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# A BILL FOR AN ACT

RELATING TO CRIMINAL JUSTICE REFORM.

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

1 PART I

2 SECTION 1. The legislature finds that arrests are commonly  
3 made at the initiation of a criminal case, but sometimes occur  
4 needlessly when the issuance of a citation to appear in court  
5 would have sufficed. Arrests consume a significant portion of  
6 the limited resources of understaffed police departments,  
7 increase the number of people held in custody before trial, and  
8 contribute to overcrowding in correctional facilities. Given  
9 Hawaii's high cost of living and the significant percentage of  
10 families who live paycheck to paycheck, many arrestees cannot  
11 afford to post bail before trial.

12 The legislature also finds that arrests are highly  
13 disruptive to a person's life. Despite the fundamental  
14 principle of the presumption of innocence on which the justice  
15 system is built, arrests cause embarrassment and, in some cases,  
16 trauma when they occur in the presence of family members,  
17 neighbors, or coworkers or are publicized in news media.



1 Further, an arrest can significantly jeopardize the arrestee's  
2 housing and employment and set into motion a chain of economic  
3 and logistical hardships for the arrestee's family, especially  
4 when the arrestee is the main source of household income and has  
5 multiple dependents.

6 The purpose of this part is to reduce the number of  
7 unnecessary arrests made in criminal cases by:

- 8 (1) Permitting the granting of a forty-eight hour grace  
9 period after a missed initial court appearance before  
10 the court may issue an arrest warrant; and  
11 (2) Expanding the authorized issuance of citations in lieu  
12 of arrest, with certain exceptions.

13 SECTION 2. Chapter 805, Hawaii Revised Statutes, is  
14 amended by adding a new section to be appropriately designated  
15 and to read as follows:

16 "§805-A Initial court appearance; failure to appear; grace  
17 period. A person who fails to appear in court for the initial  
18 appearance in a case may be granted a grace period of forty-  
19 eight hours before the court may issue an arrest warrant for the  
20 person's nonappearance. During the grace period, the person may  
21 voluntarily appear at court without the need to provide advance



1 notice to the court. If the forty-eight-hour grace period is  
2 scheduled to expire on a Saturday, Sunday, or state holiday, the  
3 expiration shall be extended to the same time on the next  
4 business day."

5 SECTION 3. Chapter 806, Hawaii Revised Statutes, is  
6 amended by adding a new section to be appropriately designated  
7 and to read as follows:

8 **"§806-A Initial court appearance; failure to appear; grace**  
9 **period.** A person who fails to appear in court for the initial  
10 appearance in a case may be granted a grace period of forty-  
11 eight hours before the court may issue an arrest warrant for the  
12 person's nonappearance. During the grace period, the person may  
13 voluntarily appear at court without the need to provide advance  
14 notice to the court. If the forty-eight hour grace period is  
15 scheduled to expire on a Saturday, Sunday, or state holiday, the  
16 expiration shall be extended to the same time on the next  
17 business day."

18 SECTION 4. Section 803-6, Hawaii Revised Statutes, is  
19 amended as follows:

20 1. By amending its title to read:



1           "§803-6 Arrest, how made[-]; citation in lieu of arrest;  
2 failure to appear."

3           2. By amending subsection (b) to read:

4           "(b) In any case in which it is lawful for a [~~police~~] law  
5 enforcement officer to arrest a person without a warrant for a  
6 misdemeanor, petty misdemeanor, or violation, the [~~police~~]  
7 officer may, but need not, issue a citation in lieu of [~~the~~  
8 ~~requirements of~~] making an arrest under [+]subsection[+] (a), if  
9 the [~~police~~] officer finds and is reasonably satisfied that the  
10 person:

11       ~~[(1) Will appear in court at the time designated;~~  
12       ~~(2)]~~ (1) Has no outstanding arrest warrants [which] that  
13           would justify the person's detention or give  
14           indication that the person might fail to appear in  
15           court; [and  
16       ~~(3) That the offense is of such nature that there will be~~  
17       ~~no further police contact on or about the date in~~  
18       ~~question, or in the immediate future.] or~~  
19       (2) Poses no significant danger to a specific or  
20       reasonably identifiable person or persons, based upon  
21       an articulable risk to a specific person or the





1 defendants in criminal cases who have not yet been found guilty  
2 of a crime should be presumed to be entitled to release, unless  
3 release would be inappropriate for a particular defendant  
4 because there is no condition or combination of conditions of  
5 release that will assure the person's return to court when  
6 required or the safety of other persons.

