

HAWAII BUILDING AND CONSTRUCTION TRADES COUNCIL, AFL-CIO
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February 6, 2008

Honorable Representative Cindy Evans, Chair
Honorable Representative Sharon E. Har, Vice Chair
Members of the Committee on Public Safety & Military Affairs
Hawaii State Capital
415 South Beretania Street
Honolulu, HI 96813

RE: IN SUPPORT OF HB2685
RELATING TO PUBLIC SAFETY
Hearing: Thursday, February 7, 2008, 8:45 a.m.

Dear Chair Evans, Vice Chair Har and the House Committee on Public Safety & Military Affairs:

For the Record my name is Buzz Hong the Executive Director for the Hawaii Building & Construction Trades Council, AFL-CIO. Our Council is comprised of 16-construction unions and a membership of 26,000 statewide.

The Council supports the passage of HB2685, which directs the Department of Public Safety and the office of planning to plan and design the construction and operation of a new minimum security facility at the site of the existing Oahu community correctional facility.

Thank you for the opportunity to submit this testimony in support of HB2685.

Sincerely,

William "Buzz" Hong

WBH/dg

COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS
Rep. Cindy Evans, Chair
Rep. Sharon E. Har, Vice Chair
Tuesday, February 7, 2008
Room 309 at 8:45 am

**OPPOSE: HB 2685 RELATING TO THE PUBLIC SAFETY
Design & Construct New Minimum Prison at OCCC**

Aloha Chair Evans, Vice Chair Har and Members of the Committee:

My name is Carrie Ann Shirota, and I am writing in opposition to HB 2685. My experiences as a former Public Defender and Civil Rights Enforcement Attorney, and current staff member of a reentry program on Maui have shaped my advocacy efforts to promote accountability and transparency within our correctional system, and improving how individuals are prepared in prison for successful transition into the community.

I oppose HB 2685 for the following reasons:

- Prison expansion is not prison reform, nor is it the answer to overcrowding. Reducing the number of people locked up is the key to reform, and this bill does not address the current sentencing laws and parole revocation rates in Hawai'i that have contributed to the growth of the prison population. See *The State of Sentencing 2007: Developments in Policy and Practice*. The Report highlights state legislative efforts to "address prison overcrowding, reform parole and probation supervision, expand drug sentencing diversion and establish reentry assistance" and most effectively allocate resources to maximum public safety.
- History teaches us that "If we build them, we will fill them." Increasing the number of prison beds will only increase the number of people in prison. This has happened throughout the U.S.
- Expansion fails to address the rising number of people in prisons, conditions, public safety and the lack of effective programming, treatment and medical care. History has shown us that pennies will be slated for construction but not effective corrections programming.
- According to PSD Classification Report relating to the new Classification System, females are projected to comprise 44% of the community custody designation, and males are projected to comprise 30.1% community custody. We should look to place these individuals in community based programs as a step towards transitioning into the community. For those that pose little risk, individuals should receive early discharge as part of efforts to reduce prison overcrowding.

Instead of investing in prisons, a costly system that has failed to provide effective public safety, we must reform our sentencing laws, reduce the number of men and women in prisons through reforms to parole, medical release, and EMF and providing more long term care at residential substantial abuse treatment centers. Funds saved from new prison constructions should be reapportioned to community based programs that help individuals address factors that contributed to their crimes, and better prepare individuals to successfully reintegrate into the community.

Mahalo for this opportunity to submit testimony in opposition to HB 2685.

Sincerely,
Carrie Ann Shirota, Esq.
Kahului, Hawai'i
(808) 269-3858

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS

Rep. Cindy Evans, Chair

Rep. Sharon Har, Vice Chair

Thursday, February 7, 2008

8:45 AM

Room 309

OPPOSE HB 2685 – NEW MINIMUM SECURITY FACILITY AT OCCC

Aloha Chair Evans, Vice Chair Har 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 directs the department of public safety and the office of planning to plan and design the construction and operation of a new minimum security facility at the site of the existing O'ahu community correctional facility.

Community Alliance on Prisons opposes this measure because the department is currently 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 last month Ms. Camp reported that in the 2400 files (of 6,010 inmates) they reviewed, it appeared that Hawai'i was over-classifying individuals and holding them at higher custody levels than recommended by best correctional practices. She reported that there would be more individuals classified as Minimum or Community Custody.

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 consultants project that 25.2% of the men would be classified as Minimum and 38.7% would be classified as Community Custody (approximately 500 men).

It seems to us that we should wait until the re-classification project is completed before planning and designing any more hard beds. Perhaps our resources would be better spent by funding a network of reentry/reintegration programs on all islands instead. In summary, Community Alliance on Prisons acknowledges that OCCC is a mess and that it is an inefficient and expensive facility to run because of its sprawling design.

Mahalo for this opportunity to testify.



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

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Statement of
MARY LOU KOBAYASHI
Planning Program Administrator, Office of Planning
Department of Business, Economic Development, and Tourism
before the
HOUSE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS
Thursday, February 7, 2008
8:45 AM
State Capitol, Conference Room 309

in consideration of
HB 2685
RELATING TO PUBLIC SAFETY.

Chair Evans, Vice Chair Har, and Members of the House Committee on Public Safety and Military Affairs.

HB 2685, Relating to Public Safety, directs the Department of Public Safety and the Office of Planning (OP) to plan and design the construction and operation of a new minimum security correctional facility at the 16-acre site of the existing Oahu Community Correctional Center.

OP defers to the Department of Public Safety regarding efforts to construct a minimum security facility similar to the Federal Bureau of Prisons Detention Center situated at 351 Elliot Street, on the west side of the Honolulu International Airport, with a capacity of 670 beds on five levels of a seven-floor, 325,000 square foot facility.

OP does not have the appropriate personnel with expertise to plan, design, construct, and operate such a facility, and therefore should not be designated in this bill.

Thank you for the opportunity to testify.

Andy Botts
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February 7, 2008

COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS

Rep. Cindy Evans, Chair

Rep. Sharon E. Har, vice chair

Thursday February 7, 2008

8:45 am

Room 309

OPPOSE – HB 2685

Relating to Public Safety

My name is Andy Botts, author of Nightmare In Bangkok. Part of my story is based on OCCC, where I spent time when it opened in 1980. The idea of building a maximum security prison similar to the FDC, under the guise of a minimum security is an insane suggestion. Furthermore, the projected cost for such a facility averages \$100,000 per person, according to the FDC figures. This expense is more than double of what we presently spend to send inmates to mainland facilities.

A sensible and cost-effective approach would be to revise the existing facility at OCCC into a Community based work furlough facility, as was intended in the original Master Plan of that facility over 30 years ago. This approach could be implemented almost immediately, as the facility is already designed for such a program. (Modules 13 and 19 have exit doors that lead directly to the street). This approach would complement and satisfy the requirements of the re-entry bill, provide badly needed resources for those with community status, and ultimately save the taxpayer's (me) money.

thereby increasing the development "footprint" required at OCCC to a much larger one than the 4-acre Federal Detention Center site on Elliot Street.

The proposed development would trigger the displacement of substantial numbers of facility inmates to other locations in Hawaii and on the mainland and at substantial expense. The present day cost of the Federal Detention Center is estimated to be approximately \$122.8 million in FY 2008 dollars, nearly double its original \$63.0 million cost to construct.

The Department strongly recommends a thorough review of potential sites on Oahu appropriate to this proposed development be accomplished first as part of required initial planning activities.

Thank you for the opportunity to testify on this bill.