



HB1901
RELATING TO PUBLIC SAFETY

Senate Committee on Public Safety, Intergovernmental, and Military Affairs

March 10, 2020

1:45 p.m.

Room 229

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB1901, which would clarify that the Hawai'i Correctional System Oversight Commission's (Oversight Commission's) statutory responsibilities include ensuring that the Department of Public Safety's (PSD's) comprehensive offender reentry system enables inmates to meet all parole requirements at the earliest time they may be eligible for parole. This measure would provide a simple amendment to the codified language of Act 179, Session Laws 2019, to better align with the recommendations of the HCR85 Task Force on Prison Reform, as well as the overall intent of Act 179.

The HCR85 Task Force on Prison Reform, in its 2018 report, called for the establishment of an Oversight Commission to assist in transitioning our correctional system from a punitive model to a rehabilitative and therapeutic one. In creating the Commission, and consistent with the recommendations of the HCR85 Task Force Report, the legislature in Act 179 tasked the Commission with working with PSD on its comprehensive offender reentry program, ensuring that the overall comprehensive offender reentry system is working properly, and ensuring that the inmate population for PSD's facilities do not exceed their capacity. The amendment provided for in this measure would more consistently reflect the overall goals of the Commission as envisioned in the HCR85 Task Force Report and as intended by the legislature, by clarifying that the Commission seek to ensure that PSD's comprehensive offender reentry system effectively rehabilitate and prepare pa'ahao for parole at their earliest eligibility; such an amendment would emphasize the need for a properly working reentry system that can provide the greatest and most timely relief to the overcrowded conditions burdening our correctional facilities.

Therefore, OHA urges the Committee to **PASS** HB1901. Mahalo nui loa for the opportunity to testify on this important measure.

HB-1901

Submitted on: 3/8/2020 5:56:37 PM

Testimony for PSM on 3/10/2020 1:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carrie Ann Shirota	Testifying for Hawaii Justice Coalition	Support	No

Comments:

Aloha,

HB1901 clarifies that the comprehensive reentry system provides programs and services that result in the timely release of individuals on parole when the minimum term has been served.

Currently, incarcerated persons are spending far more time behind bars than necessary. Men and women are denied parole supervision because they are unable to access and complete the necessary programming and services recommended by the Department of the Public Safety and mandated by the Hawaii Paroling Authority prior to release.

Evidence based research demonstrates that effective re-entry services start on day 1. Given overcrowding in Hawai'i's jails and prisons, the daily costs associated with incarceration and the high rates of recidivism, we have a fiscal responsibility to ensure that men and women receive the necessary services and programming as soon as possible so they may transition to parole supervision - which is a fraction of the cost of incarceration.

Please enact this sensible measure that will decrease recidivism rates and ultimately save money.

COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/E-Mail: (808) 927-1214 / kat.caphi@gmail.com



COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Sen. Clarence Nishihara, Chair

Sen. Glenn Wakai, Vice Chair

Tuesday, March 10, 2020

1:45 pm – Room 229

SUPPORT for HB 1901 – PUBLIC SAFETY

Aloha Chair Nishihara, Vice Chair Wakai and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai`i for more than two decades. This testimony is respectfully offered on behalf of the families of **JAMES BORLING SALAS, ASHLEY GREY, DAISY KASITATI, JOEY O`MALLEY, JESSICA FORTSON AND ALL THE PEOPLE WHO HAVE DIED UNDER THE “CARE AND CUSTODY” OF THE STATE**, including the eleven (11) people that we know of, who have died in the last six (6) months. We also remind the committee of the approximately 5,200 Hawai`i individuals living behind bars or under the “care and custody” of the Department of Public Safety on any given day, and we are always mindful that more than 1,200 of Hawai`i’s imprisoned people are serving their sentences abroad thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

HB 1901 clarifies that the comprehensive offender reentry system provides programs and services that result in the timely release of inmates on parole when the minimum term, rather than the maximum term, has been served by the incarcerated person.

Community Alliance on Prisons supports this measure that corrects an error in the original legislation (HB 1552 – Act 179) and emphasizes the responsibilities of the Correctional Oversight Commission in investigating complaints, facilitating the transition from a punitive to therapeutic model, establishing the maximum population at facilities, monitoring the reentry and parole system, and working to ensure that the system is providing programs and services that will result in individuals timely release at their minimum terms. The oversight coordinator shall adopt rules in accordance with Chapter 91.

Mahalo for this opportunity to testify.

