

---

---

# A BILL FOR AN ACT

RELATING TO THE HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION.

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

1           SECTION 1. Section 353L-2, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3           "(a) The governor shall appoint an oversight coordinator  
4 from a list of three nominees submitted by the commission. The  
5 oversight coordinator shall be a person qualified by training  
6 and experience to administer the Hawaii correctional system  
7 oversight commission and shall be well-versed in criminal  
8 justice reform and maintain a firm commitment to the  
9 correctional system's transition to a rehabilitative and  
10 therapeutic model. The oversight coordinator shall serve a  
11 [~~two-year~~] six-year term."

12           SECTION 2. Section 353L-3, Hawaii Revised Statutes, is  
13 amended to read as follows:

14           "**§353L-3 Hawaii correctional system oversight commission;**  
15 **powers and duties.** (a) The commission shall meet with the  
16 oversight coordinator not less than once each quarter to make  
17 recommendations and set policy, receive reports from the



1 oversight coordinator, and transact other business properly  
2 brought before the commission.

3 (b) The commission shall:

4 (1) Oversee the State's correctional system and have  
5 jurisdiction over investigating complaints at  
6 correctional facilities and facilitating a  
7 correctional system transition to a rehabilitative and  
8 therapeutic model; provided that when an investigation  
9 is concluded, the commission shall publish a summary  
10 of the investigation, without information that would  
11 identify any complainant or witness, and any action  
12 taken by the commission in response;

13 (2) Establish maximum inmate population limits for each  
14 correctional facility and formulate policies and  
15 procedures to prevent the inmate population from  
16 exceeding the capacity of each correctional facility;

17 (3) Work with the department of public safety in  
18 monitoring and reviewing the comprehensive offender  
19 reentry program, including facility educational and  
20 treatment programs, rehabilitative services, work  
21 furloughs, and the Hawaii paroling authority's



1 oversight of parolees. The commission may make  
2 recommendations to the department of public safety,  
3 the Hawaii paroling authority, and the legislature  
4 regarding reentry and parole services; and  
5 (4) Ensure that the comprehensive offender reentry system  
6 under chapter 353H is working properly to provide  
7 programs and services that result in the timely  
8 release of inmates on parole when the minimum terms  
9 have been served instead of delaying the release for  
10 lack of programs and services.

11 To achieve these ends, the commission shall authorize the  
12 oversight coordinator to adopt rules in accordance with  
13 chapter 91.

14 (c) In addition to the purposes described in section 92-  
15 5(a) or any other applicable exemption from part I of chapter 92  
16 and in accordance with the procedures for holding an executive  
17 session meeting pursuant to section 92-4, the commission may  
18 hold a meeting closed to the public to discuss with the  
19 oversight coordinator a complaint investigated pursuant to  
20 subsection (b) (1) when necessary to maintain confidentiality as  
21 required by section 353L-7(d)."



1 SECTION 3. Section 353L-7, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:

3 "(c) [~~In an investigation, the~~] The oversight coordinator  
4 may make inquiries and obtain information as the oversight  
5 coordinator thinks fit, enter without notice to inspect the  
6 premises of an agency or correctional facility, and, in an  
7 investigation, hold private hearings in accordance with  
8 chapter 91."

9 SECTION 4. This Act does not affect rights and duties that  
10 matured, penalties that were incurred, and proceedings that were  
11 begun before its effective date.

12 SECTION 5. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14 SECTION 6. This Act shall take effect on June 30, 3000.

15



**Report Title:**

Corrections; Oversight; Coordinator; Meetings; Investigations

**Description:**

Extends the term of the oversight coordinator for the Hawaii correctional system oversight commission. Requires the commission to publish a summary of an investigation and any action taken by the commission in response. Authorizes the commission to hold a meeting closed to the public to discuss with the oversight coordinator a complaint investigated when necessary to maintain confidentiality, under certain conditions. Broadens the oversight coordinator's power to make inquiries, obtain information, and inspect the premises of agencies and correctional facilities. Effective 6/30/3000. (HD1)

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

