
A BILL FOR AN ACT

RELATING TO PRISON REFORM.

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

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter in title 32 to be appropriately designated
3 and to read as follows:

4 **"CHAPTER**

5 **WOMEN'S CORRECTIONS IMPLEMENTATION COMMISSION**

6 § -1 **Women's corrections implementation commission;**
7 **established; powers and duties.** (a) There is established
8 within the judiciary, for administrative purposes, a commission
9 to be known as the women's corrections implementation
10 commission. The commission shall:

11 (1) Develop and implement an evidence-based, gender-
12 responsive plan to divert non-violent women offenders,
13 especially those with minor children, from the
14 criminal justice system;

15 (2) Ensure that the recommendations made in the final
16 report of the House Concurrent Resolution No. 85



1 (2016) task force on prison reform to the legislature
 2 during the regular session of 2019 are implemented;
 3 (3) Review existing local resources and programs focused
 4 on women in the justice system for their effectiveness
 5 and capacity for expansion; and
 6 (4) Consider model programs that include residential, in-
 7 person and community-based rehabilitation programs,
 8 supportive and subsidized housing, restorative
 9 justice, and educational programs.

10 (b) The women's corrections implementation commission
 11 shall collaborate with the judiciary and the county prosecutors
 12 of Hawaii, Honolulu, Kauai, and Maui to determine how to most
 13 effectively develop and implement the evidence-based, gender-
 14 responsive plan required by subsection (a) (1).

15 **§ -2 Women's corrections implementation commission;**
 16 **membership.** (a) The women's corrections implementation
 17 commission shall consist of the following members, who shall all
 18 be women:
 19 (1) The chief justice, or the chief justice's designee;
 20 (2) The director of public safety, or the director's
 21 designee;



- 1 (3) A social worker who assists in the rehabilitation and
2 attainment of housing for female inmates, who shall be
3 appointed by the director of public safety;
- 4 (4) The public defender, or the public defender's
5 designee;
- 6 (5) The prosecuting attorney of the county of Hawaii,
7 Honolulu, Maui, or Kauai, or the prosecuting
8 attorney's designee;
- 9 (6) The leader of a private foundation that assists women
10 in rehabilitation after release from prison, or the
11 leader's designee;
- 12 (7) A former prison inmate appointed by the director of
13 public safety; and
- 14 (8) A community-based advocate appointed by the director
15 of public safety.
- 16 (b) The members shall not receive compensation for their
17 services but shall receive reimbursement for expenses, including
18 travel expenses, that are necessary for the performance of their
19 duties.



1 § -3 **Administrative support.** The judiciary shall
2 provide administrative support to the women's corrections
3 implementation commission."

4 SECTION 2. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$10,000 or so much
6 thereof as may be necessary for fiscal year 2022-2023 to
7 establish the women's corrections implementation commission.

8 The sum appropriated shall be expended by the judiciary for
9 the purposes of this Act.

10 SECTION 3. It is not the intent of this Act to jeopardize
11 the receipt of any federal aid. If any provision of this Act,
12 or the application thereof to any person or circumstance, is
13 found to be in conflict with federal requirements that are a
14 prescribed condition for the allocation of federal funds to the
15 State, the provision shall be deemed void; provided that the
16 voided provision shall not affect other provisions or
17 applications of the Act that can be given effect without the
18 voided provision or application, and to this end the provisions
19 of this Act are severable.

20 SECTION 4. This Act shall take effect on July 1, 2022.



Report Title:

Criminal Justice; Commission; Department of Public Safety;
Judiciary; Women's Corrections Implementation Commission;
Appropriation

Description:

Establishes the women's corrections implementation commission in the judiciary to ensure implementation of the recommendations from the final report of the House Concurrent Resolution No. 85 (2016) task force, to develop and implement an evidence-based, gender-responsive plan to divert non-violent women offenders, especially those with minor children, from the criminal justice system. Requires the commission to consider model programs including residential, in-person and community-based rehabilitation programs, supportive and subsidized housing, restorative justice, and educational programs. (CD1)

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