

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON PUBLIC SAFETY

Rep. Faye Hanohano, Chair

Rep. Henry Aquino, Vice Chair

Thursday, February 12, 2009

Room 309

9:15 A.M.

STRONG SUPPORT – HB 408 – Criteria for Inmate Transfers

PBSTestimony@capitol.hawaii.gov

Aloha Chair Hanohano, Vice Chair Aquino and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative working to improve conditions of confinement for our incarcerated individuals, enhance our quality of justice, and promote public safety. We come today to speak for the 6,000+ individuals whose voices have been silenced by incarceration, always mindful that more than 2,000 of those individuals are serving their sentences abroad, thousands of miles from their homes and loved ones.

HB 408 clarifies the circumstances under which inmates may be transferred between Hawai'i facilities and facilities outside of Hawai'i.

Community Alliance on Prisons strongly supports this measure. The bill amends Chapter 353 to create a statute that the director shall consider the individual's 1) current programming and if it could be continued at another facility, 2) family and whether transfer would interrupt contact, and 3) willingness to be transferred. It also gives the individual 14 days notice so they can contact their loved ones and make any arrangements necessary for their families as well as the right to appeal the transfer.

We hear stories from families going to Halawa only to find their loved one is no longer in Hawai'i and then are unable to get any information as to the whereabouts of the individual they were to visit. There is no aloha in this practice. Any transfers should be systematically planned; that is good business. Transfers should not be haphazard or retaliatory. Stories of people with under a year left until their entire sentence was served being sent out of Hawai'i are not unusual, as are stories of individuals sent who then have to be returned to Hawai'i for a court case, causing the state to send two Adult Corrections Offices (ACOs) to the continent to pick up the individual, incurring unnecessary travel expenses that could have been avoided if there was a system for transfers, if there have to be transfers at all.

The Department says they never send anyone with less than two years on their sentence. We have heard from and spoken to incarcerated men and women, families, and many others who say that this is not true.

Good business practices mandate a plan establishing criteria for transfer inside and outside of Hawai'i. We are lucky to live in a place where families are celebrated and deemed important. This bill acknowledges that each incarcerated individual comes from a family, therefore, consideration must be given to the impacts of a transfer on the family.

Establishing criteria for transfers both within- and out-of-Hawai'i makes good business sense, promotes accountability and transparency, and can help instill confidence in our correctional system.

A web search reveals that other states, including Washington, California, and Alaska, have established criteria for transferring human beings out of state. Since Hawai'i has banished more than 2,000 individuals to prisons abroad, it makes sense to establish transparent criteria that can be understood by incarcerated individuals, families, and the public.

Community Alliance on Prisons urges passage of HB 408.

Mahalo for this opportunity to testify.