

JAN 21 2022

A BILL FOR AN ACT

RELATING TO PRISON REFORM.

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

- 1 SECTION 1. There is established within the judiciary for
2 administrative purposes, a commission to be known as the women's
3 corrections implementation commission to:
- 4 (1) Develop and implement an evidence-based, gender-
5 responsive plan to divert non-violent women offenders,
6 especially those with minor children, from the
7 criminal justice system;
- 8 (2) Ensure that the recommendations made in the final
9 report of the House Concurrent Resolution No. 85
10 (2016) task force on prison reform to the Hawaii
11 legislature during the 2019 regular session are
12 implemented;
- 13 (3) Review existing local resources and programs focused
14 on women in the justice system for their effectiveness
15 and capacity for expansion; and
- 16 (4) Consider model programs that include residential, in-
17 person and community-based rehabilitation programs,



1 supportive and subsidized housing, restorative
2 justice, and educational programs.

3 SECTION 2. The commission shall consist of the following
4 members; provided that the members shall all be women:

5 (1) The chief justice, or the chief justice's designee;

6 (2) The director of public safety, or the director's
7 designee;

8 (3) A social worker who assists in the rehabilitation and
9 attainment of housing for female inmates who shall be
10 appointed by the director of public safety;

11 (4) The prosecuting attorney from a county with a
12 population of seven hundred fifty thousand or greater,
13 or the prosecuting attorney's designee;

14 (5) The leader of a private foundation that assists women
15 in rehabilitation after release from prison or the
16 leader's designee;

17 (6) A former prison inmate appointed by the director of
18 public safety; and

19 (7) A community based advocate appointed by the director
20 of public safety.



1 The members shall not receive compensation for their
2 services.

3 No member of the commission shall be made subject to the
4 financial disclosure requirements of sections 84-13 and 84-17,
5 Hawaii Revised Statutes, solely because of that member's
6 participation as a member of the commission.

7 The commission shall be exempt from chapter 92, Hawaii
8 Revised Statutes.

9 SECTION 3. The Commission may hold public meetings as it
10 deems necessary. The initial meeting of the commission shall
11 occur no later than sixty days after the effective date of this
12 Act.

13 SECTION 4. The commission shall collaborate with the
14 judiciary and the county prosecutors of Hawaii, Honolulu, Kauai,
15 and Maui, to determine how to most effectively develop and
16 implement the evidence-based, gender responsive plan to divert
17 non-violent women offenders, especially those with minor
18 children, from the criminal justice system.

19 SECTION 5. The judiciary shall provide administrative
20 support to the commission.



S.B. NO. 2776

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

5 The sum appropriated shall be expended by the judiciary for
6 the purposes of this Act.

7 SECTION 7. It is not the intent of this Act to jeopardize
8 the receipt of any federal aid. If any provision of this Act,
9 or the application thereof to any person or circumstance, is
10 found to be in conflict with federal requirements that are a
11 prescribed condition for the allocation of federal funds to the
12 State, the provision shall be deemed void; provided that the
13 voided provision shall not affect other provisions or
14 applications of the Act that can be given effect without the
15 voided provision or application, and to this end the provisions
16 of this Act are severable.

17 SECTION 8. This Act shall take effect on July 1, 2022.

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INTRODUCED BY: Clarence K. Iwihiana



S.B. NO. 2776

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 from 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 that the task force also consider model programs including residential, in-person and community-based rehabilitation programs, supportive and subsidized housing, restorative justice, and educational programs.

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