

JAN 26 2022

A BILL FOR AN ACT

RELATING TO EARLY RELEASE OF INMATES.

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

1 SECTION 1. The legislature finds that during the
2 coronavirus disease 2019 (COVID-19) pandemic, the courts ordered
3 the release of prisoners to reduce congregate infections in the
4 community correctional centers. Many inmates released early due
5 to the COVID-19 pandemic returned to the community where they
6 committed the crimes that they were convicted of. At the very
7 least, an order restraining these early-released offenders for
8 the victims of their crimes for the duration of the original
9 sentence is the minimum the community deserves for its safety.

10 Therefore, the purpose of this Act is to require that
11 courts enter protective orders against convicted inmates
12 released early pursuant to an emergency order for the duration
13 of the inmate's original sentence.

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



1 "§353- Community correctional centers; early release of
2 convicted inmates pursuant to an emergency order. If a motion
3 seeking to modify the release status of any defendant convicted
4 of a crime is granted pursuant to an emergency order, the court
5 shall, as a condition for early release, automatically enter a
6 protective order for a duration equal to the duration the
7 defendant would have remained in custody restraining the
8 defendant from contacting the victim or complainant of the
9 underlying crime or be within five hundred feet of the victim's
10 or complainant's home or place of employment."

11 SECTION 3. This Act does not affect rights and duties that
12 matured, penalties that were incurred, and proceedings that were
13 begun before its effective date.

14 SECTION 4. New statutory material is underscored.

15 SECTION 5. This Act shall take effect upon its approval.

16

INTRODUCED BY:

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is highly cursive and appears to be the name of the legislator who introduced the bill.

S.B. NO. 3322

Report Title:

Early Release; Inmates; Convictions; Community Correctional Centers; Automatic Protective Order; Emergency Order

Description:

Requires the court to enter a protective order against a convicted inmate if the inmate is granted a motion for early release pursuant to an emergency order.

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

