
A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1 SECTION 1. The legislature finds that many of the
2 individuals at the State's overcrowded community correctional
3 facilities have violated probation, parole, or furlough by use
4 of illicit substances and are in need of substance abuse
5 treatment and mental health services.

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

11 The legislature further finds that the department of public
12 safety has available space at Halawa valley for the new Oahu
13 community correctional center to also accommodate a minimum-
14 security facility to house up to four hundred fifty short-term
15 adult offenders. The purpose of the minimum-security facility
16 shall be to alleviate the overcrowded conditions of the State's
17 community correctional facilities and to provide much-needed



1 substance abuse treatment and support services, cognitive
2 behavioral intervention, and transitional programming instead of
3 returning an offender to a "hard bed" in a correctional
4 institution.

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

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

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



1 The purpose of this Act is to establish within the
2 department of public safety with assistance from the department
3 of health a minimum-security housing program for short-term
4 adult offenders in a county with a population of more than seven
5 hundred fifty thousand.

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

9 "§353- Minimum-security housing program; short-term
10 adult offenders. (a) There is established within the
11 department of public safety a minimum-security housing program
12 for short-term adult offenders in a county with a population of
13 more than seven hundred fifty thousand. The minimum-security
14 housing program shall be located at or near a community
15 correctional center and a prison.

16 (b) The purpose of the minimum-security housing program is
17 to alleviate the overcrowded conditions of the State's community
18 correctional facilities and have the department of health
19 provide assistance in substance abuse treatment and support
20 services, cognitive behavioral intervention, and transitional
21 programming in lieu of incarceration.



1 (c) The offenders housed at the minimum-security housing
2 program shall be:

- 3 (1) Probation or parole violators;
- 4 (2) Illicit substance abuse furlough violators;
- 5 (3) Sentenced felon probationers; or
- 6 (4) Sentenced misdemeanants identified as high risk for
7 illicit substance use or recidivism;

8 (d) The minimum-security housing program shall also have
9 the capacity to house adult males in a furlough program in a
10 minimum-security setting."

11 SECTION 3. The director of finance is authorized to issue
12 general obligation bonds in the sum of \$ or so much
13 thereof as may be necessary and the same sum or so much thereof
14 as may be necessary is appropriated for fiscal year 2019-2020
15 for the purpose of a minimum-security housing program. The sums
16 appropriated shall be expended by the department of public
17 safety and allocated as follows:

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



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

6 SECTION 5. There is appropriated out of the general
 7 revenues of the State of Hawaii the sum of \$ or so much
 8 thereof as may be necessary for fiscal year 2019-2020 and the
 9 same sum or so much thereof as may be necessary for fiscal year
 10 2020-2021 for the minimum-security housing program. The sums
 11 appropriated shall be allocated as follows:

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

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

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

18 SECTION 6. There is appropriated out of the general
 19 revenues of the State of Hawaii the sum of \$ or so much
 20 thereof as may be necessary for fiscal year 2019-2020 and the
 21 same sum or so much thereof as may be necessary for fiscal year



1 2020-2021 for the hiring of staff and the procurement of
2 substance abuse treatment services, cognitive behavioral
3 intervention, and transitional programming within the department
4 of health for the minimum-security housing program.

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

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

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

12 SECTION 9. New statutory material is underscored.

13 SECTION 10. This Act shall take effect on July 1, 2050.



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. (HB1551 HD1)

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

