

## **DEPARTMENT OF PUBLIC SAFETY**

### **OFFICE OF THE DIRECTOR**

#### **FUNCTIONAL STATEMENT**

##### **PRESENT**

#### **HAWAII PAROLING AUTHORITY**

The Hawaii Paroling Authority (HPA) is a quasi-judicial body, which is attached to the Department for administrative purposes. The mission of this body is to 1) evaluate and grant parole when there is reasonable probability that the prisoner concerned will live and remain at liberty without violating the law and that the prisoner's release is not incompatible with the welfare and safety of the public; and, 2) to utilize the agency and community resources as a link for parolees to reintegrate into society.

1. Serves as the central paroling authority for the State of Hawaii and responsible for the administration of and discharge of all parole and community supervision programs and services for the State.
2. Provides administrative hearings to:
  - a. Determine and establish appropriate minimum terms of imprisonment against judiciary imposed maximum terms;
  - b. Determine whether any eligible individual is in-fact ready for release on parole and the element of risk to the community is minimal; and,
  - c. Determine whether to revoke or suspend parole and recommit parole violators to prison.
3. Determines and establishes the rules of conduct expected of those released on parole; provides continual control and supervision of paroled individuals in the community; and revokes parole for those who violate their condition of parole or present a risk to community safety or welfare.
4. Ensures the optimum utilization of available resources within its jurisdiction and encourages the same from those outside of its jurisdiction in the services provided to parolees. Enters into agreements with other agencies, which promote public safety and rehabilitative efforts.
5. Recommends sound parole administration and community supervision to the Governor and testifies at legislative hearings on proposals affecting or relating to parole; informs the Legislature as to sound parole practices.
6. Interprets parole and community supervision programs to the public; be readily accessible to receive and respond quickly to the expressed needs of the community; and represents the State Administration at public functions that are related to parole and community supervision.
7. Provides required reports to the Governor; maintains a record of all meetings and proceedings; and appoints employees to the staff of the HPA.

#### **PAROLE ADMINISTRATION**

Under the general direction and guidance of the HPA, directs and maintains the operational work units of the Paroling Authority.

Basic authority and responsibility for the administration of the Parole Administration Division will be vested in the Paroles and Pardons Administrator. The major functions of the Division are:

1. Provides administrative direction in the formulation and implementation of comprehensive statewide parole and community supervision services.
2. Prescribes and provides direction in the development of policies, standards, criteria, procedures and rules and regulations as deemed to be necessary or appropriate to perform functions.
3. Provides consultative, interpretive, supportive, and technical services to the Parole Authority members, which includes briefing Authority members on statutory changes and recommends modification or revision to be made in existing statutes, rules and regulations, policies or procedures affecting the Authority.
4. Provides direction in the development and implementation of the parole data processing and evaluation system; analyzes reports available to determine whether changes are necessary or desirable in the operation of the Authority.
5. Develops and prepares the HPA's biennium and multi-year program budget plan for review and approval prior to submission to the Director of the Department of Public Safety; and allocates resources to meet the needs of the agency within the guidelines of the approved budget.
6. Provides direction in the planning and development of a full range of parole and community supervision services including intensive supervision, specialized services, institutional parole services (pre-parole functions), staff development, etc.
7. Provides channels of coordination and communication among the Department of Public Safety divisions, staff offices, branches, and other public and private organizations with parole and community supervision concerns.
8. Coordinates divisional activities with private and public agencies and develops inter-agency relationships and agreements.
9. Resolves major conflicts among operating or staff units of the Division.
10. Prepares legislative testimonies and assists in hearings.
11. Determines and schedules persons legally entitled to administrative hearings before the Authority; arrests and reimprisons parole violators; serves as the State's representative in adversary (revocation of parole) hearings; and presents all other cases to the Authority at and during their administrative hearings.
12. Serves as liaison with federal, state, and county and other agencies on matters related to parole and community supervision.

#### **OFFICE SERVICES STAFF SECTION**

The Office Services Staff Section provides direct support to the Parole Administration Division. Provides the clerical and record keeping services for the Division, including business management functions for the Paroling Authority and Division.

1. Assists in formulating the HPA's multi-year budget request in relation to personnel costs, operating costs, equipment costs and motor vehicles.
2. Prepares operational expenditure plans annually and provides justification for all budget accounts.

