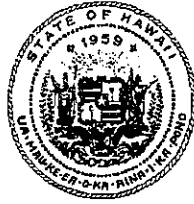


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WRITTEN COMMENTS ON HOUSE BILL 2685, HD1, SD1
RELATING TO PUBLIC SAFETY

by
Clayton A. Frank, Director
Department of Public Safety

Senate Committee on Ways and Means
Senator Rosalyn H. Baker, Chair
Senator Shan S. Tsutsui, Vice Chair

Friday, March 28, 2008, 9:30 a.m.
State Capitol, Conference Room 211

Senator Baker, Senator Tsutsui, and Members of the Committee:

The Department of Public Safety opposes House Bill 2685, HD1, SD1, which directs the Department of Public Safety and the Department of Accounting and General Services to plan and design the construction and operation of a new minimum-security facility. The present day cost of the Federal Detention Center is estimated to be a minimum of approximately \$122.8 million in FY 2008 dollars, nearly double its original \$63.0 million cost to construct in the late '1990's. In addition, while a high rise detention facility close to the courthouses would significantly enhance the security and ease of operation, the cost of high rise construction is substantially more than that of low rise construction.

House Bill 2685, HD1, SD1
March 28, 2008
Page 2

As a result, the Department of Public Safety is concerned that this measure would have a negative impact on the Governor's Executive Budget as well as the Department of Public Safety's other planned projects and expenses.

Thank you for the opportunity to provide written comments on this House Bill.

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON WAYS AND MEANS

Sen. Rosalyn Baker, Chair

Sen. Shan Tsutsui, Vice Chair

Friday, March 28, 2008

9:30 AM

Room 211

OPPOSITION TO HB 2685 HD1, SD1 - NEW MINIMUM SECURITY FACILITY ON O`AHU

Aloha Chair Baker, Vice Chair Tsutsui and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative working on prison reform and criminal justice issues in Hawai'i for a decade. I respectfully offer our testimony, always being mindful that Hawai'i has more than 6,000 people behind bars with more than 2,000 individuals serving their sentences abroad, thousands of miles away from their homes and their loved ones.

HB 2685 HD1,SD1 directs the Department of Public Safety and Department of Accounting and General Services to plan and design the construction and operation of a new minimum-security facility that either includes or is located at a site with appropriate access to courts, public transportation, drug rehabilitation centers, transitional or reintegration programs, and other support services, and to plan for additional community-custody beds at Oahu community correctional center

Community Alliance on Prisons opposes this measure because the department is currently undergoing a re-classification of all inmates, which consultant Camille Camp of Criminal Justice Institute reported would be completed by the end of the year.

In a presentation before the House and Senate Public Safety Committees in January, Ms. Camp reported that in the 2400 files (of 6,010 inmates) they reviewed, it is clear that Hawai'i is over-classifying individuals and holding them at higher custody levels than recommended by best correctional practices. In research that CAP has done through the years, it is clear that over-incarceration is counter-productive and actually promotes criminality.

Ms. Camp reported that there would be more individuals classified as Minimum or Community Custody when the project is completed by the end of 2008.

Currently, 62.4% of the women are classified as Minimum (there is no Community Custody in OCCC), and the consultants project that 20.3% of the women would be classified as Minimum and 53.4% would be classified as Community Custody. As of 10.31.07, there were 171 women at OCCC, meaning approximately 91 women could be Community Custody.

As of 10.31.07 there were 1,292 men at OCCC. Currently, 64.5% of the men are classified as Minimum and the consultant's project that 25.2% of the men would be classified as Minimum and 38.7% would be classified as Community Custody (approximately 500 men). A recent Honolulu Advertiser news article said that 150 Hawai'i individuals currently on the U.S. continent are Community Custody, as well.

Community Alliance on Prisons, therefore, asserts that before we consider more bricks and mortar, we should wait until the re-classification of all Hawai'i inmates is done to determine what is needed. If, indeed, we have 1,000 individuals incarcerated, who are classified as Community Custody, we should NOT be planning hard beds for these folks. Hawai'i should instead be funding community reentry programs to help these individuals successfully reenter the community, find meaningful work, and reunite with their families, where appropriate.

LET'S BUILD PEOPLE, NOT PRISONS

We can reduce our prison population and reduce recidivism by building the infrastructure in the community to help individuals successfully transition from institutional to community life.

Community Alliance on Prisons respectfully requests that the committee wait until the re-classification project is completed before planning and designing any facilities with more hard beds. We believe that our meager resources would be better spent by funding a network of reentry/reintegration programs on all islands instead. The outcomes will be better and our communities will be strengthened.

Mahalo for this opportunity to testify.

Andy Botts
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March 26, 2008

COMMITTEE ON PUBLIC SAFETY

Senator Rosalyn H. Baker, Chair
Senator Shan S. Tsutsui, Vice Chair
Friday, March 28, 2008
9:30 a.m.
Conference Room 211
Hawaii State Capitol
HB 2685, HD1, SD1
Relating to Public Safety

My name is Andy Botts, author of *Nightmare In Bangkok*. I oppose building another maximum security facility, under the guise of a minimum facility, anywhere. History proves that building new prisons doesn't and hasn't alleviated overcrowding, and part of my story reveals an unusual insight into the history of OCCC, where I spent time when it opened in 1980. However, I support the plan for additional community-custody beds at OCCC, as was the initial plan for that facility over 30 years ago.

OCCC was initially supposed to be a Community Correctional Center when the Legislature funded its construction. In fact, according to the Master Plan, OCCC was supposed to be a model rehabilitation facility that would lead the nation in prison reform. However, when the doors opened, the plan was never implemented. Therefore, if we build another facility, we can expect it to be another human warehouse like OCCC. To believe otherwise, is to believe that we can make the same mistake, but expect different results. Experts refer to this type of irrational thinking as insanity.

It would be advantageous in regards to costs and immediate long term results, to turn OCCC into a Community Correctional Center, with emphasis on work furlough programs. In fact, it's cheaper to keep inmates on furlough, as inmates in furlough programs (state and federal), are required to pay 25% of their gross wages, and still pay taxes like the rest of us. As a taxpayer, instead of knowing how much of my tax dollars are being thrown away on studies, new facilities, and exportation of over \$50 million dollars a year to out-of state coffers, I'd like to see a pay-off in my investment somehow.

Additionally, this approach could be implemented immediately; as the facility is presently designed to be a work furlough center (Modules 13 and 19 have exit/entrance doors that lead directly to the street). This would complement and satisfy the requirements of the re-entry bill, and immediately provide badly needed bed space for

those with community status. The benefits are too numerous to mention, but the time to act is long overdue, and building new facilities is not the answer.

Aloha, Andy Botts