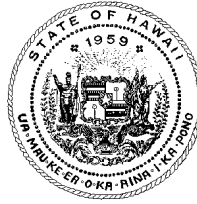


DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

MAX N. OTANI
DIRECTOR

Maria C. Cook
Deputy Director
Administration

Tommy Johnson
Deputy Director
Corrections

Jordan Lowe
Deputy Director
Law Enforcement

No. _____

HOUSE CONCURRENT RESOLUTION 151 / HOUSE RESOLUTION 127 -
URGING THE DEPARTMENT OF PUBLIC SAFETY TO INCREASE ITS
INVESTMENT IN COMPREHENSIVE OFFENDER REENTRY TRAINING
PROGRAMS FOR INDIVIDUALS EXITING CORRECTIONAL FACILITIES.

by
Max N. Otani, Director

House Committee on Corrections, Military, and Veterans
Representative Takashi, Ohno, Chair
Representative Sonny Ganaden, Vice Chair

Friday, March 19, 2021; 9:00 a.m.
State Capitol, Via Video Conference

Chair Ohno, Vice Chair Ganaden, and Members of the Committee:

The Department of Public Safety (PSD) is in full agreement with the basic premise of House Concurrent Resolution (HCR) 151 / House Resolution (HR) 127 of the critical need for a comprehensive and effective Reentry Program for individuals exiting the State's correctional facilities, which urge the Department to increase investment in Reentry training programs for offenders. PSD supports these resolutions and has already established a Reentry Coordination Office that provides a variety of comprehensive, evidence-based programs designed to assist offenders with successful reintegration into the community.

The Department is pleased to note that it has recently entered into a Memorandum of Agreement (MOA) with the Department of Transportation (DOT) on the process by which PSD, with the assistance of the City and County of Honolulu's Department of Customer Service (DSC), will issue State identification cards to exiting inmates. PSD is currently working with the Attorney General's office and the DSC on the MOA between our two agencies. We anticipate the

Testimony on HCR 151 / HR 127
House Committee on Corrections, Military, and Veterans
March 19, 2021
Page 2

MOA to be in place within the next few months. At that time, the Department will be authorized to procure the equipment needed to issue State ID cards at the Halawa Correctional Facility (HCF), enabling offenders to apply in person, as required by State law.

Thank you for the opportunity to present this testimony.

House Committee on Corrections, Military & Veterans
Friday, March 19, 2021, 9:00am
Hawaii State Capitol, Rm. 430/Videoconference

Testimony in Strong Support of HCR 151/HR 127

Chair Ohno, Vice Chair Ganaden, and members of the committee,

Thank you for the opportunity to testify in **strong support of HCR 151/HR 127**, urging the Department of Public Safety to increase its investment in comprehensive offender re-entry training programs for individuals exiting correctional facilities.

YWCA O'ahu is dedicated to eliminating racism, empowering women and promoting peace, justice, freedom, and dignity for all. In 1900 we opened our doors to provide opportunity to women for growth, leadership and power to change. Today, over a century later, the YWCA O'ahu is the largest and oldest women's membership organization in the State of Hawaii. We are a charter member of the YWCA USA and is one of more than 200 community associations nationwide that share the mission of empowering women and eliminating racism.

As a new core of women are preparing for our future, we are committed to reinventing the YWCA for the 21st century so it remains relevant to all women as their lives and needs change. The YWCA offers a unique place – a place where women and girls can build relationships for life and have opportunities to move forward in life and give back to their community. Our three centers at the YWCA, Fernhurst, Kokokahi and Laniakea, provide valuable programs and services that develop women and girls' social, economic, leadership and community skills.

In December of 2018, the HCR 85 Task Force released its findings and final report to the legislature. In this report they stated that while they came from diverse backgrounds and viewpoints that they all agreed that "Hawaii's correctional system is not producing acceptable, cost-effective, or sustainable outcomes and needs immediate and profound change". The primary recommendation from the task force was to "begin to transition from a punitive to a rehabilitative correctional system".

YWCA's Fernhurst location is home to the State's only community-based work furlough program for women. Losing funding for this successful program would be devastating for the State and we know that once a program is lost – that it is nearly impossible to bring back. We support the urging of the Department of Public Safety to continue funding of this program and encourage increased investment so that more women can benefit from the program as well as invest into

eliminating racism
empowering women

ywca

O'ahu

Fernhurst YWCA

1566 Wilder Avenue
Honolulu, Hawai'i 96822
808.941.2231

Kokokahi YWCA

45-035 Kāne'ohe Bay Drive
Kāne'ohe, Hawai'i 96744
808.247.2124

Laniākea YWCA

1040 Richards Street
Honolulu, Hawai'i 96813
808.538.7061

ywcaoahu.org

similar programs in every county in the State as recommended by the HCR 85 Task Force on page 91 of their report.

We are also very supportive of the section urging the Department of Public Safety to comply with its statutory obligation to provide exiting offenders with civil identification documents. Without these documents, securing safe housing and employment difficult to nearly impossible thus making successful re-entry that much harder.

Thank you for the opportunity to testify in strong support of HCR 151/HR 127.

Jen Wilbur
Director of Advocacy
YWCA O'ahu

YWCA IS ON A MISSION



Hawai'i

Committees: Committee on Corrections, Military, & Veterans
Hearing Date/Time: Friday, March 19, 2021, 9:00 a.m.
Place: Via videoconference
Re: *Testimony of the ACLU of Hawai'i in Support of H.C.R. 151/H.R. 127, Urging the Department of Public Safety to Increase its Investment in Comprehensive Offender Reentry Training Programs for Individuals Exiting Correctional Facilities*

Dear Chair Ohno, Vice Chair Ganaden, and members of the Committee,

The American Civil Liberties Union of Hawai'i ("ACLU of Hawai'i") writes **in support of H.C.R. 151/H.R. 127**, which calls upon the Hawai'i Department of Public Safety ("PSD") to comply with its statutory obligations to provide effective and comprehensive reentry planning and to issue civil identification documents to those exiting correctional facilities. The resolution further calls upon PSD to increase investment in reentry programs—or, at least maintain current funding levels for reentry programs—and to identify and work to dismantle existing barriers to successful reentry.

Comprehensive reentry planning services are more important now than ever because those exiting jails and prisons in the time of COVID-19 face incredible challenges, including high unemployment rates¹ and an increase in the number of people requiring housing assistance. Prioritizing reentry planning is not only humane—it makes our communities safer. Ninety-five percent of people incarcerated in state prisons will eventually be released.² Reentry programs that help people secure jobs, treatment, housing,³ and education,⁴ have proven effective in facilitating the successful transition of formerly incarcerated people out of jail/prison and back to their families and communities, and have been shown to reduce recidivism.

PSD is required to provide comprehensive reentry and support services,⁵ but has failed to meet its obligations. For example, PSD *still* does not always provide people leaving facilities with civil

¹ *Hawaii's unemployment rate ties for third-worst in nation*, Associated Press (September 18, 2020), <https://apnews.com/article/virus-outbreak-archive-hawaii-cc0f4e3fcdcafb3cc5f80f0b35347cea>.

² Timothy Hughes and Doris James Wilson, *Reentry Trends in the United States*, U.S. Dep't of Justice, Office of Justice Programs, Bureau of Justice Statistics (last revised Dec 29, 2020), <http://www.bjs.gov/content/reentry/reentry.cfm>.

³ Nathan James, *Offender Reentry: Correctional Statistics, Reintegration into the Community, and Recidivism*, Congressional Research Service (2015), <https://fas.org/sgp/crs/misc/RL34287.pdf>.

⁴ Patrick Oakford, Cara Brumfield, Casey Goldvale, Laura Tatum, Margaret diZerega, and Fred Patrick. *Investing in Futures: Economic and Fiscal Benefits of Postsecondary Education in Prison*. New York: Vera Institute of Justice, 2019, <https://www.vera.org/downloads/publications/investing-in-futures.pdf>.

⁵ Haw. Rev. Stat. § 353H-3(a) provides, "[t]he department of public safety shall develop a comprehensive and effective offender reentry system plan for adult offenders exiting the prison system."

