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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. According to The Pew Center on the States, one  
2   in thirty-two adults in Hawaii is under correctional control.  
3   The legislature recognized that the financial, social, and  
4   economic costs of incarceration without adequate rehabilitation  
5   are staggering, and thus enacted Act 8, Special Session Laws of  
6   Hawaii 2007 (Act 8), also known as the Community Safety Act of  
7   2007 and codified as chapter 353H, Hawaii Revised Statutes.  
8   Act 8 established a comprehensive offender reentry system under  
9   the purview of the department of public safety. One key  
10   component of Act 8 required the department of public safety to  
11   submit annual reports relating to the implementation, progress,  
12   and effectiveness of the various program components specified in  
13   Act 8.

14       While the department's annual report listed program  
15   activities and statistics, it did not include information on  
16   program outcomes. The legislature finds that use of performance  
17   indicators is an effective way to monitor and evaluate the



1 progress of the comprehensive reentry system and to reflect the  
2 philosophical change to the department's approach to  
3 rehabilitation and reentry mandated by Act 8. Additionally, the  
4 legislature requires specific data to accurately assess programs  
5 and to continue to improve public policy.

6 The purpose of this Act is to:

- 7 (1) Direct the department of public safety to establish  
8 key performance indicators or measures to be  
9 incorporated in reports that evaluate the outcomes of  
10 program components as required in Act 8; and  
11 (2) Require the department of public safety to submit  
12 specific program participation data semi-annually to  
13 the legislature.

14 SECTION 2. Chapter 353H, Hawaii Revised Statutes, is  
15 amended by adding two new sections to be appropriately  
16 designated and to read as follows:

17 "§353H- Performance indicator reporting. (a) The  
18 department of public safety shall develop performance measures  
19 that accurately reflect progress toward specific goals,  
20 including:

- 21 (1) Improving recidivism rates;



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 develop key performance  
6        indicators, which shall include:

7        (1) The number of individuals enrolled in and who have  
8        completed a general education diploma or competency-  
9        based diploma;

10       (2) The number of individuals for whom a reentry plan is  
11       filed and the number of individuals who exit jail or  
12       prison with a reentry plan;

13       (3) Drug test failure rates of inmates while incarcerated  
14       and while on parole;

15       (4) The number of inmates currently enrolled in and who  
16       have completed drug treatment programs provided by the  
17       department of public safety;

18       (5) The number of inmates currently enrolled in and who  
19       have completed restorative circles;

20       (6) The number of parolees who have applied for a  
21       reduction of their minimum sentence, the number of



1           applications approved and denied, and, when  
2           applicable, the reasons for the denial of a parolee's  
3           application;

4       (7) The number of parole revocation hearings and the  
5       results of parole revocation hearings that, when  
6       applicable, explain why the parolees' revocation was  
7       denied;

8       (8) The cost of incarceration per inmate, per day, per  
9       facility;

10      (9) Offender demographics, including gender, race, age,  
11      and type of offense;

12      (10) The number of individuals who received vocational  
13      training or rehabilitation services and type of  
14      vocational training or rehabilitation services  
15      received;

16      (11) The total number of inmate intakes, by month,  
17      including the number of intakes each month within the  
18      past year and past five years;

19      (12) The total number of inmates released, by month;

20      (13) The number of inmates with substance abuse problems,  
21      including the type of dependence or addiction, and the



1           number of inmates with no reported substance abuse  
2           problems;

3       (14)   The median length of incarceration, excluding inmates  
4           who have received life sentences or been paroled;

5       (15)   The prison population forecast for the next decade;

6       (16)   The total number of pretrial detainees and the number  
7           of pretrial detainees admitted each month by type of  
8           crime, bail amount, risk assessed, gender, race, and  
9           age;

10      (17)   The number of pretrial detainees released or  
11           discharged each month and the reason for the release  
12           or discharge by type of crime, bail amount, risk  
13           assessed, gender, race, and age;

14      (18)   The average length of stay for pretrial detainees by  
15           reason for release or discharge, type of crime, bail  
16           amount, risk assessed, gender, race, and age;

17      (19)   The number of pretrial detainees held on cash bail by  
18           type of crime, bail amount, risk assessed, gender,  
19           race, and age;



1       (20) The average amount of time for completing and  
2           verifying pretrial risk assessment by type of crime,  
3           bail amount, risk assessed, gender, race, and age; and

4       (21) The number of pretrial detainees readmitted by reason  
5           for release, reason for readmission, type of crime,  
6           bail amount, risk assessed, gender, race, and age.

7       §353H-       Semi-annual reporting requirements. (a) For  
8       each program established pursuant to this chapter, the  
9       department shall submit a report to the legislature no later  
10       than the first day of June and first day of December each year,  
11       beginning with the period ending on November 30, 2018. Each  
12       report shall reference key performance indicators that track  
13       rehabilitation and reentry efforts for individuals being  
14       prepared to exit the correctional system. The report shall also  
15       include:

16       (1) A complete list of programs offered;

17       (2) The length of each program;

18       (3) Each program's success rate, including the percentage  
19       of participant completion in the previous two years;

20       (4) A description of participant criteria assessed by the  
21       program for admittance;



- 1        (5) The number of available positions with each program;  
2        (6) The number of potential participants on waiting lists;  
3        (7) The number of participants who do not complete the  
4           program;  
5        (8) A summary of reasons why participants do not complete  
6           a program; and  
7        (9) A complete list of programs that are no longer offered  
8           and explanations for termination of the programs.  
9        (b) The department shall also post the reports

10 electronically on the department's website in a timely manner."

11        SECTION 3. Section 353G-13, Hawaii Revised Statutes, is  
12 amended by amending subsection (c) to read as follows:

13        "(c) The department of public safety, in conjunction with  
14 the department of health, shall report on [~~an annual~~] a semi-  
15 annual basis to the legislature and to the governor, its  
16 findings concerning the need for and implementation of the  
17 various provisions of this chapter. The report shall include  
18 information collected under subsection (a) and a synopsis of  
19 information or data necessary to determine the impact, utility,  
20 and cost-benefits of the provisions of this chapter. The report  
21 shall also include:



- 1        (1) A complete list of programs offered;  
2        (2) The length of each program;  
3        (3) Each program's success rate, including the percentage  
4        of participant completion in the previous two years;  
5        (4) A description of participant criteria assessed by the  
6        program for admittance;  
7        (5) The number of available positions with each program;  
8        (6) The number of potential participants on waiting lists;  
9        (7) The number of participants who do not complete the  
10       program;  
11       (8) A summary of common reasons why participants do not  
12       complete a program; and  
13       (9) A complete list of programs no longer offered, with  
14       explanations for termination of the programs.  
15       The department shall also post the reports electronically  
16 on the department's website in a timely manner."

17       SECTION 4. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

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





**Report Title:**

DPS; Inmate Rehabilitation; Reentry System; Reporting Requirements

**Description:**

Requires the Department of Public Safety to establish performance indicators. Requires semi-annual reports of the established performance indicators, criminal offender treatment programs, and programs established pursuant to the Community Safety Act. 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.*

