
A BILL FOR AN ACT

RELATING TO PAROLE ELIGIBILITY.

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

1 SECTION 1. The legislature finds that participation in
2 treatment, work furlough, and other programs designed to assist
3 committed persons with successful reintegration back into the
4 community enhances rehabilitation and reduces recidivism. The
5 legislature further finds that treatment programs address
6 substance abuse and alcohol addiction, mental health illness,
7 and deviant sexual behaviors; work furlough provides
8 opportunities to secure employment, increase financial
9 stability, resocialize with family and support networks, and
10 secure housing prior to release; and other programs enhance
11 skills, such as cognitive skills, parenting skills, and anger
12 management, to manage daily living activities and challenging
13 situations.

14 Accordingly, the purpose of this Act is to amend section
15 353-64, Hawaii Revised Statutes, to include treatment, work
16 furlough, and other programs designed for successful



1 reintegration in addition to academic, vocation education, and
2 prison industry programs.

3 SECTION 2. Section 353-64, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§353-64 Committed persons paroled.** Any committed person
6 confined in any state correctional facility in execution of any
7 sentence imposed upon the committed person, except in cases
8 where the penalty of life imprisonment not subject to parole has
9 been imposed, shall be subject to parole in the manner and form
10 as set forth in this part; provided that the committed person
11 shall be paroled in the county where the committed person had a
12 permanent residence or occupation or employment prior to
13 incarceration, unless:

- 14 (1) The committed person will reside in a county in which
15 the population exceeds eight-hundred thousand persons;
16 (2) The committed person will be released for immediate
17 departure from the State; or
18 (3) The committed person shall be released to the county
19 in the State in which the committed person has the
20 greatest family or community support, opportunities
21 for employment, job training, education, treatment,



1 and other social services, as determined by the Hawaii
2 paroling authority; provided that to be considered for
3 parole to another county in the State, the committed
4 person shall provide a written request to the
5 department not less than six months prior to the
6 expiration of the committed person's longest minimum
7 sentence~~[=]~~;

8 ~~[Provided]~~ provided further that to be eligible for parole, the
9 committed person, if the person is determined by the department
10 to be suitable for participation, must have been a participant
11 in an academic, treatment, vocational education, ~~[or]~~ including
12 participation in work furlough if so recommended, prison
13 industry ~~[program]~~, or other programs designed to assist the
14 committed person with successful reintegration back into the
15 community authorized by the department and must have been
16 involved in or completed the ~~[program]~~ programs to the
17 satisfaction of the department; ~~[and]~~ provided further that this
18 precondition for parole shall not apply if the committed person
19 is in a correctional facility where academic, treatment,
20 vocational education, ~~[and]~~ work furlough, prison industry
21 ~~[programs]~~, or other programs designed to assist the committed



1 person with successful reintegration back into the community, or
2 facilities are not available. A grant of parole shall not be
3 subject to acceptance by the committed person~~(-)~~ and program
4 requirements may be waived at the discretion of the Hawaii
5 paroling authority."

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on July 1, 2050.

9



Report Title:

Parole Eligibility

Description:

Amends section 353-64, HRS, to include participation in correctional programs for parole eligibility: (1) treatment (substance abuse, mental health, sex offender); (2) work furlough as part of vocational education; and (3) other programs designed to assist the committed person with successful reintegration back into the community; all of which are in the scope of programs determined by Department of Corrections and Rehabilitation's Receiving and Diagnostic (RAD) assessments and recommended for parole eligibility. Effective 7/1/2050. (SD1)

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