7       The legislature further finds that pretrial drug testing  
8 programs started appearing regularly in the late 1970s and early  
9 1980s, following research that supported drug testing and  
10 treatment as ways to reduce recidivism among people convicted of  
11 a crime. However, research on the impact of drug testing on  
12 pretrial court appearance and arrest-free rates has found that  
13 there is no clear association between drug testing and improved  
14 pretrial outcomes, the impact of noncompliance with drug testing  
15 on the likelihood of pretrial failure is uncertain, cost-benefit  
16 considerations must be made, and drug testing can lead to poorer  
17 pretrial outcomes among people assessed as more likely to  
18 succeed. Therefore, the denial of pretrial release based solely  
19 on a defendant's positive test for drug use should be  
20 prohibited.



1           The legislature also finds that pretrial incarceration is  
2 the primary driver of severe overcrowding in community  
3 correctional centers, which becomes a health and safety issue  
4 for defendants in custody as well as staff who work in  
5 correctional facilities. Further, prolonged pretrial detention  
6 gives the illusion that justice is being served by keeping an  
7 alleged offender behind bars, but often has the unjust effect of  
8 forcing a defendant to plead guilty even when the defendant may  
9 have prevailed at trial, for the sake of hastening the  
10 defendant's release from custody and return to a normal life.

11           The purpose of this part is to introduce meaningful reforms  
12 to the manner of determining eligibility for pretrial release  
13 and promote greater fairness and equity in the criminal courts  
14 by:

- 15           (1) Requiring that copies of the bail report be provided  
16           to the parties, including the defendant's counsel, as  
17           soon as available;
- 18           (2) Requiring that any bail set by the court be in an  
19           amount that the defendant is able to afford, under  
20           certain conditions;



- 1 (3) Prohibiting the denial of pretrial release based  
2 solely upon certain factors, such as the defendant  
3 having recently had one positive test for drug use;
- 4 (4) Requiring the automatic issuance of no-contact orders  
5 in assaultive cases;
- 6 (5) Prohibiting a defendant from being arrested for a  
7 violation of conditions of release solely because the  
8 defendant recently had one positive test for drug use;
- 9 (6) Providing that with respect to sanctions for  
10 violations of conditions of release, the prosecution  
11 must prove, by a preponderance of the evidence, that  
12 the defendant intentionally or knowingly violated  
13 reasonable conditions of release; and
- 14 (7) Requiring the court, in certain cases when revoking a  
15 defendant's release, to enter findings that no  
16 conditions can be imposed that would ensure the  
17 defendant's appearance and the safety of the public  
18 and that the revocation is therefore necessary as an  
19 action of last resort.

20 SECTION 7. Section 353-10, Hawaii Revised Statutes, is  
21 amended by amending subsection (b) to read as follows:



1       "(b) The centers shall:

2       (1) Provide orientation, guidance, and technical services;

3       (2) Provide social-medical-psychiatric-psychological  
4       diagnostic evaluation;

5       (3) Conduct internal pretrial risk assessments on adult  
6       offenders within three working days of admission to a  
7       community correctional center; provided that this  
8       paragraph shall not apply to persons subject to county  
9       or state detainers or holds, persons detained without  
10      bail, persons detained for a probation violation,  
11      persons facing revocation of bail or supervised  
12      release, and persons who have had a pretrial risk  
13      assessment completed [~~prior to~~] before admission to a  
14      community correctional center. For purposes of this  
15      paragraph, "pretrial risk assessment" means an  
16      objective, research-based, validated assessment tool  
17      that measures an offender's risk of flight, risk of  
18      criminal conduct, and risk of violence or harm to any  
19      person or the general public while on pretrial release  
20      pending adjudication. The pretrial risk assessment  
21      tool and procedures associated with its administration



1 shall be periodically reviewed and subject to further  
2 validation at least every five years to evaluate the  
3 effectiveness of the tool and the procedures  
4 associated with its administration. The findings of  
5 periodic reviews shall be publicly reported;

6 (4) Provide correctional prescription program planning and  
7 security classification;

