

## DEPARTMENT OF PUBLIC SAFETY

<http://dps.hawaii.gov>

The Department of Public Safety, established under section 26-14.6, HRS, is headed by the Director of Public Safety. The Department is responsible for the formulation and implementation of state policies and objectives for correctional, security, law enforcement, and public safety programs and functions, for the administration and maintenance of all public or private correctional facilities and services, for service of process, and for the security of state buildings.

### Administration Division

Through its Administration Division, the Department achieves its mission by planning, evaluating, and monitoring expenditures; planning and implementing capital improvement projects; providing statistical data on inmate populations; managing the procurement of goods and services; administering a statewide training program for uniformed and non-uniformed employees; providing personnel services, management information, and administrative policies and procedures; and enforcing civil rights compliance.

### Law Enforcement Division

Through its Law Enforcement Division, the Department preserves the peace and protects the public in designated areas, including state property and facilities, and enforces specified laws and rules for the prevention and control of crime.

**Narcotics Enforcement Division.** The Narcotics Enforcement Division (NED) is a statewide law enforcement agency that serves and protects the public by enforcing state laws pertaining to controlled substances and regulated chemicals. It is responsible for the registration and control of the manufacture, distribution, prescription, and dispensing of controlled substances and precursor or essential chemicals in the State.

NED is also responsible for ensuring that pharmaceutical controlled substances are used for legitimate medical purposes. It registers and investigates all violations by persons who administer, prescribe, manufacture, or dispense controlled substances in the State, including those who work at methadone clinics.

NED enforces the provisions of the Uniform Controlled Substances Act,<sup>1</sup> including the Medical Use of Marijuana.<sup>2</sup> NED works extensively with county police departments and federal agencies in detecting and apprehending controlled substance and regulated chemical violators. In addition to enforcement, the Division focuses on interdiction, diversion, and

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<sup>1</sup> See chapter 329, HRS, and Title 23, chapters 200-201, HAR.

<sup>2</sup> See chapter 329, part IX, HRS, and Title 23, chapter 202, HAR.

prevention activities. NED is also responsible for Hawaii's Electronic Prescription Accountability System (ePAS), which monitors all prescriptions filled in the State for Schedules II through V controlled substances.

**Sheriff Division.** The Sheriff Division carries out law enforcement services statewide. Its mission is to preserve the peace by protecting all persons and property within premises under the control of the Judiciary and all state facilities; providing execution of court documents; handling detained persons; and providing secure transportation for persons in custody. It also provides law enforcement services at Honolulu International Airport.

Sheriffs are involved at various stages of the criminal justice system. At the initial stage, they arrest, book, and process persons entering the system. At the police cellblock, they secure, escort, and transport detainees. Sheriffs escort, secure, and transport juvenile and adult inmates to intrastate destinations for court appearances. They serve various types of arrest warrants and other documents, and execute writs of possession. They also conduct records verification and background checks.

Additionally, through its specialized canine unit, the Division is responsible for detecting narcotics and explosives in agencies within the Judiciary, the Department's correctional facilities, and other state and county agencies that request such services.

The Division provides executive protection services to the Governor, Lieutenant Governor and, when requested, national and international dignitaries.

## **Corrections Division**

Through its Corrections Division, the Department provides for: the care and custody of all persons committed by the courts or detained pending judicial disposition of criminal charges; the supervision and monitoring of persons released from confinement upon proper authority; and programs and services that enable such persons to acquire skills necessary to function in the community in a law-abiding manner.

**Institutions Division.** The Institutions Division's primary responsibility is to provide an effective offender management and service delivery system commensurate with the needs of offenders, institutions, and public safety. This includes providing a lawful, secure, humane, safe, and constructive environment for custodial care, with meaningful programs and services that are beneficial to offenders. The Division maintains facilities and programs for the detention of adults pending judicial decisions and redirects adults sentenced to incarceration.

**Intake Service Centers Division.** The Intake Service Centers Division (ISCD) is responsible for admission and release screening and pretrial investigations and evaluations of all offenders. ISCD provides supervision to offenders placed in supervised release programs by the courts. The Division also provides social, physical, and mental health screening and assessments of offenders for diversionary purposes and identifies custody and care needs of the offender population.

**Corrections Program Services Division.** The Corrections Program Services Division delivers a range of programs and services that preserves the legal rights of offenders in Hawaii's adult correctional institutions and provides them with opportunities to develop positive skills and attitudes necessary to function in the community as productive, law-abiding members. Current correctional programs and services include academic education, social development, vocational training, work development, substance abuse and sex offender treatment, and religious, library, and food services.

