

JAN 20 2023

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] Each oversight coordinator appointed
11 after the effective date of this Act shall serve a [two-year]
12 six-year term."

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

15 "(b) The commission shall:

16 (1) Oversee the State's correctional system and have
17 jurisdiction over investigating complaints at



1 correctional facilities and facilitating a
2 correctional system transition to a rehabilitative and
3 therapeutic model;

4 (2) Establish maximum inmate population limits for each
5 correctional facility and formulate policies and
6 procedures to prevent the inmate population from
7 exceeding the capacity of each correctional facility;

8 (3) Work with the department of public safety in
9 monitoring and reviewing the comprehensive offender
10 reentry program, including facility educational and
11 treatment programs, rehabilitative services, work
12 furloughs, and the Hawaii paroling authority's
13 oversight of parolees. The commission may make
14 recommendations to the department of public safety,
15 the Hawaii paroling authority, and the legislature
16 regarding reentry and parole services; [~~and~~]

17 (4) Ensure that the comprehensive offender reentry system
18 under chapter 353H is working properly to provide
19 programs and services that result in the timely
20 release of inmates on parole when the minimum terms



1 have been served instead of delaying the release for
2 lack of programs and services[-]; and

3 (5) When conducting an investigation:

4 (A) Meet in executive meetings, as necessary,
5 pursuant to section 92-4;

6 (B) Hold meetings closed to the public, as necessary,
7 pursuant to section 92-5; and

8 (C) Take other measures, as necessary,
9 to maintain confidentiality regarding all matters in
10 the investigation, including the identities of any
11 complainants and witnesses.

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

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

17 "(c) [~~In an investigation, the~~] The oversight coordinator
18 may make inquiries and obtain information as the oversight
19 coordinator thinks fit, enter without notice to inspect the
20 premises of an agency or correctional facility, and, in an



1 investigation, hold private hearings in accordance with
2 chapter 91."

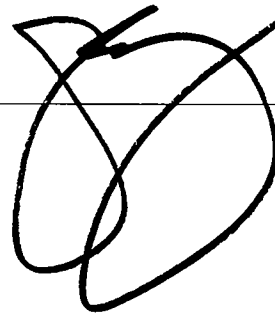
3 SECTION 4. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 5. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 6. This Act shall take effect on July 1, 2023.

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INTRODUCED BY: _____

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S.B. NO. 455

Report Title:

Corrections; Oversight; Coordinator; Meetings; Investigations

Description:

Extends the term of the Oversight Coordinator for the Hawaii Correctional System Oversight Commission. Specifies that the Commission shall take measures as necessary to maintain confidentiality in investigations. Broadens the Oversight Coordinator's power to make inquiries, obtain information, and inspect the premises of agencies and correctional facilities.

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

