A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

SECTION 1. The legislature finds that many of the inmates at the State's overcrowded prisons have violated probation, parole, or furlough by use of illicit substances and are in need of substance abuse treatment and mental health services.

The legislature further finds that the department of public safety is statutorily required pursuant to section 353-10.5, Hawaii Revised Statutes, to implement alternative programs that place, control, supervise, and treat selected offenders in lieu of incarceration.

The legislature further finds that the department of public safety has available space at Halawa valley for the new Oahu community correctional center to also accommodate a minimum-security facility to house up to four hundred fifty short-term adult offenders. The purpose of the minimum-security facility shall be to alleviate the overcrowded conditions of the State's prison system and to provide much-needed substance abuse treatment and support services, cognitive behavioral...
intervention, and transitional programming instead of returning an offender to a "hard bed" in a correctional institution.

Furthermore, it has been determined that the offenders housed at this minimum-security facility shall have violated probation, parole, or furlough by illicit substance use, or are sentenced felon probationers, or sentenced misdemeanants identified as high risk for illicit substance use or recidivism.

The minimum-security facility shall also have the capacity to house adult males in a furlough program in a minimum-security setting.

The legislature further finds that the department of health is statutorily required pursuant to section 26-13, Hawaii Revised Statutes, to administer programs designed to protect, preserve, care for, and improve the physical and mental health of the people of the State. The legislature finds that the department of health has access to the best personnel to provide substance abuse treatment and support services, cognitive behavioral intervention, and transitional programming in lieu of incarceration.

The purpose of this Act is to establish within the department of public safety with assistance from the department

HB HMS 2019-1286
of health a minimum-security housing program for short-term
adult offenders in a county with a population of more than seven
hundred fifty thousand.

SECTION 2. Chapter 353, Hawaii Revised Statutes, is
amended by adding a new section to be appropriately designated
and to read as follows:

"§353- Minimum-security housing program; short-term
adult offenders. (a) There is established within the
department of public safety a minimum-security housing program
for short-term adult offenders in a county with a population of
more than seven hundred fifty thousand. The minimum-security
housing program shall be located at or near a community
correctional center and a prison.

(b) The purpose of the minimum-security housing program is
to alleviate the overcrowded conditions of the State's prison
system and have the department of health provide assistance in
substance abuse treatment and support services, cognitive
behavioral intervention, and transitional programming in lieu of
incarceration.

(c) The offenders housed at the minimum-security housing
program shall be:
(1) Probation or parole violators;
(2) Illicit substance abuse furlough violators;
(3) Sentenced felon probationers; or
(4) Sentenced misdemeanants identified as high risk for illicit substance use or recidivism;
(d) The minimum-security housing program shall also have the capacity to house adult males in a furlough program in a minimum-security setting."

SECTION 3. The director of finance is authorized to issue general obligation bonds in the sum of $ or so much thereof as may be necessary and the same sum or so much thereof as may be necessary is appropriated for fiscal year 2019-2020 for the purpose of a minimum-security housing program. The sums appropriated shall be allocated as follows:

(1) $ for the design of the four hundred fifty-bed minimum-security housing facility; and
(2) $ for the construction of the four hundred fifty-bed minimum-security housing facility.

SECTION 4. The appropriation made for the capital improvement project authorized by this Act shall not lapse at the end of the fiscal biennium for which the appropriation is
made; provided that all moneys from the appropriation
unencumbered as of June 30, 2022, shall lapse as of that date.

SECTION 5. There is appropriated out of the general
revenues of the State of Hawaii the sum of $ or so much
thereof as may be necessary for fiscal year 2019-2020 and the
same sum or so much thereof as may be necessary for fiscal year
2020-2021 for the minimum-security housing program. The sums
appropriated shall be allocated as follows:

(1) $ for the hiring of staff to oversee the
minimum-security facility; and

(2) $ for the operation of the minimum-security
housing program.

The sums appropriated shall be expended by the department
of public safety for the purposes of this Act.

SECTION 6. There is appropriated out of the general
revenues of the State of Hawaii the sum of $ or so much
thereof as may be necessary for fiscal year 2019-2020 and the
same sum or so much thereof as may be necessary for fiscal year
2020-2021 for the hiring of staff and the procurement of
substance abuse treatment services, cognitive behavioral
intervention, and transitional programming within the department of health for the minimum-security housing program.

The sums appropriated shall be expended by the department of health for the purposes of this Act.

SECTION 7. This Act shall be liberally construed to accomplish the purposes set forth in section 1 of this Act.

SECTION 8. All laws and parts of laws heretofore enacted that are in conflict with the provisions of this Act are hereby amended to conform herewith.

SECTION 9. New statutory material is underscored.

SECTION 10. This Act shall take effect on July 1, 2019.

INTRODUCED BY:

[Signatures]
Report Title:
Minimum-Security Housing Program; Short-Term Adult Offenders; Appropriation

Description:
Establishes a minimum-security housing program in a county with a population of more than 750,000 for short-term adult offenders. Provides capacity for a furlough program. Appropriates funds.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.