3. Keeps control of expenditures and encumbrances and informs Paroles and Pardons Administration of any surplus or deficit.
4. Seeks and negotiates new office space or locations.
5. Plans and implements office relocation and renovations.
6. Prepares purchase orders for all administrative and operational expenses.
7. Coordinates and maintains statewide equipment inventory.
8. Maintains personal actions.
9. Maintains accurate records of all persons incarcerated by the Department of Public Safety and those on parole; computes inmates' time served and schedules cases on a timely basis to be considered by the Authority.
10. Provides clerical support for the Division; prepares and issues legal notices; ensures reports required by the Authority are received on a timely basis; and records and disseminates all official actions of the Authority.

### **PRE-PAROLE SECTION**

The Pre-Parole staff reports directly to the Parole Administration Division. Assists in the development and implementation of parole and community supervision services and programs to improve the overall adult parole supervision and counseling, case management and planning, and services to the inmate and parole population.

1. Serves as the Authority's liaison with the criminal justice agencies, correctional facilities, inmates, parolees, and other interested groups or individuals on parole matters through meetings, briefings, and conferences.
2. Assists the Authority in preparing for hearings and review activities by gathering information and preparing special reports related to minimum sentencing and parole consideration; and conducts preliminary hearings of parolees alleged to have violated conditions of parole.
3. Assists in the development, planning, organizing, evaluating, and implementing of divisional support services and staff training programs related to pre-parole functions and activities.
4. Assists in the development of policies and procedures, rules and regulations, and other operational directives regarding parole and institutional services (pre-parole functions), and programs.
5. Assists in the development of policies and procedures, rules and regulations, and other operational directives regarding parole and institutional services (pre-parole functions), and programs.
6. Serves notices of minimum sentence and parole consideration hearings.
7. Evaluates and assesses inmates' readiness for parole and community supervision, and makes recommendation to the Paroling Authority.
8. Acts as a liaison between the Paroling Authority and community substance abuse treatment resources.
9. Conducts pre-parole workshops for inmates within six (6) months of their Tentative Parole Date (TPD).

## **SPECIAL SUPPORT SERVICES SECTION**

The Special Support Services staff reports directly to the Parole Administration Division. Assists in the development and implementation of staff training, evaluates and conducts analysis of program activities, policies, and procedures to ensure operational efficiency and resources are utilized effectively in support of agency goals and objectives. Maintains ICOTS system and coordinates Interstate Compact requests with other jurisdictions. Maintains and administers service contracts and grants in support of statewide parole operations.

1. Serves as the Authority's liaison with criminal justice agencies, correctional facilities, inmates, parolees, and other interested groups or individuals on all matters related to Interstate Compact functions. May serve as a member of the Interstate Compact Commission for the State of Hawaii.
2. Assists in the development, planning, organizing, evaluating, and implementing of divisional support services and staff training programs.
3. Serves as the Authority's liaison on all matters related to staff development and training, required certifications and re-certifications.
4. Assists in the development of policies and procedures, rules and regulations, and other operational directives regarding program activities and staff development and training.
5. Acts as a liaison between the Paroling Authority and community substance abuse treatment resources and other service providers.
6. Conducts workshops for staff related to development and training, Interstate Compact procedures, and purchase of services related matters.

## **PARDON/COMMUTATION INVESTIGATION & ICE SUPERVISION SECTION**

The pardon/commutation Investigation & Immigration & Customs Enforcement (ICE) Supervision staff reports directly to the Parole Administration Division. Assist in the development and implementation of pardon/commutation investigation policies and procedures to improve the overall efficiency and timeliness of these processes.

1. Serves as the Authority's liaison with the United States Department of Homeland Security (ICE), the criminal justice agencies, correctional facilities, inmates, parolees, the general public and other interested groups or individuals on pardon/commutations through meetings, briefings, conferences, etc.
2. Assists the Parole Administration Division and the Authority by initiating and completing investigations for pardon/commutation. Review records and documents and gathers information and prepares special reports and investigative reports related to pardon/commutation applications; conducts in-person and/or telephonic interviews with applicants for pardon/commutation and others as necessary.
3. Assists in the development, planning, organizing, evaluating, and implementing of divisional staff training as it relates to pardon/commutation investigations.
4. Assists in the development of policies and procedures, rules and regulations, and other operational directives regarding pardon/commutation matters.
5. Serves notices to inmates related to parole and deportations matters.
6. Evaluates and assesses inmates' readiness for parole when being considered for deportation and/or transfer to federal custody in preparation for deportation.
7. Coordinates with the United States Department of Homeland Security, Parole Administration Division, Field Parole Branch, and the Department of Public Safety to facilitate inmate releases to ICE and/or federal custody deportation.

