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S.B. NO. 2000-80

A Bill for an Act Relating to Corrections.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 353-22.5, Hawaii Revised Statutes, is amended to read:

“Sec. 353-22.5 Committed persons, furlough, employment. (a) The director or his agent may grant furloughs to committed persons with a minimum or lower security classification in any correctional facility of the department for the purpose of employment, social reorientation, education, or training, or any other valid purpose as determined by the director. Special out-of-state furloughs may be granted to those already otherwise furloughed, at no cost to the State, when death or critical illness or injury to the committed person’s immediate family occurs. Any committed person who is engaged in private employment, by contract or otherwise, not under the immediate custody of the State shall not be considered an agent or employee of the State.

When an inmate is granted a special out-of-state furlough, the director shall inform the authorities of the state to which he is to be furloughed of his arrival.

(b) Full power to enforce the terms and conditions of furlough and to retake and reimprison a furloughed prisoner is conferred upon the director or his authorized agent. The director or his authorized agent may, at any time, issue a warrant authoriz-

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ing the arrest and return to actual custody of any furloughed prisoner for the purpose of ascertaining whether or not the terms and conditions of furlough have been violated so as to justify the revoking of his furlough or his reimprisonment. The administrators of all of the correctional facilities of the State, the chief of police of each county, all police officers of the State, and all correctional facility officials shall execute any such warrant of arrest in like manner as an ordinary criminal process.

(c) Any furloughed prisoner retaken and reimprisoned as provided in this chapter shall be confined according to his sentence for that portion of his term remaining unserved at the time of furlough, but subsequent furloughs may, in the discretion of the director or his authorized agent, be granted to a prisoner during the life and in respect of sentence.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored.*

SECTION 3. This Act shall take effect upon its approval.

(Approved May 21, 1980.)

*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.