised Statutes, a report section on  
17 these programs in Hawaii's correctional facilities [~~no later~~  
18 ~~than twenty days prior to the convening of each regular session,~~  
19 ~~beginning with the regular session of 2011]~~].

20 The [~~annual~~] report section shall include but not be  
21 limited to:



- 1 (1) Descriptions of the various programs;
- 2 (2) Criteria for access/entry to the programs;
- 3 (3) The number of native Hawaiians who participated in the
- 4 programs;
- 5 (4) The number of non-Hawaiians who participated in the
- 6 programs;
- 7 (5) The number of native Hawaiians who completed the
- 8 programs;
- 9 (6) The number of non-Hawaiians who completed the
- 10 programs;
- 11 (7) The number of participants paroled/"maxed out";
- 12 (8) Recidivism after three months, six months, nine
- 13 months, and one year; and
- 14 (9) Successes and challenges in administering the
- 15 programs."

16 SECTION 7. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18 SECTION 8. This Act shall take effect on July 1, 2050.



**Report Title:**

Inmate Rehabilitation; Reentry System; Performance Indicators

**Description:**

Requires the Department of Public Safety to establish key performance indicators for inmate reentry system. Requires reports, using key performance indicators, to be provided to the legislature. Creates the annual corrections and program report as a consolidated report of other annual reports. Effective 7/1/2050. (SD2)

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