8. Conducts pre-parole workshops for inmates being considered for parole only to final orders of deportation and/or transfer to federal custody in preparation for deportation.
9. Establishes and maintains direct person-to-person contact with parolees, their families, employers, etc, to ensure compliance with the conditions of parole and provides direct counseling services in assisting parolees to identify socio-economic problems or potential problems, refers parolees to appropriate agencies for assistance, or seeks resources to assist the parolees in meeting the challenges of their problems, and maintains accurate up-to-date case files on the parolees.
10. Conducts investigations of alleged parole violations; gathers evidence or data substantiating or disapproving statements of alleged parole violation; coordinates the witness's presence in cases that are heard by the Authority for parole violation; and takes initial action to re-imprison parolees who violate parole.

### **FIELD PAROLE BRANCH**

The Field Parole Branch is under the direction of the Parole Administration Division. The Branch coordinates and supervises all activities of the county parole sections for each island. Implements and mandates policies and procedures emanating from the Division.

1. Plans, directs, coordinates, and controls section operations and activities to ensure the carrying out of Division objectives, plans, and programs.
2. Develops and implements section operational policies, procedures, and systems.
3. Establishes workload and personnel requirements and initiates request for necessary manpower.
4. Develops section performance definitions, criteria, or standards and evaluates section accomplishments against planned performance goals and operations.
5. Maintains at section level, a reporting system for branch management control purposes; submits monthly management reports and other mandated reports.
6. Maintains parole and community supervision database and coordinate activities with the Division's management information system.
7. Reviews employee development and training needs; plans and conducts training programs; consults and coordinates employee development and training activities with Division staff.
8. Assigns parole officers to parolees; provides direction in the development of program resources to meet the needs of the parolees; and investigates and processes parolee complaints against the parole officer or staff.
9. Coordinates with community service agencies, groups, and individuals interested in providing services and programs for parolees.
10. Provides supervision and direction for the parole officers and staff to meet the Division's goals and objectives; identifies, develops, and implements Branch training programs for professional and clerical staff; implements divisional action plans; and develops branch/section plans, policies, and procedures.
11. Reviews and insures all investigations done by the parole sections are complete and timely; recommends to the Authority and Parole Administration Division, based on the investigation, appropriate courses of action.
12. Establishes and maintains close working relationship with law enforcement agencies.

## **PAROLE SECTION (EAST & WEST OAHU, HAWAII, MAUI, KAUAI)**

The Parole Sections are under the direct control of the Field Parole Branch and responsible for the direct supervision of the parolee population on Oahu, Hawaii, Maui, Kauai, Molokai, and Lanai.

1. Establishes and maintains direct person-to-person contact with parolees, their families, employers, etc, to ensure compliance with the conditions of parole and provides direct counseling services in assisting parolees to identify socio-economic problems or potential problems, refers parolees to appropriate agencies for assistance, or seeks resources to assist the parolees in meeting the challenges of their problems, and maintains accurate up-to-date case files on the parolees.
2. Conducts investigations of alleged parole violations; gathers evidence or data substantiating or disapproving statements of alleged parole violation; coordinates the witness presence in cases that are heard by the Authority for parole violation; and takes initial action to reimprison parolees who violate parole.
3. Maintains a close working relationship with community law enforcement agencies.
4. Conducts special investigations, such as pardon applications made to the Governor, and collects data needed for evaluation and analysis by the Division and/or Authority.
5. Serves as the contact for the Authority on the neighbor islands on parole related matters.

## **INTENSIVE SUPERVISION PAROLE SECTION**

The Intensive Supervision Parole Section is under the control of the Field Parole Branch. The Section is responsible for monitoring the activities of parolees with specific problems associated with their criminal offenses and current incarceration. These individuals require a high degree of assistance in their treatment plans with frequent to continuous face-to-face contacts.

The Section offers an intermediate step between intensive supervision and conventional parole supervision with a focus on the parolee's high "needs" versus high "risk". In many cases, these individuals may not have the opportunity to be released on parole without the assistance and subsequent supervision of this Section.

1. Establishes and maintains close working relationships with private and public treatment providers in the area of sex offender treatment, substance abuse treatment, mental health treatment, domestic violence, and developmental disability.
2. Administers the sex offender treatment (SOT) program of the HPA, which requires a thorough assessment of the offenders criminal, social, psychological history and institutional adjustment; determines whether the offender requires a psychophysiological assessment (penile plethysmograph) and appropriateness for the SOP program; and makes recommendations to the HPA on appropriateness and special conditions of parole.
3. Maintains an active involvement with the Hawaii Sex Offender Treatment Team and adheres to the Hawaii Master Plan on Adult Sex Offender Treatment. (HRS, Chapter 353E – Statewide Integrated Sex Offender Treatment Program).
4. Establishes and maintains frequent to continuous face-to-face contact with parolees, their families and /or significant others, employers, treatment providers, etc.; provides direct counseling services in assisting the parolees to identify socio-economic problems or potential problems; provides adjustment counseling and obtains resources to assist the parolees in meeting their immediate and long-term needs; and maintains accurate daily case files of each parolee.

