	<b>DEPARTMENT OF PUBLIC SAFETY</b>  <b>CORRECTIONS ADMINISTRATION</b> <b>POLICY AND PROCEDURES</b>	<b>EFFECTIVE DATE:</b> DEC 12 2009	<b>POLICY NO.:</b> COR.05.03
		<b>SUPERSEDES (Policy No. &amp; Date):</b> COR.05.03 04/06/93	
	<b>SUBJECT:</b> <b>INMATE/PUBLIC ACCESS TO CORRECTIONAL POLICIES</b> <b>AND PROCEDURES</b>	Page 1 of 3	

## 1.0 PURPOSE

To provide guidelines for inmate or general public access to correctional policies of the Department.

## 2.0 REFERENCES AND DEFINITIONS

### .1 References

- a. Hawaii Revised Statutes (HRS), Chapter 92F, Uniform Information Practices Act (modified).

### .2 Definition

- a. Departmental Policy - for purposes of this policy, department policy refers to any policy and procedure signed by the Director for the purpose of providing department wide guidance on the topic of the policy.
- b. Facility Policy - a correctional facility policy and procedure signed by the facility administrator which was developed to implement a departmental policy or a policy and procedure developed for application only within that facility. Facility policy should never contradict departmental policy.
- c. Confidential Policy - any departmental or facility policy and procedure which would jeopardize facility security and management, or control of inmates, or frustrate government operations if it were disclosed. Neither inmates nor the public shall be allowed access to these policies without express approval from the Director.

## 3.0 POLICY

- .1 To provide clear operating guidelines for the department and clarify the procedures that are to be employed in the performance of the department's duties and obligations. Policies create standards or regulations designed to govern inmate behavior or protect their rights. Since inmates are to be held accountable for their behavior, they must be made aware of these policies.
- .2 All facilities should have all non-confidential policies available for inmate access in the facility law library. In addition, any member of the public or inmates in State correctional institutions are considered "persons" within the

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meaning of HRS, Chapter 92F. In this capacity, they may have access to any Department document that is not classified as confidential. If an inmate chooses to make a request under HRS Chapter 92F, the request must be sent through the U.S. Mail to the appropriate facility or office, and staff will treat this request in accordance with the law. A response must be sent within 10 working days, and should include the estimated cost of research and copying.

- .3 Members of the public making a request to view the department policies should be referred to the Offender Management Office. Members of the public requesting to review facility policy should be accommodated if possible without endangering facility security. If the member of the public cannot be admitted into a public area of the facility to view the facility policy, then the Offender Management Office should be contacted to coordinate the alternative procedure.

#### 4.0 PROCEDURES

- .1 A complete set of all non-confidential policies (those indicated by an asterisk on the table of contents) and the latest copy of the table of contents shall be maintained in each correctional facility law library for inmate access. The set of non-confidential policies maintained for inmate access shall have any attached forms removed. All forms used in the correctional system should be distributed to inmates through the prescribed process, however, if the inmate chooses to request copies of the forms from the law library, copying charges will apply. All other confidential department policies shall be maintained in a secure location elsewhere. No confidential policy may be released to inmates or the public without the Director's approval.
- .2 Inmates and the general public shall not have access to any Director's memorandums, which are attached to a newly promulgated department policy. These memorandums provide an overview of the policy and are for staff information only.
- .3 Facility Policies
  - a. All facilities shall develop and implement facility policies specifying the procedures regarding the access and availability of department policies.

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.4 Fee to be Charged for Copying Policies

- a. Any one requesting copies of policies shall be allowed to make copies of non-confidential department and facility policies and Administrative Rules. The cost of copying is \$0.50 per page for single sided copies and \$1.00 for a two-sided copy.
- b. All copy charges shall be receipted for and the money and receipts forwarded to the department Fiscal Office. The facility business manager shall be responsible for reconciling all fees collected prior to forwarding the money to the Fiscal Office.

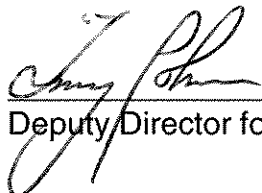
.5 Denial of Access to Department Documents

- a. If an inmate requests a department document in which there is doubt as to whether the inmate should have access, the Offender Management Office may be consulted for advice and guidance. A denial of access may be appealed by the inmate through the inmate grievance system.

5.0 **SCOPE**

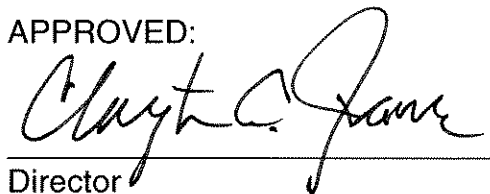
This policy shall apply to all correctional facilities and correctional staff offices within the Department.

APPROVAL RECOMMENDED:

  
 Deputy Director for Corrections

12/9/09  
 Date

APPROVED:

  
 Director

12/12/09  
 Date