

ACT 24

S.B. NO. 539

A Bill for an Act Relating to Corrections.

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

SECTION 1. Section 353-10, Hawaii Revised Statutes, is amended to read as follows:

“§353-10 [~~Intake~~] Reentry intake service centers. There shall be within the department of public safety, [~~an~~] a reentry intake service center for adults in each of the counties, to screen, evaluate, and classify the admission of persons to community correctional centers[~~;~~] and to provide for the successful reentry of persons back into the community. Each center shall be directed and managed by a manager and shall be staffed by a team of psychiatrists, social workers, technicians, and other personnel as may be necessary. The director of public safety may appoint full-time or part-time professional and clerical staff or contract for professional services to carry out the duties of the centers as identified in this section.

The centers shall:

- (1) Provide orientation, guidance, and technical services;
- (2) Provide social-medical-psychiatric-psychological diagnostic evaluation;
- (3) Provide pretrial assessments on adult offenders for the courts and assist in the conduct of presentence assessments on adult offenders and the preparation of presentence reports when requested by the courts;
- (4) Provide correctional prescription program planning and security classification;
- (5) Provide such other personal and correctional services as needed for both detained and committed persons; [~~and~~]
- (6) Monitor and record the progress of persons assigned to correctional facilities who undergo further treatment or who participate in prescribed correctional programs[~~;~~];
- (7) Ensure that the present and future reentry needs of persons committed to correctional facilities are being evaluated and met in an effective and appropriate manner;
- (8) Provide additional reentry services to include working closely and collaborating with the furlough programs in each county that are currently managed by the department's institutions division;
- (9) Work closely and collaborate with the Hawaii paroling authority;
and
- (10) Work closely and collaborate with the corrections program services division.”

SECTION 2. Section 353H-21, Hawaii Revised Statutes, is amended to read as follows:

“[~~§~~353H-21] Legislative oversight committee; established. (a) There is established a legislative oversight committee to ensure transparency in the operations of the department, analyze the effectiveness of the department's governance, operations, and administration of its programs and services, evaluate the department's purchase of community-based programs and services, and review any other issues impacting the department. The legislative oversight committee shall conduct site visits and have access to all areas in correctional facilities,

within the constraints of safety and security. The legislative oversight committee shall meet publicly for input and recommendations for the department. The legislative oversight committee shall be composed of members of the standing committees of both houses of the legislature whose purview is to oversee the department. The legislative oversight committee shall be jointly chaired by the legislative standing committees' respective chairs.

(b) The legislative oversight committee shall cease to exist on July 1, 2009."

SECTION 3. (a) Effective January 1, 2010, there is established within the department of public safety a reentry commission to work with the department in monitoring and reviewing the comprehensive offender reentry program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii paroling authority's oversight of parolees. The reentry commission may make recommendations to the department, the Hawaii paroling authority, and the legislature regarding reentry and parole services.

(b) The reentry commission shall consist of eleven members who shall be appointed by the governor in accordance with section 26-34, Hawaii Revised Statutes, as follows:

- (1) Four members shall be selected by the governor; provided that at least one of the four shall be a former inmate and none shall be government employees;
- (2) Two members shall be selected by the president of the senate;
- (3) Two members shall be selected by the speaker of the house of representatives;
- (4) One member shall represent the American Civil Liberties Union;
- (5) One member shall represent the Community Alliance on Prisons; and
- (6) One member shall be a former inmate who has successfully been reintegrated into the community.

(c) The reentry commission shall meet at least quarterly and members shall serve without compensation, but may be reimbursed for expenses, including travel expenses that are necessary for the performance of their duties.

(d) The commission shall cease to exist on July 1, 2014.

SECTION 4. The department of public safety shall not receive any additional moneys in the department's operating budget to carry out the purposes of this Act. This Act shall not have an adverse employment or economic impact on the intake service center division's current staff as it exists on the day prior to the effective date of this Act.

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect on September 1, 2009.

(Vetoed by Governor and veto overridden by Legislature on July 15, 2009.)