8 (5) Provide other personal and correctional services as  
9 needed for both detained and committed persons;

10 (6) Monitor and record the progress of persons assigned to  
11 correctional facilities who undergo further treatment  
12 or who participate in prescribed correctional  
13 programs;

14 (7) Provide continuing supervision and control of persons  
15 ordered to be placed on pretrial supervision by the  
16 court and persons ordered by the director;

17 (8) Make inquiry with the offender concerning the  
18 offender's financial circumstances and include this  
19 information in the bail report; provided that the  
20 department of public safety's pretrial services  
21 officers shall be provided limited access for the



1 purpose of viewing other state agencies' relevant data  
2 related to an offender's employment wages and taxes;  
3 and

4 (9) Provide pretrial bail reports to the courts on adult  
5 offenders, within three working days of admission of  
6 the offender to a community correctional center, that  
7 are ordered by the court or consented to by the  
8 offender. A complete copy of the executed pretrial  
9 risk assessment delineating the scored items, the  
10 total score, any administrative scoring overrides  
11 applied, and written explanations for administrative  
12 scoring overrides, shall be included in the pretrial  
13 bail report. The pretrial bail reports shall be  
14 confidential and shall not be deemed to be public  
15 records. A copy of a pretrial bail report shall be  
16 provided as soon as available to only:

- 17 (A) [~~To the~~] The defendant or defendant's counsel;  
18 (B) [~~To the~~] The prosecuting attorney;  
19 (C) [~~To the~~] The department of public safety;



1 (D) [~~To any~~] Any psychiatrist, psychologist, or other  
2 treatment practitioner who is treating the  
3 defendant pursuant to a court order;

4 (E) Upon request, [~~to~~] the adult client services  
5 branch; and

6 (F) In accordance with applicable laws, persons[~~7~~] or  
7 entities doing research. The research entity  
8 [~~must~~] shall be approved and contracted by the  
9 department of public safety to protect the  
10 confidentiality of the information, insofar as  
11 the information is not a public record."

12 SECTION 8. Section 804-3, Hawaii Revised Statutes, is  
13 amended to read as follows:

14 "**§804-3 [Bailable] Pretrial release; bailable offenses.**

15 (a) For purposes of this section[~~7~~-"serious"]:

16 "Bail" includes release on one's own recognizance,  
17 supervised release, and conditional release.

18 "Serious crime" means [~~murder or attempted murder~~]:

19 (1) Failing to render aid under section 291C-12;

20 (2) Murder in the first degree[~~7~~-"murder or attempted  
21 ~~murder~~] under section 707-701;



- 1        (3) Murder in the second degree[7] under section  
2                707-701.5;
- 3        (4) Attempted murder in the first or second degree; or [a]  
4        (5) A class A or B felony, except forgery in the first  
5                degree [and failing to render aid under section 291C-  
6                12, and "bail" includes release on one's own  
7                recognizance, supervised release, and conditional  
8                release.] under section 708-851.

9        (b) Any person charged with a criminal offense shall be  
10        bailable by sufficient sureties; provided that bail may be  
11        denied where the charge is for a serious crime, and[+] one or  
12        more of the following criteria apply:

- 13        (1) There is a serious risk that the person will [flee+]  
14                wilfully abscond;
- 15        (2) There is a serious risk that the person will obstruct  
16                or attempt to obstruct justice, or therefore, injure,  
17                or intimidate, or attempt to thereafter, injure, or  
18                intimidate, a prospective witness or juror[+] with the  
19                purpose of obstructing or attempting to obstruct  
20                justice;



1           (3) There is a serious risk that the person poses a  
2           significant danger to [any] a specific or reasonably  
3           identifiable person or persons, based upon an  
4           articulable risk to a specific person or the  
5           community; or

6           (4) There is a serious risk that the person will engage in  
7           illegal activity.

