
SENATE CONCURRENT RESOLUTION

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO REVIEW PAROLE POLICIES IN HAWAII AND OTHER JURISDICTIONS AND TO DETERMINE THE RATES OF RECIDIVISM OF PAROLEES ACCORDING TO GENDER, PRIOR CRIMINAL HISTORY, SUBSTANCE ABUSE HISTORY, TYPE OF OFFENSE FOR WHICH PAROLED, TYPE OF PAROLE SUPERVISION, AND NEW OFFENSE.

1 WHEREAS, Hawaii follows an indeterminate sentencing model
2 in which an offender, if sentenced to prison for a felony
3 offense, is sentenced to the maximum term authorized by law, and
4 thereafter, a minimum term is established that the offender must
5 serve before being eligible for release on parole; and
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7 WHEREAS, the Legislature has enacted numerous provisions
8 requiring the imposition of a mandatory minimum term of
9 imprisonment for a variety of felony offenses, and under these
10 provisions, an offender may not be paroled from prison until, at
11 the earliest, the mandatory minimum term has been served; and
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13 WHEREAS, the operational capacity of Hawaii's prison
14 facilities is 1,878 inmates; however, those facilities housed an
15 average of 1,691 inmates during fiscal year 2007, while
16 approximately two thousand three hundred inmates were housed in
17 mainland correctional facilities at an annual cost in excess of
18 \$56,000,000, with another two hundred inmates housed at the
19 Federal Detention Center in Honolulu at an annual cost of
20 \$8,000,000; and
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22 WHEREAS, the Hawaii Paroling Authority has established the
23 following policies: (1) setting the minimum term that an
24 offender must serve prior to release on parole; (2) reviewing
25 the offender's case immediately prior to release on parole; and
26 (3) taking back into custody those offenders who violate the
27 terms and conditions of the offender's release on parole; and
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1 WHEREAS, the Hawaii Paroling Authority has approximately
2 forty-five authorized parole officer positions and each parole
3 officer carries an approximate caseload of sixty to eighty
4 parolees; and
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6 WHEREAS, many offenders have difficulty maintaining stable
7 housing, employment, and sobriety, which consequently may lead
8 to offenders failing to comply with the terms and conditions of
9 their parole by neglecting to advise their parole officer of all
10 changes in their address or employment, failed drug or alcohol
11 tests, or even the commitment of another crime; and
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13 WHEREAS, a significant portion of the prison population is
14 comprised of previously paroled offenders who have been returned
15 to prison for violating one or more terms and conditions of
16 parole; and
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18 WHEREAS, the growth of Hawaii's prison population continues
19 unabated, with increasing demands for more mainland and local
20 prison space; now, therefore,
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22 BE IT RESOLVED by the Senate of the Twenty-fourth
23 Legislature of the State of Hawaii, Regular Session of 2008, the
24 House of Representatives concurring, that the Legislative
25 Reference Bureau is requested to review parole policies in
26 Hawaii and in other jurisdictions to determine the:
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- 28 (1) Criteria used to consider offenders for release on
29 parole;
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- 31 (2) Criteria used to determine terms and conditions of
32 parole and the level of supervision; and
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- 34 (3) Criteria used to determine whether a parole violator
35 will be taken back into custody for a parole
36 violation; and
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38 BE IT FURTHER RESOLVED that the Legislative Reference
39 Bureau is requested to determine the rates of recidivism for
40 parolees in Hawaii and in other states according to gender,
41 prior criminal history, substance abuse history, type of offense
42 for which paroled, type of parole supervision, and new offense;
43 and
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1 BE IT FURTHER RESOLVED that the Department of Public Safety
2 and the Hawaii Paroling Authority are requested to cooperate
3 with the Legislative Reference Bureau in performing the review
4 by providing access to policy materials and information and
5 aggregated, non-confidential statistical information about
6 paroled offenders; and
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8 BE IT FURTHER RESOLVED that the Legislative Reference
9 Bureau is requested to submit a report to the Legislature of its
10 findings no later than twenty days prior to the convening of the
11 Regular Session of 2009; and
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13 BE IT FURTHER RESOLVED that certified copies of this
14 Concurrent Resolution be transmitted to the Director of the
15 Legislative Reference Bureau, the Director of Public Safety, and
16 the Chair of the Hawaii Paroling Authority.

