

ACT 244

H.B. NO. 2312

A Bill for an Act Relating to Prison Reform.

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

SECTION 1. The Hawaii Revised Statutes is amended by adding a new chapter in title 32 to be appropriately designated and to read as follows:

“CHAPTER

WOMEN’S CORRECTIONS IMPLEMENTATION COMMISSION

§ -1 Women’s corrections implementation commission; established; powers and duties. (a) There is established within the judiciary, for administrative purposes, a commission to be known as the women’s corrections implementation commission. The commission shall:

- (1) Develop and implement an evidence-based, gender-responsive plan to divert non-violent women offenders, especially those with minor children, from the criminal justice system;
- (2) Ensure that the recommendations made in the final report of the House Concurrent Resolution No. 85 (2016) task force on prison reform to the legislature during the regular session of 2019 are implemented;
- (3) Review existing local resources and programs focused on women in the justice system for their effectiveness and capacity for expansion; and
- (4) Consider model programs that include residential, in-person and community-based rehabilitation programs, supportive and subsidized housing, restorative justice, and educational programs.

(b) The women’s corrections implementation commission shall collaborate with the judiciary and the county prosecutors of Hawaii, Honolulu, Kauai, and Maui to determine how to most effectively develop and implement the evidence-based, gender-responsive plan required by subsection (a)(1).

§ -2 Women’s corrections implementation commission; membership. (a) The women’s corrections implementation commission shall consist of the following members, who shall all be women:

- (1) The chief justice, or the chief justice's designee;
 - (2) The director of public safety, or the director's designee;
 - (3) A social worker who assists in the rehabilitation and attainment of housing for female inmates, who shall be appointed by the director of public safety;
 - (4) The public defender, or the public defender's designee;
 - (5) The prosecuting attorney of the county of Hawaii, Honolulu, Maui, or Kauai, or the prosecuting attorney's designee;
 - (6) The leader of a private foundation that assists women in rehabilitation after release from prison, or the leader's designee;
 - (7) A former prison inmate appointed by the director of public safety; and
 - (8) A community-based advocate appointed by the director of public safety.
- (b) The members shall not receive compensation for their services but shall receive reimbursement for expenses, including travel expenses, that are necessary for the performance of their duties.

§ -3 Administrative support. The judiciary shall provide administrative support to the women's corrections implementation commission."

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$10,000 or so much thereof as may be necessary for fiscal year 2022-2023 to establish the women's corrections implementation commission.

The sum appropriated shall be expended by the judiciary for the purposes of this Act.

SECTION 3. It is not the intent of this Act to jeopardize the receipt of any federal aid. If any provision of this Act, or the application thereof to any person or circumstance, is found to be in conflict with federal requirements that are a prescribed condition for the allocation of federal funds to the State, the provision shall be deemed void; provided that the voided provision shall not affect other provisions or applications of the Act that can be given effect without the voided provision or application, and to this end the provisions of this Act are severable.

SECTION 4. This Act shall take effect on July 1, 2022.

(Approved July 6, 2022.)