8           (c) [~~Under~~] There shall be a rebuttable presumption under  
9           subsection (b) (1) [~~a rebuttable presumption arises~~] that there  
10          is a serious risk that the person will [~~flee~~] wilfully abscond  
11          or [~~will~~] not appear as directed by the court where the person  
12          is charged with a criminal offense punishable by imprisonment  
13          for life without possibility of parole. [~~For purposes of~~] There  
14          shall be a rebuttable presumption under subsection (b) (3) and  
15          (4) [~~a rebuttable presumption arises~~] that the person poses a  
16          serious danger to any person or community or will engage in  
17          illegal activity [~~where~~] if the court determines that[+] the  
18          defendant:

19           (1) [~~The defendant has~~] Has been previously convicted of a  
20           serious crime involving violence against a person



1 within the ten-year period preceding the date of the  
2 charge against the defendant;

3 (2) [~~The defendant is~~] Is already on bail on a felony  
4 charge involving violence against a person; or

5 (3) [~~The defendant is~~] Is on probation or parole for a  
6 serious crime involving violence to a person.

7 (d) If [~~, after~~] the court finds pursuant to a hearing [the  
8 court finds] that no condition or combination of conditions will  
9 reasonably assure the appearance of the person when required or  
10 the safety of any other person, persons, or community, bail may  
11 be denied[-]; provided that the court enters on the record its  
12 findings with respect to the detention decision.

13 (e) Any bail set by the court shall be in an amount that  
14 the person is able to afford, based upon information in the bail  
15 report or the person's sworn affidavit or testimony, subject to  
16 any rebuttal evidence the prosecution may introduce, at the  
17 release hearing; provided that in setting bail, the court shall  
18 exclude from consideration any income derived from public  
19 benefits, including supplemental security income, social  
20 security disability insurance, and temporary assistance for  
21 needy families funds, and any income that is at or below the



1 federal poverty level. If the person has no source of income  
2 other than public benefits or has a household income that is at  
3 or below the federal poverty level, the person shall be deemed  
4 unable to pay bail in any amount. If the person has a household  
5 income that is above the federal poverty level and that is not  
6 derived from public benefits, the court shall consider an amount  
7 that the person could reasonably afford to pay within forty  
8 hours of the person's arrest."

9 SECTION 9. Section 804-7.1, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 **"§804-7.1 Conditions of release on bail, recognizance, or**  
12 **supervised release. (a)** Upon a showing that there exists a  
13 danger that the defendant will commit a serious crime as defined  
14 in section 804-3(a) [~~or will~~], seek to intimidate witnesses, or  
15 [will] otherwise unlawfully interfere with the orderly  
16 administration of justice, the judicial officer named in  
17 section 804-5 may deny the defendant's release on bail,  
18 recognizance, or supervised release[~~;~~]; provided that denial of  
19 release on bail, recognizance, or supervised release shall not  
20 be based solely upon the defendant having:

21 (1) Recently had one positive test for drug use;



1       (2) A prior criminal history, if the history contains only  
2       arrests but no convictions; or

3       (3) A prior revocation of release on bail, recognizance,  
4       or supervised release, regardless of whether in a  
5       prior criminal case or in the instant case.

6       (b) Upon the defendant's release on bail, recognizance, or  
7 supervised release, [~~however,~~] the court may enter an order:

8       (1) Prohibiting the defendant from approaching or  
9       communicating with particular persons or classes of  
10       persons, [~~except~~] including the complainant; provided  
11       that when the alleged offense involves physical  
12       assault or sexual assault, a written no-contact order  
13       prohibiting the defendant from having contact in any  
14       form with the complainant or with any other witness  
15       shall automatically issue unless the complainant  
16       requests otherwise, and the defendant shall be advised  
17       of the no-contact order while on the record; provided  
18       further that no such order should be deemed to  
19       prohibit any lawful and ethical activity of  
20       defendant's counsel;



- 1 (2) Prohibiting the defendant from going to certain  
2 described geographical areas or premises;
- 3 (3) Prohibiting the defendant from possessing any  
4 dangerous weapon, engaging in certain described  
5 activities, or indulging in intoxicating liquors or  
6 certain drugs;
- 7 (4) Requiring the defendant to report regularly to and  
8 remain under the supervision of an officer of the  
9 court;
- 10 (5) Requiring the defendant to maintain employment, or, if  
11 unemployed, to actively seek employment, or attend an  
12 educational or vocational institution;
- 13 (6) Requiring the defendant to comply with a specified  
14 curfew;
- 15 (7) Requiring the defendant to seek and maintain mental  
16 health treatment or testing, including treatment for  
17 drug or alcohol dependency, or to remain in a  
18 specified institution for that purpose;
- 19 (8) Requiring the defendant to remain in the jurisdiction  
20 of the judicial circuit in which the charges are  
21 pending unless approval is obtained from a court of



