
A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1 SECTION 1. Section 354D-3.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§354D-3.5[+] Annual report. The department shall
4 submit to the legislature an annual report at least twenty days
5 prior to the convening of each regular session which shall
6 include:

- 7 (1) A listing by position number and title of all
8 positions established under section 354D-3;
9 (2) The salaries paid to the employees in these positions;
10 (3) A description of the duties and responsibilities of
11 each employee; and
12 (4) The usual work site of each employee[-];
13 (5) The amount of moneys from the sale of products and
14 crafts to the public through the correctional
15 industries program that have been deposited into the
16 correctional industries revolving fund established
17 under section 354D-10 during the previous fiscal year;
18 and



1 (6) An explanation of the nexus between the workforce
2 opportunities provided through the correctional
3 industries program during incarceration and life after
4 incarceration."

5 SECTION 2. Section 354D-4, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§354D-4 Powers and duties of the director.** Under the
8 supervision of the director or the director's designee, the
9 administrator of the correctional industries program shall:

- 10 (1) Develop programs generating revenue that best sustains
11 their operation and allows for capital investment, and
12 reimburses the general fund, when possible, for the
13 expense of correctional services;
- 14 (2) Develop programs providing the maximum level of work
15 and training opportunities for qualified, able-bodied
16 inmates;
- 17 (3) Develop programs assuming responsibility for training
18 qualified, able-bodied inmates in general work and
19 specific training skills that increase their
20 employment prospects after release;



- 1 (4) Develop programs in which inmates can learn skills
2 used in the construction and other industries, while
3 providing low-cost construction, renovation, and
4 repairs of facilities, grounds, furniture, vehicles,
5 and equipment for private, nonprofit social services,
6 health, or education agencies and programs;
- 7 (5) Acquire or purchase equipment, materials, supplies,
8 office space, insurance, and services necessary to
9 establish and maintain programs pursuant to this
10 chapter;
- 11 (6) ~~[Use labor services of qualified, able-bodied inmates~~
12 ~~in the manufacture or production of goods and services~~
13 ~~that are needed for the construction, operation, or~~
14 ~~maintenance of any office, department, institution, or~~
15 ~~agency supported in whole or in part by the State, the~~
16 ~~counties, or the federal government,]~~ Ensure the
17 correctional industries program is operated for the
18 purpose of employment training of inmates in:
- 19 (A) Manufacturing or producing articles or products
20 for sale to the general public, including
21 photographs, paintings, drawings, sewn items,



- 1 crocheted items, woodwork, and other items deemed
2 appropriate for sale by the director; and
- 3 (B) Providing labor services for the construction,
4 repair, or maintenance of any equipment or real
5 property of any department or agency of the
6 State, a county, or the federal government;
7 provided that the administrator of the
8 correctional industries program may assess a
9 reasonable charge for the services provided under
10 this subparagraph;
- 11 ~~[(7) Sell all goods and services to the State, the~~
12 ~~counties, or the federal government;~~
- 13 ~~+(8)]~~ (7) Sell uniforms and uniform accessories to state-
14 employed adult corrections officers;
- 15 ~~[(9)]~~ (8) Purchase, lease, trade, exchange, acquire, and
16 maintain personal property; [and]
- 17 ~~[(10)]~~ (9) Accept grants or loans from the State, the
18 counties, or the federal government[-]; and
- 19 (10) Ensure that the proceeds from the sale of products and
20 crafts pursuant to paragraph 6(A) are deposited as
21 follows:



- 1 (A) Twenty-five per cent shall be deposited into the
2 inmate's trust account to address any victim
3 restitution that the inmate may owe;
- 4 (B) The remaining seventy-five per cent shall be
5 debited for the amount of any indebtedness the
6 inmate may owe to the department, which may
7 include but not be limited to medical, legal
8 supplies, and craft supplies;
- 9 (C) The amount remaining after being debited pursuant
10 to subparagraph (B) shall be debited twenty-five
11 per cent for deposit into the correctional
12 industries revolving fund established under
13 section 354D-10 and ten per cent for deposit into
14 the department's inmate activity revolving fund;
15 and
- 16 (D) The amount remaining after being debited pursuant
17 to subparagraph (C) shall be placed in the
18 inmate's trust account with:
- 19 (i) Fifty per cent placed in the inmate's
20 spendable account; and



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

3 SECTION 3. Section 354D-10, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) There is created the correctional industries
6 revolving fund to be administered by the department. All moneys
7 collected by the department from the sale or disposition of
8 goods and services produced in accordance with this chapter,
9 from the sale of products and crafts in accordance with section
10 353D-4(10), and any inmate deductions shall be deposited into
11 the correctional industries revolving fund. The proceeds in the
12 correctional industries revolving fund shall be used for: the
13 purchase or lease of supplies, equipment, and machinery; the
14 construction, leasing, or renovating of buildings used to carry
15 out the purposes of this chapter; the salaries of personnel
16 necessary to administer the enterprises established in
17 accordance with this chapter; payment of inmates for work
18 assignments; the reimbursement of incarceration costs of the
19 inmates related to the inmates' participation in correctional
20 industries; and other necessary expenses; provided that the
21 correctional industries revolving fund shall not be maintained



1 in excess of the amount necessary to carry out the purposes of
2 this chapter."

3 SECTION 4. Section 354D-15, Hawaii Revised Statutes, is
4 repealed.

5 ~~["§354D-15 Sale of goods. It shall be unlawful to sell,~~
6 ~~or offer for sale, on the open market of this State, any~~
7 ~~articles or products manufactured or produced, wholly or in~~
8 ~~part, under this chapter. Goods or services produced by venture~~
9 ~~agreements under section 354D-13 shall be exempt from this~~
10 ~~limitation."]~~

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

13 SECTION 6. This Act shall take effect upon its approval.



Report Title:

Corrections; Committed Persons; Sale of Crafts; Correctional Industries Program; Correctional Industries Revolving Fund

Description:

Requires PSD to annually report on the amount of moneys that have been deposited into the correctional industries revolving fund from the sale of products and crafts to the public through the correctional industries program. Requires PSD to annually report on the nexus between the workforce opportunities provided through the correctional industries program during incarceration and life after incarceration. Allows committed persons to create approved products and crafts that may be sold through the correctional industries program to the public. Requires that all moneys collected from the sale of products and crafts to be used for victim restitution, paying debts to PSD, deposit into the correctional industries revolving fund, deposit into PSD inmate activity fund, or deposit into the committed person's account. Repeals the prohibition of the sale of such products on the open market. (SD1)

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