5. Conducts investigations of alleged parole violation; gathers evidence to prove or disprove allegations of parole violation; coordinates the presence of witnesses in cases of alleged parole violation that are scheduled by the HPA; and initiates action to retake or reimprison parolees who violate parole.

### **SEX OFFENDER TREATMENT UNIT**

The Sex Offender Treatment Unit (SOTU) is under the control of the Intensive Supervision Parole Section. The SOTU is responsible for supervising and monitoring the activities of adult sex offenders under parole supervision.

1. Establishes and maintains close contact with private and public sex offender treatment providers.
2. Assesses the offender's criminal, social, psychological history and institutional adjustment; and determines whether the offender requires a psychophysiological assessment (penile plethysmograph) and appropriateness for the SOT program.
3. Makes recommendations to the HPA on appropriateness and special condition of parole.
4. Involves and advises the offender of the case plan, SOT program guidelines, and their terms and condition of parole.
5. Maintains regular and appropriate contacts with the offenders in order to provide adjustment counseling and ensure public safety; and continuously assesses parolee's progress according to treatment plan and identifies signs of lapses or regression which could ultimately lead to a relapse and a repeat criminal behavior.

### **MENTAL HEALTH UNIT**

The Mental Health Unit is under the control of the Intensive Supervision Parole Section. The Unit is responsible for providing direct casework services to parolees who are diagnosed as having a mental illness or disability according to the DSM III categories. This includes the mentally retarded offender.

1. Establishes and maintains close contacts with private and public treatment providers.
2. Assesses the offender's criminal, social, psychological history and institutional adjustment; and determines whether the offender requires a psychological/psychiatric evaluation.
3. Makes recommendations to the HPA on appropriateness and special conditions of parole.
4. Coordinates all mental health cases with the correctional institution's Mental Health Unit and acts as a liaison between the Paroling Authority and community resources.
5. Profiles the mental health population under parole supervision.
6. Identifies the mental health population under parole supervision.
7. Provides direct casework services and coordinates with the Department of Health and other agencies and/or service providers as necessary.

### **HIGH NEEDS SUPERVISION UNIT**

The High Needs Unit is under the control of the Intensive Supervision Parole Section. The Unit is primarily responsible for providing direct casework services to high needs female parolees

who are diagnosed as having a mental illnesses or disabilities according to various DSM categories. This includes mentally retarded offenders, offenders with learning disabilities, personality's disorders, history of long-term substance abuse, and/or female offenders that have been sexually abused. High needs male parolees who qualify in one or more of the categories listed may also be assigned to this unit.

1. Establishes and maintains close contacts with private and public treatment providers.
2. Assesses the offender's criminal, social, psychological history and institutional adjustment; and determines whether the offender requires a psychological/psychiatric evaluation.
3. Makes recommendations to the HPA on appropriateness and special conditions of parole.
4. Coordinates all mental health cases with the correctional institution's Mental Health Unit and acts as a liaison between the Paroling Authority and community resources.
5. Profiles the mental health population under the unit's parole supervision.
6. Identifies the mental health population under the unit's parole supervision.
7. Provides direct casework services and coordinates with the Department of Health and other agencies and/or service providers as necessary.

#### **INTENSIVE PAROLE SUPERVISION UNIT**

The Intensive Parole Supervision Unit is under the control of the Intensive Supervision Parole Section. The Unit is responsible for monitoring the activities of selected high risk parolees on a 24-hour, seven days a week supervision schedule, and offers an intermediate step between conventional parole supervision and incarceration before parole or prior to parole revocation.

1. Administers the intensive parole supervision program of the Authority, which requires continual daily monitoring of parolees placed in the program with strict compliance with the terms and conditions of parole.
2. Establishes and maintains direct person-to-person contact with the parolees, their families, employers, etc.; and provides direct counseling services in assisting parolees to identify socio-economic problems or potential problems; refers parolees to agencies for assistance to obtain resources to assist the parolees in meeting the challenges of their problems; and maintains accurate daily case files on the parolees.
3. Conducts investigations of alleged parole violations; gathers evidence to prove or disprove alleged parole violations; coordinates the presence of witnesses in cases of alleged parole violations that are scheduled by the Authority, and takes initial action to re-imprison parolees who violate parole.
4. Maintains a close working relationship with community law enforcement agencies.