1 competent jurisdiction to leave the jurisdiction of  
2 the court;

3 (9) Requiring the defendant to submit to the use of  
4 electronic monitoring and surveillance;

5 (10) Requiring the confinement of the defendant in the  
6 defendant's residence;

7 (11) Requiring the defendant to satisfy any other condition  
8 reasonably necessary to ensure the appearance of the  
9 defendant as required and to ensure the safety of any  
10 other person, persons, or community; or

11 (12) Imposing any combination of conditions listed above;  
12 provided that the court shall impose the least restrictive  
13 non-financial conditions required to ensure the defendant's  
14 appearance and to protect the public.

15 (c) The judicial officer may revoke a defendant's bail  
16 upon proof that the defendant has breached any of the conditions  
17 imposed."

18 SECTION 10. Section 804-7.2, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 "**§804-7.2 Violations of conditions of release on bail,**  
21 **recognizance, or supervised release.** (a) [~~Upon~~] Subject to the



1 limitation set out in subsection (d), upon verified application  
2 by the prosecuting attorney alleging that a defendant has  
3 intentionally violated the conditions of release on bail,  
4 recognizance, or supervised release, the judicial officer named  
5 in section 804-5 shall issue a warrant directing the defendant  
6 be arrested and taken forthwith before the court of record for  
7 hearing.

8 (b) [~~Upon~~] Subject to the limitation set out in subsection  
9 (d), upon verified application by a pretrial officer of the  
10 intake service center that a defendant has intentionally  
11 violated the conditions of release on bail, recognizance, or  
12 supervised release, the court may issue an order pertaining to  
13 bail to secure the defendant's appearance before the court or a  
14 warrant directing that the defendant be arrested and taken  
15 forthwith before the court of record for hearing.

16 (c) [A] Subject to the limitation set out in subsection  
17 (d), a law enforcement officer having reasonable grounds to  
18 believe that a released felony defendant has violated the  
19 conditions of release on bail, recognizance, or supervised  
20 release, may, where it would be impracticable to secure a



1 warrant, arrest the defendant and take the defendant forthwith  
2 before the court of record.

3 (d) A defendant shall not be arrested under this section  
4 solely because the defendant had one positive test for drug  
5 use."

6 SECTION 11. Section 804-7.3, Hawaii Revised Statutes, is  
7 amended to read as follows:

8 **"§804-7.3 Sanctions for violation of conditions of release**  
9 **on bail, recognizance, or supervised release.** After hearing,  
10 and upon finding that the defendant has intentionally or  
11 knowingly violated reasonable conditions imposed on release on  
12 bail, recognizance, or supervised release, the court may impose  
13 different or additional conditions upon the defendant's release  
14 or revoke the defendant's release on bail, recognizance, or  
15 supervised release~~[-]~~; provided that the burden of proof shall  
16 be upon the prosecution to establish a violation, by a  
17 preponderance of the evidence, based upon representations made  
18 by an officer of the court. If the court revokes the  
19 defendant's release and the revocation is based upon the  
20 violation of a condition of release that did not involve the  
21 defendant's commission or alleged commission of a new offense or



1 the defendant's failure to appear in court in the instant case,  
2 the court shall enter findings into the record that no other  
3 conditions can be imposed that would ensure the defendant's  
4 appearance and the safety of the public and that the revocation  
5 is therefore necessary as an action of last resort."

6 PART III

7 SECTION 12. The legislature finds that existing state laws  
8 relating to certain violations of community supervision have  
9 resulted in skyrocketing rates of incarceration and severe  
10 overcrowding in state correctional facilities. The legislature  
11 recognizes that use of alcohol and illicit substances by  
12 parolees is often rooted in the complex issue of addiction and  
13 not simply due to a deliberate choice to disregard the law or  
14 the terms of parole. Subjecting a parolee to arrest and  
15 potential revocation of community supervision is disruptive to  
16 the person's overall efforts and progress in leading a  
17 pro-social life - and is also costly for the State. The State  
18 currently spends \$219 per day, or \$79,935 per year, to  
19 incarcerate just one person. Research shows that, in contrast,  
20 community-based services are a fraction of the cost of  
21 incarceration.



