

JAN 21 2022

A BILL FOR AN ACT

RELATING TO OFFENDER REENTRY PROGRAMS.

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

1 SECTION 1. The legislature finds that House Concurrent
2 Resolution No. 85, H.D. 2, S.D. 1 (2016), requested the
3 convening of a task force to make recommendations to the
4 legislature on ways to improve Hawaii's correctional system.
5 The final report of the House Concurrent Resolution 85 Task
6 Force on Prison Reform was submitted to the legislature in
7 December 2018. According to the 2018 report, the State's
8 correctional system is not producing acceptable, cost-effective,
9 or sustainable outcomes and needs immediate and profound change.
10 Prison populations have risen noticeably since the 1980s, with
11 Hawaii experiencing an eight hundred and seventy per cent
12 increase in prison populations between 1980 and 2018. This
13 increase has had a disproportionate impact on native Hawaiians,
14 with the task force finding that native Hawaiians make up
15 thirty-seven per cent of the prison population but only twenty-
16 one per cent of the overall population in the State.



1 Additionally, prisons are failing to correct unwanted behavior,
2 leading to higher rates of recidivism.

3 The legislature further finds that the 2019 Recidivism
4 Update to the 2002 Hawaii Recidivism Baseline Study shows that
5 nearly fifty-four per cent of criminals in Hawaii are repeat
6 offenders. The State correctional system's high rate of
7 recidivism, and the corresponding overall increase in prison
8 populations since the 1980s, produces a serious financial burden
9 on local communities. A 2020 study evaluating the corrections
10 system in Hawaii estimates that it costs the State approximately
11 \$72,000 to incarcerate an inmate for one year. By lowering
12 recidivism rates, the State could save significant amounts of
13 money that it could invest into other programs, such as
14 education, infrastructure, or social services.

15 The legislature further finds that offering extensive and
16 high-quality educational and vocational programs to inmates is
17 effective in reducing rates of recidivism and the overall cost
18 of the correctional system. A 2014 study conducted by the RAND
19 corporation shows that inmates who participate in education
20 while in prison are thirteen per cent less likely to recidivate
21 compared to inmates who do not participate in education while



1 incarcerated. The same study also found that participation in
2 education while incarcerated increases the likelihood of post-
3 incarceration employment by thirteen per cent. Moreover, the
4 2014 RAND study estimates that every \$1 invested in prison
5 education yields a reduction in incarceration costs of between
6 \$4 and \$5 during the first three years of post-release.

7 The legislature further finds that inmate participation in
8 mentorship reentry programs translates to higher rates of
9 employment and lower rates of recidivism. According to a
10 Public/Private Ventures study, inmates who participated in
11 mentorship programs were more than twice as likely to find a job
12 after release than inmates who did not. The same study found
13 that one year after release, participants who were mentored were
14 thirty-five per cent less likely to recidivate than inmates who
15 were not mentored.

16 The purpose of this Act is to:

- 17 (1) Encourage inmates to participate in correctional
18 educational programs and vocational training by
19 offering subsidized tuition, housing, and health care
20 benefits to qualifying inmates;



- 1 (2) Increase the quality and quantity of correctional
2 mentorship, counseling, educational, and vocational
3 training programs available to interested inmates; and
4 (3) Appropriate funds to expand model programs to include
5 more quality educational and vocational programs and
6 to fund rewards for inmates who participate in
7 correctional education programs while incarcerated.

8 SECTION 2. Section 353H-4, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "~~§~~353H-4~~§~~ **Model programs; department of public**
11 **safety.** Subject to funding by the legislature, the department
12 of public safety shall enhance the State's comprehensive
13 offender reentry system by developing model programs designed to
14 reduce recidivism and promote successful reentry into the
15 community. Components of the model programs shall include but
16 are not limited to:

- 17 (1) Highly skilled staff who are experienced in working
18 with offender reentry programs;
19 (2) Individualized case management and a full continuum of
20 care to ensure successful reentry;



- (3) Life skills development workshops, including budgeting, money management, nutrition, and exercise; development of self-determination through education; employment training; special education for the learning disabled; social, cognitive, communication, and life skills training; and appropriate treatment programs, including substance abuse and mental health treatment;
- (4) Parenting and relationship building classes. The department shall institute policies that support family cohesion and family participation in offenders' transition to the community, and, where possible, provide geographical proximity of offenders to their children and families; ~~and~~
- (5) Ongoing attention to building support for offenders from communities, community agencies, and organizations~~[+]~~;
- (6) Programs that compel inmates without a high school diploma or equivalency certificate to obtain a high school equivalency certificate while incarcerated by matching inmates with an advisor, mentor, or guidance



