
A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

PART I

SECTION 1. Section 354D-4, Hawaii Revised Statutes, is amended to read as follows:

"§354D-4 Powers and duties of the director. Under the supervision of the director or the director's designee, the administrator of the correctional industries program shall:

- (1) Develop programs generating revenue that best sustains their operation and allows for capital investment, and reimburses the general fund, when possible, for the expense of correctional services;
- (2) Develop programs providing the maximum level of work and training opportunities for qualified, able-bodied inmates;
- (3) Develop programs assuming responsibility for training qualified, ~~[able-bodied]~~ appropriately screened inmates in ~~[general work]~~ applicable work and specific



1 training skills that increase their employment
 2 prospects after release;

3 (4) Develop programs in which inmates can learn skills
 4 used in the construction and other industries, while
 5 providing low-cost construction, renovation, and
 6 repairs of facilities, grounds, furniture, vehicles,
 7 and equipment for private, nonprofit social services,
 8 health, or education agencies and programs;

9 (5) Acquire or purchase equipment, materials, supplies,
 10 office space, insurance, and services necessary to
 11 establish and maintain programs pursuant to this
 12 chapter;

13 (6) [~~Use labor services~~] Conduct industries or enterprises
 14 for the employment of qualified, able-bodied inmates
 15 in the manufacture or production of [~~goods~~] articles
 16 and products deemed appropriate for sale by the
 17 director and the provision of services for sale to the
 18 public or that [are] may be needed for the
 19 construction, operation, [~~or~~] maintenance, or use of
 20 any office, department, institution, or agency
 21 supported in whole or in part by [~~the State, the~~



1 ~~counties,]~~ a state and its political subdivisions or
2 the federal government;

3 [~~7~~] ~~Sell all goods and services to the State, the~~
4 ~~counties, or the federal government;~~

5 ~~8~~] (7) Sell uniforms and uniform accessories to state-
6 employed adult corrections officers;

7 [~~9~~] (8) Purchase, lease, trade, exchange, acquire, and
8 maintain personal property; and

9 [~~10~~] (9) Accept grants or loans from the State, the
10 counties, or the federal government [-]; and

11 (10) Ensure that the proceeds from the sale of articles and
12 products deemed appropriate for sale by the director
13 pursuant to paragraph (6) are deposited as follows:

14 (A) Twenty-five per cent shall be deposited into the
15 inmate's trust account to address any victim
16 restitution that the inmate may owe;

17 (B) The remaining seventy-five per cent shall be
18 debited for the amount of any indebtedness the
19 inmate may owe to the department, which may
20 include but not be limited to medical, legal
21 supplies, and craft supplies;



1 (C) The amount remaining after being debited pursuant
 2 to subparagraph (B) shall be debited twenty-five
 3 per cent for deposit into the correctional
 4 industries revolving fund established under
 5 section 354D-10 and ten per cent for deposit into
 6 the department's inmate activity revolving fund;
 7 and

8 (D) The amount remaining after being debited pursuant
 9 to subparagraph (C) shall be placed in the
 10 inmate's trust account with:

11 (i) Fifty per cent placed in the inmate's
 12 spendable account; and

13 (ii) Fifty per cent placed in the inmate's
 14 restricted account."

15 SECTION 2. Section 354D-15, Hawaii Revised Statutes, is
 16 repealed.

17 ~~["§354D-15] Sale of goods. It shall be unlawful to sell,~~
 18 ~~or offer for sale, on the open market of this State, any~~
 19 ~~articles or products manufactured or produced, wholly or in~~
 20 ~~part, under this chapter. Goods or services produced by venture~~



1 ~~agreements under section 354D 13 shall be exempt from this~~
2 ~~limitation."]~~

3 PART II

4 SECTION 3. The legislature finds that Hawaii's prison
5 system houses many more inmates than it was designed to
6 accommodate and may be in danger of violating federal standards,
7 although there have been continual discussions about building
8 new prison facilities that would be completed in five to ten
9 years. One reason the prison system is overburdened is that
10 49.6 per cent of convicted felons return to prison within one
11 year after their release.

12 The reentry of former inmates into society has often been
13 difficult because:

- 14 (1) Training they received while incarcerated has become
15 obsolete and is no longer economically relevant;
- 16 (2) They acquired negative habits in prison and are not
17 motivated to seek lawful employment; and
- 18 (3) They lack the necessary skills and training to secure
19 meaningful employment that provides adequate pay and
20 is conducive to a more normal lifestyle.



1 In order to reduce recidivism, several states have
2 established programs that include training and mentoring to give
3 inmates an opportunity to learn professional, vocational, and
4 entrepreneurial skills that will facilitate their reentry into
5 society.

6 The purpose of this part is to require the department of
7 business, economic development, and tourism to conduct a study
8 of the feasibility of establishing a training and mentoring
9 program for qualified prison inmates that will provide the tools
10 they need to find meaningful employment upon release and thereby
11 decrease the burden of recidivism and incarceration on taxpayers
12 and the State.

13 SECTION 4. The department of business, economic
14 development, and tourism's Hawaii community-based economic
15 development technical and financial assistance program shall
16 conduct a study to determine the feasibility of establishing a
17 training and mentoring program for qualified prison inmates, to
18 be called the reentry academy for training and entrepreneurial
19 resources (RAFTER), to facilitate their reentry into society.

20 In conducting the study, the department shall cooperate
21 with the visitor and resort industries, labor unions, the



1 construction industry, community colleges, and the University of
2 Hawaii, to identify the kinds of training and mentoring required
3 to succeed in various professions, industries, vocations, and
4 trades. The department shall also develop a component to offer
5 inmates training in life skills such as personal hygiene and
6 grooming, dressing for success, exercise, healthy diets, time
7 management, dealing with family relationships, responsible
8 finances, and basic reading, writing, and arithmetic skills.

9 The department shall submit a report of its findings and
10 recommendations to the legislature no later than twenty days
11 prior to the convening of the regular session of 2017.

12 The report shall be reviewed by the reentry commission and
13 the house and senate standing committees with jurisdiction over
14 public safety.

15 SECTION 5. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$ or so much
17 thereof as may be necessary for fiscal year 2016-2017 to carry
18 out the purposes of this Act.

19 The sum appropriated shall be expended by the department of
20 business, economic development, and tourism for the purposes of
21 this Act.



1 PART III

2 SECTION 6. Statutory material to be repealed is bracketed
3 and stricken. New statutory material is underscored.

4 SECTION 7. This Act shall take effect upon its approval;
5 provided that section 5 shall take effect on July 1, 2016.



Report Title:

Corrections; Committed Persons; Sale of Crafts; Correctional Industries Program; Correctional Industries Revolving Fund; Reentry Academy for Training and Entrepreneurial Resources; RAFTER; Study; Appropriation

Description:

Authorizes Hawaii Correctional Industries to sell inmate-made products and services on the open market to the general public. Requires all moneys collected from the sale of products and crafts be used for victim restitution, paying debts to Department of Public Safety, deposits into the Correctional Industries Revolving Fund, deposits into Department of Public Safety Inmate Activity Revolving Fund, or deposits into the inmate's account. Repeals the prohibition of the sale of such products on the open market. Requires Department of Business, Economic Development and Tourism to conduct a feasibility study on establishing a reentry academy for training and entrepreneurial resources (RAFTER). Appropriates funds.
(SB2630 HD1)

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