TESTIMONY IN SUPPORT OF HB 1901

TO: Chair Nishihara, Vice-Chair Glenn Wakai, and Members of the
Senate Committee on Public Safety, Intergovernmental, and Military Affairs

FROM: David Shaku
Law Enforcement Assisted Diversion Manager

DATE: March 9, 2020 (1:30 PM)

Hawai'i Health & Harm Reduction Center (HHRC) supports HB 1901, which would clarify that the comprehensive offender reentry system provides programs and services that result in the timely release of inmates on parole when the minimum term, rather than the maximum term, has been served by the inmate.

In its [2018 Report](#), the HCR85 Task force on Prison Reform called for the State of Hawaii to transition its correctional system from a punitive model to one centered on the task of therapeutic rehabilitation. There can be no doubt there is a proper place for incarceration when behavior threatens public safety. However, the experience of being incarcerated is often traumatic, and must be leveraged in line with those values and goals set forth by the HCR85 task force.

HHRC works with many individuals who are negatively impacted by criminal justice system and other social determinants of health. Many have behavioral health problems, including those relating to substance misuse and underlying mental health conditions. Long periods of incarceration can have negative impacts on stable treatment, housing readiness, and income for those affected.

This measure helps to emphasize the need for a reentry system that puts our criminal justice system one step closer to the values of service and rehabilitation rather than petty punishment.

Thank you for the opportunity to provide testimony on this important measure

HB-1901

Submitted on: 3/7/2020 10:14:28 AM

Testimony for PSM on 3/10/2020 1:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Quinn	Individual	Support	No

Comments:

HB-1901

Submitted on: 3/7/2020 8:12:45 PM

Testimony for PSM on 3/10/2020 1:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Steven Costa	Individual	Support	No

Comments:

HB-1901

Submitted on: 3/8/2020 4:30:56 PM

Testimony for PSM on 3/10/2020 1:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
E. Ileina Funakoshi	Individual	Support	No

Comments:

HB-1901

Submitted on: 3/8/2020 10:36:23 PM

Testimony for PSM on 3/10/2020 1:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jacquelyn Esser	Individual	Support	No

Comments:

HB-1901

Submitted on: 3/9/2020 7:00:50 AM

Testimony for PSM on 3/10/2020 1:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cathy Tilley	Individual	Support	No

Comments:

To the committee

I support HB1901 that will help with the reentry of inmates into the community when released from prison. the better the reentry programs the better chance of a successful entry back to the community which I believe is the end goal of the justice system. We want our family friends and neighbors to be successful when they rejoin society and it is very difficult without good programs to help them.

Sincerely

Cathy Tilley

HB-1901

Submitted on: 3/9/2020 9:46:21 AM

Testimony for PSM on 3/10/2020 1:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carla Allison	Individual	Support	No

Comments:

I support HB1901 This housekeeping bill corrects an error in HB 1522 (Act 179) that should say 'minimum.' It is important to frame the work of the Oversight Commission. Please move this bill forward.

HB-1901

Submitted on: 3/9/2020 10:34:09 AM

Testimony for PSM on 3/10/2020 1:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Lacques	Individual	Support	No

Comments:

HB-1901

Submitted on: 3/9/2020 2:03:42 PM

Testimony for PSM on 3/10/2020 1:45:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
sophiya singh	Testifying for HHHRC	Support	No

Comments:

HHHRC (Hawaii Health & Harm Reduction Center) supports HB 1901.

HHHRC continues to work with individuals whose lives are impacted by criminal justice system. Most of the time people get in trouble due to their mental health and substance use issues. Lengthy incarceration can lead to lives losing opportunities.

HB-1901

Submitted on: 3/9/2020 2:20:37 PM

Testimony for PSM on 3/10/2020 1:45:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Nikos Leverenz	Individual	Support	No

Comments:

LATE

HB-1901

Submitted on: 3/9/2020 2:34:50 PM

Testimony for PSM on 3/10/2020 1:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Staley	Individual	Support	No

Comments:

HB-1901

Submitted on: 3/9/2020 3:49:54 PM

Testimony for PSM on 3/10/2020 1:45:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Heather Lusk	Individual	Support	No

Comments:

HB-1901

Submitted on: 3/9/2020 4:35:43 PM

Testimony for PSM on 3/10/2020 1:45:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Polk	Individual	Support	No

Comments:

Please pass HB1901 to correct previous law. It was stunning to learn that DPS does not keep accurate track of the release dates of inmates and structures reentry programs in ways that often hold people beyond their release data. This bill is necessary to ensure that DPS operates in the public interest.

HB-1901

Submitted on: 3/10/2020 12:24:46 AM

Testimony for PSM on 3/10/2020 1:45:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Diana Bethel	Individual	Support	No

Comments:

HB-1901

Submitted on: 3/10/2020 8:45:53 AM

Testimony for PSM on 3/10/2020 1:45:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Kavika Puahi	Individual	Support	No

Comments: