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WRITTEN COMMENTS ON HOUSE BILL 2763, HD1, SD1  
RELATING TO THE CHILDREN OF INCARCERATED  
PARENTS TASK FORCE

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 (PSD) opposes HB 2763, HD1, SD1, which seeks to re-establish the children of incarcerated parents task force which ceased to exist on December 31, 2007. We have concerns regarding Section 6 of this measure, which may appropriate funds that would have an adverse impact on the priorities as outlined in the Governor's Executive Budget.

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

# 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

**STRONG SUPPORT - HB 2763 SD1,HD1**

**Children of Incarcerated Parents Task Force**

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 2763 SD1, HD1 re-establishes the children of incarcerated parents task force until December 31, 2011; requires annual task force reports to the legislature and the public; makes appropriation.

Community Alliance on Prisons strongly supports this measure. As Coordinator of Community Alliance on Prisons, I served as Co-Chair of the Children of Incarcerated Parents Task Force, along with Ted Sakai. Although Act 256 continued the SCR 128 Task Force (2005) in 2006, we did not re-convene until May of 2007. We, therefore, had a mere five months to continue a huge task. Although we did great work in such a short time, there is still much to be done. The need for programs and services for this population is obvious when one looks at the data, which show that these children and youth are six times more likely than other children to end up incarcerated themselves.

### Still Much Work to Be Done:

- We still have not developed a system that identifies these children and youth while protecting their privacy rights. That is a pivotal piece in these discussions.
- We cannot develop an appropriate array of programs and services until we know who these children and youth are, their ages, their living situation, and where they go to school, for starters.
- The Task Force is still working on 'guesstimate' numbers of children and youth with incarcerated parents. The Department of Public Safety must be mandated to

participate since incarcerated parents are processed through their Intake Service Centers and only they can revise their intake forms to capture information about these children and youth. The respectfully ask the committee to either amend the bill to bring PSD to the table or note that this is the committee's intent in the committee report.

### **What the Task Force Accomplished:**

- **Survey at Hilo Community Correctional Center.** In 2007 Task Force members from Hawai'i Island distributed a preliminary survey at the Hilo Community Correctional Center. That data is incorporated in our Report to the Legislature dated January 2007. The Task Force would like to gather more data at all facilities holding Hawai'i's incarcerated parents. The Hawai'i Island survey was led by Dr. Marilyn Brown and captured much valuable data.
- **Community Gatherings.** The Task Force held community meetings and gatherings on three islands.
  - \* **Hawai'i Island:** Hilo and Kona
  - \* **Maui:** Wailuku
  - \* **O'ahu:** Wai'anae and Honolulu

Our community gatherings revealed the dearth of support services for caregivers. Some children do go into the child care system of the Department of Human Services, but many children are cared for by family members who receive little to no support. The lack of support for caregivers was a theme repeated over and over in every community gathering. The problem of how to identify caregivers, as well as the children they care for, is another issue with which the Task Force is grappling. Identifying caregivers appears to be as huge a problem as identifying the children of incarcerated parents.

Act 256 allocated \$25,000 to the Department of Human Services. I have never received a final tally of what was actually spent, but it was probably around \$10,000 including interisland travel, task force and community meetings and the contract with the facilitator. The balance of the allocated funding was returned to the general fund.

The Task Force believes that providing services to these children and assistance to their caregivers will benefit the state in the long run by stopping generational incarceration. In order for the Task Force to complete its work, we need more time, more thoughtful input from children and youth, caregivers, service providers, and more participation from agencies.

The Children of Incarcerated Parents Task Force supports HB 2763 HD1,SD1 and is committed to developing a system of identification and recommendations for programs and services to support these children that protects their privacy and assists them in reaching their full potential. Community Alliance on Prisons, therefore, urges the committees to pass HB 2763 HD1, SD1. Mahalo for caring about children and about these children in particular ... Mahalo for this opportunity to testify.

**COMMITTEE ON WAYS AND MEANS**

Sen. Rosalyn H. Baker, Chair  
Sen. Shan S. Tsutsui, Vice Chair  
Friday, March 28, 2008  
9:30 am in Room 211

**STRONG SUPPORT HB 2763 HD1, SD1  
EXTENDING CHILDREN OF INCARCERATED PARENTS TASK FORCE**

Aloha Chair Baker, Vice Chair Tsutsui, Espero and Members of the Committee:

My name is Carrie Ann Shirota, and I am writing in support of HB 2763 HD 1, SD1 Relating to the Children of Incarcerated Parents Task Force. My experiences as a former Civil Rights Enforcement Attorney and Public Defender, and current staff of a reentry program on Maui have shaped my advocacy efforts to promote accountability and transparency within our correctional system, and better prepare incarcerated persons for their return home as law-abiding, contributing members of their `ohana and our community.

