	<b>DEPARTMENT OF CORRECTIONS AND REHABILITATION</b> <b>CORRECTIONS ADMINISTRATION</b> <b>POLICY AND PROCEDURES</b>	<b>EFFECTIVE DATE:</b> January 1, 2024	<b>POLICY NO.:</b> COR.16.01
		<b>SUPERSEDES (Policy No. &amp; Date):</b> COR.16.01 / 12/01/2009	
<b>SUBJECT:</b> <b>INMATES SERVING INTERMITTENT SENTENCES</b>		Page 1 of 5	

## 1.0 PURPOSE

To establish standards for the supervision and control of offenders who receive intermittent sentences.

## 2.0 SCOPE

This policy applies to all Community Correctional Centers (CCC) and Intake Service Centers (ISC).

## 3.0 REFERENCES, DEFINITIONS & FORMS

### .1 References

- a. Hawaii Revised Statutes (HRS), Section 353-17, Committed Persons, Furlough, Employment.
- b. Departmental Policy & Procedure (P&P) COR.14.22, Electronic Monitoring Service.

### .2 Definition

Intermittent Sentences: Court imposed incarceration for a specific number of days per week that begins and ends at interval for a specified term.

## 4.0 POLICY

Intermittent sentenced offenders shall be admitted and confined at a Community Correctional Center in accordance with the provisions of the court order. However, if a Community Correctional Center does not have sufficient bed space, the offender may be released to home confinement for that particular period. If bed space is available during subsequent weeks, the Warden may incarcerate the offender whenever beds are available. When an offender is released to home confinement, the correctional facility shall establish a system, which will supervise and control the activities of the offender to ensure compliance with the court order.

Once an offender has been released to home confinement, they may, at the Warden's discretion, remain in the status of home confinement for the duration of their sentence unless they violate the conditions of release.

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## 5.0 PROCEDURES

### .1 Admission

All intermittent sentenced offenders shall be formally admitted to the correctional facility through the normal intake process. Upon completion of the intake process, the offender shall either be confined at the facility or released to home confinement if housing is not available.

### .2 Weekend Confinement at a Correctional Facility

Intermittent sentenced offenders, when confined, shall be housed with the general population or where there is usable space. They shall be provided the same food and services, as the general population.

### .3 Release to Home Confinement

The system for the supervision of offenders released to home confinement may employ the Department's electronic monitoring service. At the discretion of the Warden, electronic monitoring may be employed at any time during the offender's sentence, after consulting with the Intake Service Center Manager. Any time spent outside the facility under supervision due to the facility's inability to house the offender should be credited as though the time was spent in detention.

#### a. Non-Electronic Monitoring of an Offender

1. Upon release to home confinement, offenders shall be required to sign a document, which outlines the conditions of release to home confinement (reference attachment). A representative of the correctional facility shall witness the conditions. A copy of the conditions shall be given to the offender and the original maintained in the offender's case file.

The attachment outlining conditions is an example. It may be modified and tailored to the situation (electronic or non-electronic monitoring) as deemed necessary. For example, if an offender is directed to return next weekend when bed space may be available, this condition will be specified.

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2. A home confinement telephone log shall be established and maintained by the correctional facility for each offender released to home confinement. The log shall contain the following information:

- Name of offender
- Telephone number
- Date and time offender was called to determine if they are home.
- A comments section, which notes if the offender answered or did not answer the telephone.
- Signature of the person who made the phone call.

3. The watch commander, or designee, shall be responsible for delegating a staff member to call each offender listed in the log at least once during his or her shift. When the shift ends, the watch commander shall pass the log on to the commander of the next shift so that throughout the period of home confinement, each watch contacts an offender at least once.

At the close of each watch, the watch commander or designee shall review the log and sign it as verification of the calls made during their shift.

4. If an offender fails to answer a telephone call, the watch commander shall be notified immediately. The watch commander shall immediately notify the Warden.

At the decision of the Warden, a warrant of arrest may be issued pursuant to HRS §353-17(b).

b. Electronic Monitoring of an Offender

This decision shall be at the discretion of the Warden after consultation with the Intake Service Center Manager.

1. The intake service center shall be responsible for installing the equipment at the offenders home and installing the monitoring device on the offender.

The offender shall sign a contract for home release (reference attachment), which shall be witnessed by a representative of the

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intake service center. A copy shall be given the offender and the original maintained in the offender's case file.

2. Every morning during the work week, Intake Service Center personnel shall check the computer printout for the offender to determine if there have been any violations. Violations are to be immediately reported to the facility watch commander who in turn shall immediately notify the warden.

At the discretion of the Warden, a warrant of arrest may be issued as previously discussed.

3. Should electronic monitoring become a requirement, the offender shall be required to wear the personal, non-removable monitoring device for the duration of the sentence. This means weekdays as well as weekends and if incarcerated when bed space is available.

#### .4 Sentence Violations

##### a. Offenders not yet committed to the custody of the Department.

1. An offender who is not yet in the custody of the Department and who fails to initially report to a correctional facility or reports under the following conditions shall be considered in non-compliance with a court order:
  - a) Failure to report on the date and time specified in the court order.
  - b) Reporting to the facility more than 15 minutes later than the time specified in the court order.
  - c) Reporting under the influence of alcohol or drugs.
2. Non-compliance with court order shall be logged and a report forwarded to the court, the police, and/or prosecutor no later than the next working day.
3. Offenders reporting under the influence of alcohol or drugs shall be provided medical treatment, if necessary, and confined in an appropriate housing area of the facility. During confinement, they shall be monitored to avoid possible medical complications, injuries, etc.


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b. Offenders committed to the custody of the Department

Offenders who violate any of the conditions of release to home confinement may have a warrant authorizing their arrest issued and returned to custody for confinement. The Warden shall be responsible for making this determination and issuing the warrant of arrest.


APPROVAL RECOMMENDED:


JAN 0 1 2024  


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Deputy Director for Corrections Date

APPROVED:


JAN 0 1 2024  


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DIRECTOR Date

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