

ACT 228

H.B. NO. 1166

A Bill for an Act Relating to Victim Notification Requirements of Conditional Release Centers; Furloughs for Prisoners.

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

SECTION 1. Section 353-22, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

“(d) Additionally, whenever the department admits a prisoner who has been convicted of an offense against the person as described in chapter 707, or of an attempt to commit such an offense, to a work furlough program, conditional release program, or other similar programs, it shall give written notice to each victim of the offense, or surviving immediate family member, who has made

written request for such notice, of the admission of the prisoner to the program. Notice shall be given to the victim or surviving immediate family member at the address given on the written request for notice or such address as may be provided to the department by the victim [from time to time.] or surviving immediate family member, as the case may be, thirty days prior to the commencement of the work furlough program, conditional release, or other such program. The department, in its discretion, may instead give written notice to the victim or witness counselor programs in the prosecuting attorney's office in the county where the victim or the surviving immediate family member resides. Neither the failure of any state officer or employee to carry out the requirements of this section nor compliance with it shall subject the State or the officer or employee to liability in any civil action. However, such failure may provide a basis for such disciplinary action as may be deemed appropriate by competent authority.

"Surviving immediate family member" means a surviving grandparent, parent, sibling, spouse, child, and any legal guardian of a deceased victim."

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 Statutory material to be repealed is bracketed.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

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

(Approved June 4, 1985.)