The purpose of HB 2763 HD, SD1 is to re-establish the children of incarcerated parents task force, which ceased to exist on December 31, 2007 and appropriates funds. I support this measure for the following reasons:

- National data shows that children whose parents are incarcerated are six to seven times more likely than other children to end up incarcerated themselves
- Hawai`i 'guesstimates' there are more than 6,000 children with incarcerated parents. In order to provide services to this vulnerable population, we need accurate data.
- Currently there are no state services afforded these children that address their particular needs
- The Task Force has started collecting data, but needs more time to complete its work in Developing a system to identify children of incarcerated parents; develop programs and support services for these children; provide support for incarcerated parents, develop family strengthening programs and review other activities, policies, directives, and laws relating to children of incarcerated parents to derive best practices models.

Mahalo for the opportunity to submit testimony in support of HB 2763 HD, SD1!

Sincerely,  
Carrie Ann Shirota, Esq.  
Kahului, Hawaii  
(808) 269-3858  
cashirota@aol.com

Testimony  
re: HB 2763, HD1, SD 1 Relating to Children of Incarcerated Parents Task Force  
by Ted Sakai, Co-Chair  
Task Force on Children of Incarcerated Parents

Senate Committee on Ways and Means  
Senator Rosalyn, Chair

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

Chair Baker and Members of the Committees:

This testimony is in strong support of HB 2763, HD 1, SD 1 relating to Children of Incarcerated Parents Task Force. The Task Force on Children of Incarcerated Parents was established in Act 8, SLH 2006, with an ambitious set of responsibilities including:

- (1) Develop a system to identify children of incarcerated parents in Hawaii and to make referrals as appropriate;
- (2) Determine the impact that parental incarceration has on children of incarcerated parents;
- (3) Identify the needs of children of incarcerated parents and develop responsive programs;
- (4) Identify local programs and models, including neighbor island programs and models; and
- (5) Review other jurisdictions' activities, policies, directives, and laws relating to children of incarcerated parents and derive best practices models there from.

Unfortunately, the Task Force was not convened until May, 2007. It had less than eight months to address these complex issues before it expired on December 31, 2008. Nevertheless, we were able to make some findings which we believe significantly advances our understanding of the needs of the children of incarcerated parents in Hawaii. These findings are based largely on two separate but related efforts. First, the Task Force sponsored meetings in West Hawaii, East Hawaii, Maui, Waianae and Honolulu to obtain the views of caregivers, former inmates, former children of incarcerated parents, service providers, and other concerned citizens.

And second, Dr. Marilyn Brown, a professor of Sociology at the University of Hawaii in Hilo and a member of the Task Force, conducted a survey of inmates at the Hawaii Community Correctional Center (HCCC) in Hilo. Dr. Brown generously shared her results with us. We are indebted to her and to the Department of Public Safety, which

made the surveys possible. While we recognize that this survey did not include a representative sample of our state's total inmate population, it nevertheless provided us with some invaluable insights.

Our findings and recommendations are contained in detail in a report that will be submitted to you very shortly. This report is in the final stages of review. A sample of our findings include:

- The data on inmates at the HCCC seem to confirm that many of our inmates are parents. 84% of the women and 70% of the men surveyed at HCCC are parents. This is consistent with national data. The women in the sample had an average of 3.3 children, and the men had an average of 2.3 children. 54% of the children were 12 years old or younger. This seems to confirm that parental incarceration impacts the lives of many children.
- Anecdotal reports from community members indicate that parental incarceration impacts children from the time the incarceration first occurs. The children are traumatized by factors such as the separation, the stigma, and the uncertainty regarding when and if the parent will return home.
- Parenting and reunification programs tend to be available to inmates after they are sentenced, and often, near the end of the sentence. By this time, the child has suffered from years of separation.
- The needs of caregivers require focused attention. Caregivers are usually mothers, if the offender is a male, and grandparents, unless and aunts when the offender is female. They suffer in many ways, including economically and sometimes legally.
- The children of incarcerated parents and their caregivers are indeed a gap group. The Departments of Public Safety, Human Services, Education, and Health all have other primary responsibilities. Each tries to do what it can, if particular children are brought to their attention. However, the children tend to come to the attention of the agencies when there is a crisis, and many of the children simply suffer in silence.

The Task Force believes that there is much needs to be done to assist children of incarcerated parents. We need to systematically identify the children, engage in research the impacts of incarceration on them, establish systems to link them and their caregivers to needed services at the earliest possible time, develop a full range of programs that help them maintain bonds with their parents during the incarceration period, and promote a healthy reunification after incarceration. We ask for this extension because we firmly believe that this is essential work. Until recently, children of incarcerated parents were an invisible group in our society. We cannot allow the light to be diverted again.

