

ACT 124

H.B. NO. 2606-82

A Bill for an Act Relating to Committed Persons, Furlough, Employment.

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

SECTION 1. Section 353-22, Hawaii Revised Statutes, is amended to read as follows:

“§358-22 Establishment of conditional release [centers] centers for committed persons. (a) The director of social services may establish and operate facilities to be known as conditional release centers, either operated separately, or as part of community correctional centers.

(b) The purpose of such facilities is to provide housing, meals, supervision, guidance, furloughs, and other correctional programs for persons committed to the department of social services and housing and to give committed persons, in

selected cases, a chance to begin adjustment to life in a free society and to serve as a test of an individual's fitness for release on parole.

(c) The department shall notify the county prosecutors and police chiefs whenever a prisoner is admitted to participate in a work furlough program, conditional release program, or other similar programs and that such notification shall be made in writing to the county prosecutors and police chiefs listing the conditions of such work furlough programs, conditional releases or such similar programs thirty days prior to the commencement of the work furlough program, conditional release or other such program."

SECTION 2. Section 353-22.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(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. Any moneys earned from employment by such person shall be used to satisfy a restitution order and to reimburse the State for the cost of room and board. If any earned moneys remain after these expenses have been paid, that amount shall be held in an individual account for the committed person.

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."

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved May 26, 1982.)