
A BILL FOR AN ACT

RELATING TO OFFENDER REENTRY.

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

1 SECTION 1. The legislature finds that there are
2 significant barriers to employment after an individual has been
3 convicted of a crime and sentenced to serve time in prison. The
4 United States military is one of the largest employers in the
5 State, and many military jobs require a security clearance.
6 Criminal convictions can create hurdles in the process of
7 acquiring a security clearance, but convictions are not absolute
8 disqualifiers. The only automatic disqualifiers are a lack of
9 United States citizenship and ongoing use of an illegal drug,
10 while waivers have been granted for candidates who have been
11 convicted of crimes that resulted in a prison sentence of over
12 one year. When granting waivers, adjudicators look at factors
13 such as the seriousness of the conduct, evidence of
14 rehabilitation, and likelihood of recurrence.

15 The purpose of this Act is to require the department of
16 corrections and rehabilitation to provide certificates to



1 qualified individuals as evidence of these mitigating factors to
2 increase their eligibility for employment upon release.

3 SECTION 2. Section 353H-6, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§353H-6 Employment of ex-offenders.** (a) The director of
6 labor and industrial relations shall take the necessary steps to
7 ensure offenders and ex-offenders are included and involved in
8 utilizing state and private resources for employment and
9 training opportunities as well as life skills and educational
10 opportunities.

11 (b) The department of corrections and rehabilitation, with
12 the assistance of the department of taxation and the department
13 of labor and industrial relations, shall develop and propose for
14 legislative consideration, tax incentives for employers who hire
15 individuals who were formerly incarcerated.

16 (c) The department of corrections and rehabilitation shall
17 issue a certificate of rehabilitation, which shall include
18 evidence of the following:

19 (1) Fulfillment of sentence and all post-release
20 obligations; provided that the Hawaii paroling



1 authority shall retain primary responsibility for
2 tracking and confirming post-release obligations;

3 (2) Completion of offender reentry programs;

4 (3) Summary of rehabilitation efforts; and

5 (4) Readiness for employment opportunities.

6 (d) The department of corrections and rehabilitation shall
7 work closely and collaborate with state and federal agencies and
8 private employers to educate stakeholders on the certification.

9 (e) The department of corrections and rehabilitation may
10 work with state agencies to increase the availability and
11 likelihood that eligible offenders will obtain a security
12 clearance post-release if relevant to their employment pursuits
13 with the State.

14 (f) The department of corrections and rehabilitation shall
15 adopt rules pursuant to chapter 91 relating to the issuance and
16 interpretation of the certificate and its relevance to existing
17 criminal history record checks."

18 SECTION 3. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$ or so
20 much thereof as may be necessary for fiscal year 2026-2027 to
21 implement and administer the certification of rehabilitation.



1 The sum appropriated shall be expended by the department of
2 corrections and rehabilitation for the purposes of this Act.

3 SECTION 4. New statutory material is underscored.

4 SECTION 5. This Act shall take effect on July 1, 3000.



Report Title:

Offender Reentry; Employment; Certificates; Security Clearance; Appropriation

Description:

Requires the Department of Corrections and Rehabilitation to provide a certificate of rehabilitation to offenders who have satisfied all sentencing and post-release requirements. Requires the Department of Corrections and Rehabilitation to work with government and private stakeholders to conduct public education regarding the certificates. Authorizes the Department of Corrections and Rehabilitation to work with state agencies to increase offenders' eligibility for security clearance in post-release employment with the State. Appropriates funds. Effective 7/1/3000. (HD1)

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