

A Bill for an Act Relating to Substance Abuse.

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

SECTION 1. Chapter 353, Hawaii Revised Statutes, is amended as follows:

1. By amending section 353-1.1 to read:

“§353-1.1 Establishment of community correctional centers. There shall be a community correctional center for each of the counties under the direction and administration of the director of the department of social services and housing. Any community correctional center may be integrated and operated concurrently with any other correctional facility or facilities. Each center shall:

- (1) Provide residential detention for persons awaiting judicial disposition who have not been conditionally released;
- (2) Provide residential custody and correctional care for committed misdemeanants and for felony offenders committed to indeterminate sentences;
- (3) Provide for committed persons, correctional services, including but not limited to social and psychiatric-psychological evaluation, employment counseling, social inventory, correctional programming, medical and dental services;
- (4) Provide for committed persons, recreational, educational, and occupational training and social adjustment programs;
- (5) Provide for persons released from the centers, referrals to community educational, vocational training, employment, and work study programs; and aftercare, supervisory and counseling services[.];
- (6) Provide for committed persons, substance abuse treatment.

The community correctional centers may be staffed by full-time or part-time professional staff appointed pursuant to chapter 76, or may utilize contractual professional services.”

2. By amending subsection (b) of section 353-1.2 to read:

“(b) []The facility shall:[]

- (1) Provide extensive control and correctional programs for categories of persons who cannot be held or treated in other correctional facilities, including but not limited to:
 - (A) Individuals committed because of serious predatory or violent crimes against the person;
 - (B) Intractable recidivists;
 - (C) Persons characterized by varying degrees of personality disorders;
 - (D) Recidivists identified with organized crime;
 - (E) Violent and dangerously deviant persons;

- (F) Persons in need of major medical, psychiatric or specialized care;
- (2) Provide correctional services including but not limited to psychiatric and psychological evaluation, social inventory, correctional programming, medical and dental services;
- (3) Provide recreational, educational, occupational training and social adjustment programs[.];
- (4) Provide substance abuse treatment for committed persons."

3. By amending section 353-4 to read:

"§353-4 Special powers and duties. The director of social services shall:

- (1) See to it that the duties of all officers and employees are efficiently and faithfully performed;
- (2) Keep oneself fully informed at all times concerning the health, care, and treatment of committed persons, the sanitary and other conditions affecting the correctional facilities under the director's jurisdiction, and all other matters within the director's jurisdiction;
- (3) Cause correctional facilities to be kept in a clean, healthful, and sanitary condition;
- (4) Inquire into and deal justly with all complaints made by committed persons relating to their food, clothing, accommodations, training, education, work, individual correctional plan or treatment;
- (5) Attend to the purchasing of all supplies, materials and equipment necessary for the proper maintenance and operation of correctional facilities and for the care and maintenance of committed persons, and see to the proper care, use, and disposition thereof, conformably with law;
- (6) Keep all books, accounts, and records and make such reports as may be required of the director by law;
- (7) Negotiate with private organizations or agencies for participation and cooperation in programs which further the treatment, training, education and work of committed persons pursuant to law;
- (8) Initiate the individual prescribed correctional plan for committed persons including privileges, placement, treatment, training, education and work in accordance with law;
- (9) Exert every effort to insure that each inmate serving a sentence of imprisonment spends a maximum amount of time on the programs set forth in (7) and (8) above. This shall be voluntary if possible. If not, the director shall prescribe a program of involuntary work within the resources of the State and the capability of the inmate[.];
- (10) Ensure that committed persons are provided substance abuse treatment.

The director or the director's agent may transfer any committed person to or from any correctional facility under the director's jurisdiction. Nothing in this section shall be construed to prohibit the transfer of committed persons from any correctional facility to the Hawaii state hospital or other state institutions as provided by law."

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

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- SECTION 3. This Act shall take effect upon its approval.
(Approved June 5, 1987.)