ACLU of Hawai'i testimony in support of H.C.R.151/H.R.127

March 19, 2021

Page 2 of 2

identification documents, despite a 2017 law requiring it to do so.⁶ These documents are necessary to secure housing and employment, to enroll in many benefit programs, and to fill prescriptions for medication. Between October 2018 and November 2019, more than half (56 percent) of people exiting jails and nearly as many (46 percent) exiting prison statewide left without state identification cards.⁷ Concerningly, PSD has recently proposed a \$500,000 reduction in reentry contracts, while simultaneously proposing increases in other areas.

This resolution recognizes the barriers faced by those exiting jails and prisons—barriers exacerbated by the COVID-19 pandemic—and affirms the importance of comprehensive reentry services for people transitioning back into their communities. The resolution also acknowledges that PSD has failed to provide comprehensive reentry planning, including the issuance of civil identification documents, and urges PSD to comply with these legal obligations. The resolution calls upon PSD to, at the very least, maintain its existing reentry services and funding for those contracts, and to ultimately *increase* investment in reentry programs. The resolution further calls upon PSD to identify opportunities to divest from its retributive approach to corrections and reinvest in reentry programs, and to identify barriers to successful reentry and work with community stakeholders to develop and implement policy changes to dismantle these barriers.

For the above reasons, we urge the Committee to support H.C.R. 151/H.R. 127. Thank you for the opportunity to testify.

Sincerely,



Mandy Fernandes
Policy Director
ACLU of Hawai'i

The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving Hawai'i for over 50 years.

⁶ Act 56, Session Laws of Hawai'i 2017; Haw. Rev. Stat. § 353H-32.

⁷ Hawai'i Department of Public Safety, *Reentry Coordination Office Annual Report on Civil Identification Documents* (December 2019), <https://dps.hawaii.gov/wp-content/uploads/2019/12/RCO-Annual-Report-on-Civil-Identification-Documents-Transmittal.pdf>.

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COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON CORRECTIONS, MILITARY & VETERANS

Representative Takashi Ohno, Chair

Representative Sonny Ganaden, Vice Chair

Friday, March 19, 2021

9:00 AM

STRONG SUPPORT FOR HCR 151/HR 127 INVESTING IN SOCIAL CAPITAL

Aloha Chair Ohno, Vice Chair Ganaden, 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 more than 4,100 Hawai`i individuals living behind bars or under the “care and custody” of the Department of Public Safety on any given day. We are always mindful that 1,000 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.

Community Alliance on Prisons (CAP) is in strong support of comprehensive and effective reentry planning. The Community Safety Act was passed in 2007 (SB 932) as Act 8 and CAP promoted the bill. We assert that reentry starts on Day 1 and the programming must be geared toward successful reentry. This is PSD’s role – prepare the person to meet the challenges that are sure to be faced upon release and assist that person to attain the skills needed to successfully transition.

The legislature must adequately fund these services as a regular budget item, and the Governor must release the funds to show the commitment of the state to reducing recidivism and facilitating reentry.

Reentry does not happen while a person is incarcerated; Preparation does; programming people for successful reintegration back to their communities.

Reentry happens in small community-based programs that interact with the communities in which they are located. Reentry gives people a chance to again rejoin the community.

The legislature has many times expressed their support for a real reentry system, but does not appropriate funding, therefore, we have no real reentry system. Instead, we have siloed agencies that operate in a vacuum. And that's where people get lost.

There is a plethora of information from the Dept of Justice and many national think tanks about what is needed to help people successful reenter their communities.

Actually, Hawai'i knows what to do. We lack the political will to make it happen. During COVID, the community got together to help people who were released by forming the Emergency Reentry Project. What did the department do? Director Nolan Espinda wrote a letter recommending that we contact the State Homeless Coordinator for help. How insulting, especially since the Reentry Office at PSD received lots of money for new positions there in 2012. The community did not receive one extra treatment slot after we (Community Alliance on Prisons) wrote the proposal that was awarded to Hawai'i in a very competitive grant.

Please pass HCR 151/HR 127 to push the department to work on real reentry. The law passed in 2007 – certainly PSD has had more than enough time and a staffed Reentry Office to develop a comprehensive reentry plan. They haven't done it, so now is the time to push for the implementation of policies that you passed.

Mahalo for this opportunity to testify.