1 counselor to support the inmates' understanding of
2 incarceration's impact on family, emotions, society,
3 and the self;

4 (7) Tuition assistance for credits for an inmate who
5 completes a general educational development
6 preparation course, high school equivalency test
7 preparation course, or earns a high school equivalency
8 certificate while incarcerated to attend the
9 University of Hawaii or a community college of the
10 University of Hawaii after the inmate's release;

11 (8) Programs that encourage eligible inmates to attend
12 community college or university by teaching inmates
13 the benefits of a college education;

14 (9) Programs that work with local educational institutions
15 and organizations to secure grants, scholarships, and
16 financial aid for inmates interested in obtaining a
17 bachelor's or associate's degree;

18 (10) Introductory college courses and programs in useful,
19 relevant, and applicable fields for eligible inmates,
20 taught by qualified volunteers and retired professors;



1 (11) Tuition assistance for credits for an inmate who
2 pursues or completes an associate's or bachelor's
3 degree while incarcerated to attend the University of
4 Hawaii or a community college at the University of
5 Hawaii after the inmate's release;

6 (12) Health insurance benefits and monthly rent supplement
7 payments of \$ for months after release
8 for any inmate who completes an associate's or
9 bachelor's degree while incarcerated;

10 (13) Health insurance benefits and rent supplement payments
11 of \$ for months after release for any
12 inmate who completes half or more of the required
13 credits to earn an associate's or bachelor's degree
14 while incarcerated; provided that the inmate does not
15 earn the associate's or bachelor's degree while
16 incarcerated;

17 (14) Health insurance benefits and rent supplement payments
18 of \$ for months after release for any
19 inmate who completes a quarter or more of the required
20 credits to earn an associate's or bachelor's degree
21 while incarcerated; provided that the inmate does not



1 complete half or more of the credits required to earn
2 the associate's or bachelor's degree while
3 incarcerated;

4 (15) Programs that shift the focus of career training
5 programs to relevant and useful opportunities,
6 highlight job prospects and benefits that inmates can
7 obtain after completion of specific career training
8 programs, and teach inmates about the benefits of
9 stable employment beyond incarceration and its
10 benefits on themselves, family, and society;

11 (16) Programs that work with non-profit organizations and
12 the business community to secure job positions for
13 inmates that have completed necessary career training
14 programs and have the required qualifications;

15 (17) Earn and learn programs. The department shall expand
16 existing career training opportunities and work
17 furlough programs to include earn and learn programs.
18 For purposes of this paragraph, "earn and learn"
19 programs means programs that allow eligible inmates to
20 participate in supervised apprenticeships to allow



1 inmates to work toward licensure while getting paid;

2 and

3 (18) Programs that compel inmates convicted of a felony to
4 undergo emotional, academic, and behavioral mentoring
5 or counseling by recommending that inmates be granted
6 parole or early release upon completion of the
7 program."

8 SECTION 3. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$ or so
10 much thereof as may be necessary for fiscal year 2022-2023 for
11 the department of public safety to expand existing model
12 programs to provide more educational and vocational training
13 opportunities for interested inmates and to provide subsidized
14 housing, healthcare, and tuition rewards for qualifying inmates.

15 The sum appropriated shall be expended by the department of
16 public safety for the purposes of this Act.

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



1 SECTION 5. This Act shall take effect on July 1, 2022.

2

INTRODUCED BY:

Bennette J. Mendel



S.B. NO. 2433

Report Title:

Incarceration; Education; Employment; Prisons; Recidivism; Earn and Learn; Inmates; Reentry Program; Model Program; Health Insurance; Rent Assistance; Tuition Assistance; Department of Public Safety; Appropriation

Description:

Requires the Department of Public Safety to expand existing model programs to make more quality correctional education courses available to interested inmates. Requires the Department of Public Safety to reward inmates who participate in or complete correctional education programs while incarcerated with subsidized health insurance, housing, or tuition after release. Expands existing vocational and work furlough programs and establishes earn and learn apprenticeships which allow eligible inmates to work towards licensure under supervised apprenticeships while getting paid. Appropriates funds.

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