Please pass HB 2763, HD 1, SD 1 and allow the Task Force to continue its work.



the  
**Drug Policy  
Forum**  
of hawaii

March 28, 2008

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To: Senator Rosalyn Baker, Chair  
Senator Shan Tsutsui, Vice Chair and  
Members of the Committee on Ways and Means

From: Jeanne Y. Ohta, Executive Director

Re: HB2763 HD1 SD1 Relating to the Children of Incarcerated Parents  
Taskforce  
Hearing: Friday, March 28, 2008, 9:30 a.m.

Position: Strong Support

The Drug Policy Forum of Hawaii testifies today in strong support of this measure.

It is anecdotally estimated that there are 6,000 children in Hawaii with incarcerated parents. These children are six to seven times more likely than other children to become incarcerated themselves.

Alarming, there are no current services for these children. If we are to reduce the current trend of increasing incarceration rates and increasing prison costs, we must address the various factors that contribute to incarceration.

This proposal to continue the work of the taskforce will allow them to:

- Develop a system to identify children of incarcerated parents;
- Develop programs and support services for these children;
- Provide support for incarcerated parents, where appropriate;
- Develop programs to strengthen these families; and
- Review other jurisdiction's activities, policies, directives, and laws relating to children of incarcerated parents to derive best practices models.

The establishment of services and programs to children of incarcerated parents will help strengthen families and motivate parents to rebuild both their lives and those of their children. Retaining these familial relationships helps to reduce recidivism.

Please pass this measure with full funding of the taskforce. Thank you for this opportunity to testify.



OFFICE OF HAWAIIAN AFFAIRS  
Legislative Testimony

**HB 2763, HD1, SD1 RELATING TO THE CHILDREN OF INCARCERATED  
PARENTS TASK FORCE**

Senate Committee on Ways and Means

March 27, 2008  
Room 211

9:30 A.M.

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The Office of Hawaiian Affairs supports HB 2763, HD1, SD1. Our interest in this legislation is primarily based on our concern that 45% of men and women incarcerated in both in-state and out-of-state correctional facilities are Native Hawaiian.

OHA support for this bill is primarily based on growing evidence that children whose parents are incarcerated are more apt to encounter socialization problems in school and the community and exhibit deviant behavior as they grow older. In addition, familial bonds are severely strained when offenders are incarcerated for long periods of time, making it very difficult for them to reconnect and reintegrate with their children once released.

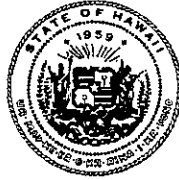
OHA has participated as a representative on the Task Force and believes the State would be wise to continue its life in order to look at creative ways to address and bring more focus to the needs of these children. Otherwise, the cycle of incarceration will likely continue with these children.

The health, safety, and welfare of these children are of utmost importance to OHA, and we would welcome the opportunity to continue participating and working closely with the task force.

Mahalo nui loa for the opportunity to present testimony.



LINDA LINGLE  
GOVERNOR



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HENRY OLIVA  
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STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
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March 28, 2008

MEMORANDUM

TO: Honorable Rosalyn H. Baker, Chair  
Senate Committee on Ways and Means

FROM: Lillian B. Koller, Director

SUBJECT: H.B. 2763, H.D. 1- RELATING TO THE CHILDREN OF  
INCARCERATED PARENTS TASK FORCE  
Hearing: Friday, March 28 2008, 9:30 a.m.  
Conference Room 211, State Capitol

PURPOSE: Re-establishes the Children of Incarcerated Parents Task Force to December 31, 2011 and appropriates funds.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this bill, but we are concerned about the cost implications which are outside the Executive Supplemental Budget. The Task Force is proposed to be extended to 2011, however, there is funding for only the next fiscal year in this bill. The Departments of Public Safety and Human Services are required in this bill to provide administrative, clerical, technical, and professional support services to the Task Force until 2011. In addition, there will be travel expenses for the Task Force members, expenses for Task Force and community meetings, and printing costs for the required annual reports in 2009, 2010, and 2011 to be available to the general public.

We would recommend the extension of the Task Force on a yearly basis (not to 2011 as proposed in this bill) in order to evaluate the progress made and to adjust the needs.

The Children of Incarcerated Parents Task Force was first established by the 2005 Legislature in Senate Concurrent Resolution 128 and extended by Act 256, Relating to Children, Session Laws of Hawaii 2006. The Task Force is to identify and recommend the development of appropriate programs and services for children of incarcerated children.

Thank you for this opportunity to testify on this bill.