1           The legislature believes that instead of expending funds to  
2 arrest a parolee who has tested positive for drug use and  
3 holding a hearing on whether parole should be revoked based on  
4 the positive test, funds should be reinvested in employment,  
5 housing, social services, and community-based treatment programs  
6 that more effectively reduce recidivism.

7           The purpose of this part is to:

- 8           (1) Provide that at any time before trial, the court may  
9           order the defendant to undergo a substance abuse  
10           assessment and participate in any necessary treatment;  
11           (2) Prohibit the revocation of parole solely due to the  
12           defendant having one positive test for drug use; and  
13           (3) Prohibit the arrest of a parolee solely due to the  
14           defendant having one positive test for drug use.

15           SECTION 13. Chapter 805, Hawaii Revised Statutes, is  
16 amended by adding a new section to be appropriately designated  
17 and to read as follows:

18           "§805-B Drug screening; request. At any time before  
19 trial, the court may order the defendant to undergo a substance  
20 abuse assessment and participate in any necessary treatment;  
21 provided that this section shall not preclude a request of this



1 nature being made subsequent to trial or any conviction that  
2 results therefrom."

3 SECTION 14. Chapter 806, Hawaii Revised Statutes, is  
4 amended by adding a new section to be appropriately designated  
5 and to read as follows:

6 "§806-B Drug screening; request. At any time before  
7 trial, the court may order the defendant to undergo a substance  
8 abuse assessment and participate in any necessary treatment;  
9 provided that this section shall not preclude a request of this  
10 nature being made subsequent to trial or any conviction that  
11 results therefrom."

12 SECTION 15. Section 353-66, Hawaii Revised Statutes, is  
13 amended as follows:

14 1. By amending subsection (b) to read:

15 "(b) No parole shall be revoked and no credits forfeited  
16 without cause, which [~~cause~~] must be stated in the order  
17 revoking the parole[7] but shall not be based solely upon the  
18 defendant having one positive test for drug use, or in the order  
19 forfeiting the credits after notice to the paroled prisoner of  
20 the paroled prisoner's alleged offense and an opportunity to be  
21 heard; provided that when a person is convicted in the State of



1 a crime committed while on parole and is sentenced to  
2 imprisonment, or when it is shown by personal investigation that  
3 a parolee has left the State without permission from the  
4 paroling authority and due effort is made to reach the parolee  
5 by registered mail directed to the parolee's last known address,  
6 no hearing shall be required to revoke the parolee's parole;  
7 [~~and~~] provided further that when any duly licensed psychiatrist  
8 or licensed psychologist finds that continuance on parole will  
9 not be in the best interests of a parolee or the community, the  
10 paroling authority, within the limitations of the sentence  
11 imposed, shall order the detention and treatment of the prisoner  
12 until such time as the prisoner shall be found by any duly  
13 licensed psychiatrist or licensed psychologist to be eligible  
14 for continuance on parole."

15 2. By amending subsection (d) to read:

16 "(d) The paroling authority may at any time order the  
17 arrest and temporary return to custody of any paroled prisoner,  
18 as provided in section 353-65, for the purpose of ascertaining  
19 whether [~~or not~~] there is sufficient cause to warrant the  
20 paroled prisoner's reimprisonment or the revoking of the paroled  
21 prisoner's parole or other action provided for by this part[~~-~~];



1 provided that a parolee shall not be arrested under this  
2 subsection solely because the defendant has one positive test  
3 for drug use."

4 PART IV

5 SECTION 16. In codifying the new sections added by  
6 sections 2, 3, 13, and 14 of this Act, the revisor of statutes  
7 shall substitute appropriate section numbers for the letters  
8 used in designating the new sections in this Act.

9 SECTION 17. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11 SECTION 18. This Act shall take effect on June 30, 3000.

12



**Report Title:**

Courts; Corrections; Arrests; Pretrial Release; Parole;  
Revocation

**Description:**

Part I: Expands the authorized issuance of citations in lieu of arrests. Authorizes a grace period after a missed initial court appearance. Part II: Amends various provisions related to pretrial release. Part III: Allows the court to order substance abuse assessment and treatment. Prohibits the arrest of a parolee, or the revocation of parole, solely due to the defendant having one positive test for drug use. Effective 6/30/3000. (HD2)

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

