



**House Committee on Public Safety & Military Affairs, Representative Cindy Evans, Chair & Representative Sharon Har, Vice Chair**

**Hearing schedule: March 20, 2008, 9:00 A.M., Conference Room 309**

**Re: HCR 106 / HR 88**

**Testimony in Strong Support of HCR 106 / HR 88**

Chair Evans, Vice Chair Har, and members of the Committee on Public Safety & Military Affairs. My name is George Massengale, and I am the Policy Director, for the Coalition for a Tobacco Free Hawaii. Thank you for the opportunity to submit testimony in strong support of HCR 106 & HR 88, which would urge the Departments of Public Safety and Human Services to institute a ban on smoking all State correctional facilities.

As most of the committee members know the Coalition and its members worked diligently to gain passage of Act 295, with a strong recommendation that all correctional facilities be covered under the law. At that time we noted, that in 1994, Texas became the first state to prohibit smoking in prisons, and 38 state correctional departments reported that they had a smoking prohibition or policy in place. The Federal Bureau of Prisons initiated a smoking prohibition in July 2004, becoming the largest correctional system to do so with 105 facilities and 180,000 inmates.

Hawaii's Director of Public Safety requested the exemption from Act 295 for state correctional facilities, indicating concerns, about black market activities, the possibility of the inmates turning violent if they could not smoke, **(which has proven to be unfounded)**, and the inability of correction officers not being able to take a smoke break. Black marketing of tobacco products is a minor issue, and smoke breaks for guards, can be addressed by scheduling.

We strongly believe that as workplaces correctional facilities in Hawaii **should not have been exempted**, and that correctional employees as well as inmates should be offered the same protections as the general public. We urge the committee to pass these resolutions.

Sincerely yours,

George S. Massengale, JD  
Policy Director