

har1-En

---

**From:** Judith Clark [jclark@hysn.org]  
**Sent:** Monday, February 11, 2008 4:31 PM  
**To:** PSMtestimony  
**Subject:** Testimony HB 2763

Bill: HB 2763 Relating to the Children of Incarcerated Parents Task Force  
Committees: Public Safety and Military Affairs; Human Services and Housing  
Chairs: Rep. Cindy Evans; Rep. Maile Shimabukuro  
Date/time: Feb. 14; 8:50 a.m.  
Room 309  
5 copies requested.  
Testimony is in attached file; also pasted below in case of difficulty with attachment. Mahalo.

.....

February 11, 2008

To: Representative Cindy Evans, Chair  
And members of the Committee on Public Safety and Military Affairs

Representative Maile Shimabukuro, Chair  
And members of the Committee on Human Services and Housing

**Testimony in Support of HB 2763 Relating to the Children of Incarcerated Parents Task Force**

Hawaii Youth Services Network (HYSN), a statewide coalition of more than fifty youth-serving organizations, supports HB 2763 Relating to the Children of Incarcerated Parents Task Force.

More than 6,000 children in Hawaii have a parent who is incarcerated. These children are seven times more likely to enter juvenile or adult prisons. They experience problems in school, are at high risk for substance abuse, and suffer emotional trauma, grief, and loss.

The Children of Incarcerated Parents Task Force has determined that there is little data available locally about these children and their families and few resources in our state for this population. It has brought together service providers, government officials, and family members to begin dialogue about service and policy needs. This work is not yet completed and Task Force members need more time to work with the government, non-profit, business, and faith-based communities to develop data collection systems; adopt model programs that have worked in other communities; and establish policies in our law enforcement, public safety, and child welfare systems to support children of incarcerated parents.

Thank you for this opportunity to testify.

Sincerely,

Judith F. Clark, MPH  
Executive Director

LETTER

# COMMUNITY ALLIANCE ON PRISONS

76 North King Street, Suite 203, Honolulu, Hawai`i 96817

Phone/E-mail: (808) 533-3454/communityallianceonprisons@hotmail.com



## COMMITTEE ON HUMAN SERVICES & MILITARY AFFAIRS

Rep. Cindy Evans, Chair

Rep. Sharon Har, Vice Chair

## COMMITTEE ON HUMAN SERVICES & HOUSING

Rep. Maile Shimabukuro, Chair

Rep. Karl Rhoads, Vice Chair

Thursday, February 14, 2008

8:50 AM

Room 309

### STRONG SUPPORT HB 2763 – CHILDREN OF INCARCERATED PARENTS TASK FORCE

Aloha Chairs Evans and Shimabukuro and Members of the Committees!

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 re-establishes the children of incarcerated parents task force, which ceased to exist on December 31, 2007 and appropriates funds.

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 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 meetings 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.

**Problems Encountered by the Task Force:**

Act 256 allocated \$25,000 to the Department of Human Services. I have never received a final tally of what was spent, but it is under \$5,000. The balance of the allocated funding was returned to the general fund.

The problem we encountered was that the Task Force then had to identify non-profits on every island to accept the funding. After we did that, we were then told that they wouldn't actually get the funding, but would be reimbursed for funds expended. This meant that non-profit agencies had to advance the funding to this Legislative Task Force and then await reimbursement by the state. This is not what we were told when the Task Force convened and we were all stunned by this revelation after agreements were signed.

I am, therefore, wondering if there is some other system that could be employed to avoid having non-profits use their meager funds to pay for travel and activities for a Legislative-appointed task force and then have to wait for reimbursement by the state. This issue has created problems, frustration, and resentment. Is there some way the Legislature could help in this area?

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 caregivers, service providers, and more participation from agencies.

The Children of Incarcerated Parents Task Force supports HB 2763 and is committed to developing a system of identification and recommendations for programs and services to support these children and their caregivers that protects their privacy and assists them in reaching their full potential.

Community Alliance on Prisons, therefore, urges the committees to pass HB 2763.

Mahalo for this opportunity to testify.



STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES

OFFICE OF YOUTH SERVICES  
820 Mililani Street, Suite 817  
Honolulu, Hawaii 96813

Phone: (808) 587-5700  
Fax: (808) 587-5734

February 14, 2008

TO: The Honorable Cindy Evans, Chair  
House Committee on Public Safety and Military Affairs

The Honorable Maile S. L. Shimabukuro, Chair  
House Committee on Human Services and Housing

FROM: Martha T. Torney, Executive Director

SUBJECT: **HB 2763, RELATING TO THE CHILDREN OF INCARCERATED  
PARENTS TASK FORCE**

Hearing: Thursday, February 14, 2008, 8:50 am  
State Capitol, Conference Room 309

The Office of Youth Service (OYS) has reviewed HB 2763 which re-establishes the Children of Incarcerated Parents Task Force. The OYS was a part of the Children of Incarcerated Parents Task Force from its inception in 2005 to its end on December 31, 2007. The task force began work to identify children of incarcerated parents and programs and support services for these children and their parents.

We appreciate the intent of this bill, but we are concerned about the cost implications which are outside the Executive Supplemental Budget.

Thank you for the opportunity to present this testimony.



the  
**Drug Policy  
Forum**  
of hawaii

February 14, 2008

**Board of Directors**

Pamela Lichty, M.P.H.  
*President*

Kat Brady  
*Vice President*

Heather Lusk  
*Treasurer*

Katherine Irwin, Ph.D.  
*Secretary*

Michael Kelley, D.Phil.

Richard S. Miller, Prof. of  
Law Emer.

Robert Perkinson, Ph.D.

*Donald Topping, Ph.D.*  
*Founder 1929-2003*

To: The Committee on Public Safety and Military Affairs  
The Committee on Human Services and Housing

From: Jeanne Y. Ohta, Executive Director

Re: HB2763 Relating to the Children of Incarcerated Parents Taskforce  
Hearing: Thursday, February 14, 2008, 8:50 a.m.

Position: Strong Support

Good morning members of the Committee on Public Safety and Military Affairs and members of the Committee on Human Services and Housing. 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, 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 a recommendation for full funding of the taskforce. Thank you for this opportunity to testify.

P.O. Box 61233  
Honolulu, HI 96839

Phone: (808)-988-4386  
Fax: (808) 373-7064

Email: [info@dpfhi.org](mailto:info@dpfhi.org)  
Website: [www.dpfhi.org](http://www.dpfhi.org)



the  
**Drug Policy  
Forum**  
of hawaii

February 14, 2008

**Board of Directors**  
Pamela Lichty, M.P.H.  
*President*

Kat Brady  
*Vice President*

Heather Lusk  
*Treasurer*

Katherine Irwin, Ph.D.  
*Secretary*

Michael Kelley, D.Phil.

Richard S. Miller, Prof. of  
Law Emer.

Robert Perkinson, Ph.D.

*Donald Topping, Ph.D.*  
*Founder 1929-2003*

To: The Committee on Public Safety and Military Affairs  
The Committee on Human Services and Housing

From: Jeanne Y. Ohta, Executive Director

Re: HB2764 Relating to the Children  
Hearing: Thursday, February 14, 2008, 8:50 a.m., Room 309

Position: Support

Good morning members of the Committee on Public Safety and Military Affairs and members of the Committee on Human Services and Housing. The Drug Policy Forum of Hawaii testifies today in support of this measure. We suggest an amendment adding "where appropriate" in maintaining a relationship with a parent.

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.

When parents are incarcerated, their children serve their own form of incarceration. They are often ridiculed at school and in the community where there is a stigma attached to having a parent who is "serving time."

This proposed bill of rights is important because the needs of a child to maintain a relationship with their incarcerated parent will be taken into consideration in situations where that relationship would be appropriate.

The rights proposed are similar to those of the United Nations Conventions on the Rights of the Child. Other bills of rights are being adopted by other jurisdictions as they consider the importance of providing services to children of incarcerated parents.

This vulnerable population of children needs to be considered in our incarceration policies. We urge you to pass this measure. Thank you for this opportunity to testify.