**Health Care Services Division.** The Health Care Services Division provides health care services, in coordination with security and other correctional units, to persons detained in or sentenced to state correctional facilities. These services include medical, mental health, nursing, dental, preventive health, chronic care, and health education. The Division also ensures adherence to contemporary community standards to maintain uniformity of quality of health care delivery, and integration and coordination among health care providers, while remaining fiscally responsible. The Division provides oversight of health care provided to Hawaii inmates in out-of-state facilities, as well as monitoring, auditing, and pre-authorization of services for non-emergency outside provider care.

**Correctional Industries Division.** The Correctional Industries Division provides comprehensive work programs for all qualified, able-bodied inmates. These programs are mandated to: generate revenue to sustain their operations and allow for capital investment; provide specific training skills for offenders that increase their employment prospects when they return to their community; provide a maximum level of work for all qualified, able-bodied inmates; provide an environment for operations similar to those of a private business; encourage cooperative training ventures with the private sector; and provide low-cost construction, renovations, and repairs of facilities for government agencies and nonprofit organizations.

## **ATTACHED FOR ADMINISTRATIVE PURPOSES**

### **Hawaii Paroling Authority**

The Hawaii Paroling Authority, established under section 353-61, HRS, consists of five members appointed to four-year terms by the Governor with the advice and consent of the Senate. Members are nominated by a panel composed of the Chief Justice, Director of Public Safety, President of the Hawaii State Bar Association, a representative designated by the head of Interfaith Alliance Hawaii, a public member appointed by the Governor, and the President of the Hawaii Chapter of the National Association of Social Workers. The panel submits to the Governor the names of not less than three nominees for Chairperson or a member. Nominees are selected on the basis of their qualifications to make decisions that will be compatible with the welfare of the community and of individual offenders, including the background and ability for appraisal of offenders and the circumstances under which offenses were committed. The Chairperson serves on a full-time basis. The other four members serve on a part-time basis.

Pursuant to section 353-62, HRS, the Authority serves as the central paroling authority for the State. It considers all committed persons for parole, except in cases where the penalty of

life imprisonment without parole has been imposed. Among its duties, the Authority determines the time at which parole is granted and conditions of parole; provides continuing custody, control, and supervision of paroled individuals; revokes or suspends parole; discharges an individual from parole when supervision is no longer needed; and recommends to the Legislature sound parole legislation and recommends to the Governor sound parole administration.

### **Crime Victim Compensation Commission**

The Crime Victim Compensation Commission, established under section 351-11, HRS, consists of three members who are appointed to four-year terms by the Governor with the advice and consent of the Senate. The Commission carries out the purpose of chapter 351, HRS, which is to aid victims of certain crimes or dependents of deceased victims and to provide for indemnification of private citizens for personal injury or property damage suffered in the prevention of crime or apprehension of a criminal. Eligibility for compensation to victims or dependents is set forth in section 351-31, HRS, and for compensation to private citizens in section 351-52, HRS.

### **Corrections Population Management Commission**

The Corrections Population Management Commission is established under section 353F-1, HRS. Pursuant to section 353F-4, HRS, the Commission consists of thirteen members. The Attorney General, Director of Public Safety, Administrator of the Office of Hawaiian Affairs, a representative of the county departments of the prosecuting attorney to be selected by the prosecuting attorneys, Public Defender, Chairperson of the Hawaii Paroling Authority, President of the Senate, and Speaker of the House of Representatives, or designees, are members. The Chief Justice appoints one judge and one adult probation administrator of the Judiciary as members. The Governor appoints one member from the private sector who is knowledgeable on issues pertaining to reintegrating offenders into the community and one member from the public who is knowledgeable on issues relating to the criminal justice system and has substantial experience or expertise in traditional Native Hawaiian practices. The Chairperson of the Hawaii Paroling Authority appoints one member who is a rehabilitated offender and is knowledgeable on issues pertaining to reintegrating offenders into the community. The Governor appoints the Chairperson from among the members. The objective of the Commission is to establish maximum inmate population limits for each correctional facility and to formulate policies and procedures to prevent the inmate population from exceeding the capacity of each facility.

### **Correctional Industries Advisory Committee**

The Correctional Industries Advisory Committee, established under section 354D-5, HRS, consists of nine members appointed to four-year terms by the Governor with the advice and consent of the Senate. The Governor designates a member as Chairperson and appoints at least two members from private sector businesses and two members from labor unions. The Director of Public Safety, or designee, serves as an ex officio, nonvoting member. The Committee advises the Department on the feasibility of establishing venture agreements with

private sector businesses to utilize the services of qualified, able-bodied inmates pursuant to section 354D-13, HRS.

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