HCR-151

Submitted on: 3/17/2021 6:19:13 PM

Testimony for CMV on 3/19/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Thaddeus Pham	Individual	Support	No

Comments:

Aloha CMV Committee,

I am writing on **STRONG SUPPORT of HR127.**

Reentry planning provides incarcerated individuals with a network of support systems to help them transition back into their communities upon their release from jail or prison. These include programs that help people obtain civil identification documents, jobs, homes, healthcare, and education as they reintegrate into society. Hawai'i law requires the Department of Public Safety to develop comprehensive reentry plans for people leaving correctional facilities.

These reentry services are especially crucial now in the context of the COVID-19 pandemic to ensure safety for all people, especially the person being released.

Mahalo,

Thaddeus Pham (he/him)

HCR-151

Submitted on: 3/17/2021 6:54:15 PM

Testimony for CMV on 3/19/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Courtney Mrowczynski	Individual	Support	No

Comments:

I strongly **SUPPORT** HCR151 for the following reasons:

- The pandemic has exposed the non-existent reentry system here in Hawai`i. When individuals were released during the pandemic, some people in the community jumped into action and started the Emergency Reentry Project (EREP) – that’s how people were given free cell phones, free clothing, and they actually found safe places for some people to settle. EREP questioned PSD about their reentry services and they were told in a letter, signed by Nolan Espinda, that they should contact the State Homeless Coordinator for help – this is unacceptable, especially coming from the (former) Director of Public Safety.
- As Act 8 – Hawai`i Community Safety Act (HRS 353H, 2007) – makes clear, reentry starts on Day 1 with preparing people to safely and smoothly reintegrate back into their communities.

HCR-151

Submitted on: 3/17/2021 10:51:29 PM

Testimony for CMV on 3/19/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Wendy Gibson-Viviani	Individual	Support	No

Comments:

Please support funding for an offender's reentry into society. I believe this is the best way to decrease recidivism.

Thank you,

Wendy Gibson-Viviani RN

Kailua

HCR-151

Submitted on: 3/18/2021 7:44:44 AM

Testimony for CMV on 3/19/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carrie Ann Shirota	Individual	Support	No

Comments:

Aloha Chair Ohno, Vice Chair Ganaden and Committee Members:

I am writing in support of HCR151 that affirms the responsibility of the Department of Public Safety to provide reentry services to enhance individual's successful return home to our communities.

As background, I am an attorney and previously served as the Director of MEO's B.E.S.T. (Being Empowered and Safe Together)' Reintegration Program. I have witnessed firsthand the power of a reentry program centered on the fundamental belief that we are all connected, and that it truly within our communities' interest to provide support to returning citizens.

To facilitate successful reentry, we must:

1. Create a COORDINATED reentry system that includes working collaboratively between public, private and non-profit sectors and most of all, community.
2. Start reentry planning on day 1 of incarceration.
3. Reentry services must be holistic and recognize the agency, and human dignity of each person.
4. All persons, agencies and organizations providing reentry services must share the same belief that all people have the potential to change and transform their lives.

In addition, key reentry support includes case management and peer support, IDs, stable housing, health insurance and health care, employment, education and vocational training, survival transition funds, family reunification, village support, cultural training and services, civic education and communication tools like cell phones.

Instead of continuing to waste millions on consultants planning new jails, let's invest that money in diversion and reentry support and services.

Please support HCR151.

Mahalo,

Carrie Ann Shirota, Esq.

HCR-151

Submitted on: 3/18/2021 3:51:06 PM

Testimony for CMV on 3/19/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen Algire	Individual	Support	No

Comments:

Aloha Chair Ohno and committee members,

I am in strong support of the resolution. The lack of support from the Public Safety Department is a travesty. [A 2017 report detailed how PSD's lack of reentry services](#) and planning creates an almost insurmountable obstacle for people to be successful. This summer, the community almost lost the state's only work furlough program for women, Ka Hale Ho'Ä• la Hou No NÄ• WÄ• hine, which is a rare program that supports people to be successful after incarceration. The state and Department need to make good on the promises passed in previous legislation and plans and make the long-term financial commitment to supporting reentry.

Thank you!

Kathleen Algire, MSW