P.O. Box 61233  
Honolulu, HI 96839

Phone: (808)-988-4386  
Fax: (808) 373-7064

Email: [info@dpfhi.org](mailto:info@dpfhi.org)  
Website: [www.dpfhi.org](http://www.dpfhi.org)

LINDA LINGLE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**

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

CLAYTON A. FRANK  
DIRECTOR

DAVID F. FESTERLING  
Deputy Director  
Administration

TOMMY JOHNSON  
Deputy Director  
Corrections

JAMES L. PROPOTNICK  
Deputy Director  
Law Enforcement

No. \_\_\_\_\_

TESTIMONY ON HOUSE BILL 2763  
RELATING TO THE CHILDREN OF INCARCERATED  
PARENTS TASK FORCE

by

Clayton A. Frank, Director  
Department of Public Safety

House Committee on Public Safety & Military Affairs  
Representative Cindy Evans, Chair

House Committee on Human Services & Housing  
Representative Maile S. L. Shimabukuro, Chair

Thursday, February 14, 2008; 8:50 a.m.  
State Capitol, Conference Room 309

Representative Evans, Representative Shimabukuro, and Members of both  
Committees:

The Department of Public Safety (PSD) supports the intent of House Bill 2763 to re-establish the children of incarcerated parents task force. This task force could develop programs to aid children of incarcerated parents, strengthen the family bond, and help break the cycle of crime and violence. However, PSD is concerned that the appropriations in this bill will impact the priorities in the Governor's Executive Supplemental Budget.

Thank you for this opportunity to testify.



**COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS**

Rep. Cindy Evans, Chair

Rep. Sharon E. Har, Vice Chair

**COMMITTEE ON HUMAN SERVICES & HOUSING**

Rep. Maile S. L. Shimabukuro, Chair

Rep. Karl Rhoads, Vice Chair

Thursday, February 14, 2008

Room 309 at 8:50am

**SUPPORT: HB 2763 Relating to the Children of Incarcerated Parents Task Force**

Aloha Chairs Evans and Shimabukuro, and Members of the Committees:

My name is Carrie Ann Shirota, and I am writing in support of HB 2763 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 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
- 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!

Sincerely,

Carrie Ann Shirota, Esq.

Kahului, Hawaii

(808) 269-3858

cashiota@aol.com



OFFICE OF HAWAIIAN AFFAIRS  
Legislative Testimony

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

House Committees on Public Safety & Military Affairs, Human  
Services & Housing, and Labor & Public Employment

February 14, 2008  
Room 309

8:50 A.M.

---

The Office of Hawaiian Affairs supports HB 2763. 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.

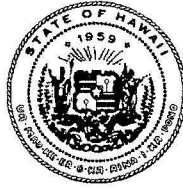
OHA support for this bill is primarily based on growing evidence that children whose parents are incarcerated are more apt to encounter socialization problems in school and the community and exhibit deviant behavior as they grow older. In addition, familial bonds are severely strained when offenders 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



LILLIAN B. KOLLER, ESQ.  
DIRECTOR

HENRY OLIVA  
DEPUTY DIRECTOR

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
P. O. Box 339  
Honolulu, Hawaii 96809-0339

February 14, 2008

MEMORANDUM

TO: Honorable Cindy Evans, Chair  
House Committee on Public Safety and Military Affairs  
  
Honorable Maile S.L. Shimabukuro, Chair  
House Committee on Human Services and Housing

FROM: Lillian B. Koller, Director

SUBJECT: H.B. 2763– RELATING TO THE CHILDREN OF INCARCERATED  
PARENTS TASK FORCE

Hearing: Thursday, February 14, 2008, 8:50 a.m.  
Conference Room 309, State Capitol

PURPOSE: Re-establishes the Children of Incarcerated Parents Task Force and appropriates funds.

DEPARTMENT'S POSITION: 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.

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.

Thank you for this opportunity to testify on this bill.

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

House Committee on Public Safety and Military Affairs  
Representative Cindy Evans, Chair

House Committee on Human Services and Housing  
Representative Maile Shimabukuro, Chair

Thursday, February 14, 2008, 8:50 a.m.  
Conference Room 309  
State Capitol

Representative Evans, Representative Shimabukuro, and Members of the Committees:

This testimony is in strong support of HB 2763, 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, uncles 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 this HB 2763 and allow the Task Force to continue its work.