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No. _____

WRITTEN COMMENTS ON SENATE BILL 2546 SD1
RELATING TO OFFENDER REENTRY

by
Clayton A. Frank, Director
Department of Public Safety

LATE

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

Friday, February 22, 2008; 11:00AM
State Capitol, Conference Room 211

Senator Baker and Members of the Committee:

The Department of Public Safety (PSD) would like to offer comments supporting the intent of Senate Bill 2546 SD1, which amends several key sections of ACT 8, First Special Session Laws of Hawaii 2007, also known as the Community Safety ACT of 2007. This bill addresses many of the concerns we have expressed to the legislature and we want to thank the legislature for their interest in this critically important matter. However, several concerns we expressed regarding ACT 8 remain and are not addressed in SB 2546 SD1 and we respectfully ask this measure to be amended. The amendment language is attached.

The Department requests that you consider amendments to this act that would allow the funds for the cognitive restructuring program to be used where the Department sees the need and not mandated to be used on the Big Island as Act 8 currently states.

The Department would also request an amendment on the \$1,820,000.00 appropriated to the department for a day reporting center to be reappropriated to

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the development and implementation of an enhanced offender monitoring and supervision system. We envision this system to be multi-faceted and multi-layered. This will allow for the release of additional inmates, who have been classified as minimum and community custody on extended furlough and possibly parole without jeopardizing the public's safety.

Further, our Department respects the work of the committee on Public Safety and sees no need for an additional legislative oversight committee to accomplish the tasks of analyzing and evaluating the department's performance. At present, there exists the Senate Committee on Public Safety and Military Affairs as well as your committee, which together can perform the role of the oversight committee formed by ACT 8. It should also be noted that the Corrections Population Management Commission (CPMC) was established in 1993 under the provisions of HRS 353F, and is responsible for 1) establishing maximum inmate population limits for each correctional facility and 2) formulating policies and procedures to prevent the inmate population from exceeding the capacity of each correctional facility.

Thank you for this opportunity to provide comments.

I. OFFENDER REENTRY LEGISLATIVE OVERSIGHT COMMITTEE

SECTION . Chapter 353H, part II, Hawaii Revised Statutes, is repealed.

~~"[§353H-21] Legislative oversight committee; established. There is established a legislative oversight committee to ensure transparency in the operations of the department, analyze the effectiveness of the department's governance, operations, and administration of its programs and services, evaluate the department's purchase of community-based programs and services, and review any other issues impacting the department. The legislative oversight committee shall conduct site visits and have access to all areas in correctional facilities, within the constraints of safety and security. The legislative oversight committee shall meet publicly for input and recommendations for the department. The legislative oversight committee shall be composed of members of the standing committees of both houses of the legislature whose purview is to oversee the department. The legislative oversight committee shall be jointly chaired by the legislative standing committees' respective chairs.]"~~

II. PILOT DAY REPORTING CENTER

SECTION . Act 8, Special Session Laws of Hawaii 2007, is amended by repealing sections 6 and 7.

~~"[SECTION 6. The department of public safety, through its intake service centers and education divisions, shall establish a one-year pilot day reporting center that will be available to two hundred offenders who have six months to one year left to serve on their sentence. The center shall offer a continuum of services to~~

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~~prepare offenders for transition and reintegration into the community. The center staff shall consist of a program director, counselors, social workers, and other professional and clerical staff. The ideal ratio of counselors to offenders shall be one counselor for every twenty five offenders. The ideal ratio of social workers to offenders shall be one social worker for every fifteen offenders. The department of public safety may contract with a private or not for profit agency for the necessary services to carry out the purposes of this part.~~

~~SECTION 7. The department of public safety shall submit, no later than twenty days prior to the start of the 2008 and 2009 regular sessions of the legislature, a written report on:~~

- ~~(1) The outcome of the pilot project;~~
- ~~(2) Cost analysis and an accounting of expenses;~~
- ~~(3) Relevant data on program participants;~~
- ~~(4) Program and management evaluations; and~~
- ~~(5) Any other pertinent information, recommendations, or proposed legislation, if any, to determine whether the program should be continued.]"~~

~~SECTION . Act 8, Special Session Laws of Hawaii 2007, is amended by amending section 8 to read as follows:~~

~~"SECTION 8. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,820,000 or so much thereof as may be necessary for fiscal year [2007-2008] 2008-2009 for the [establishment of a one-year pilot day reporting~~

center] development and implementation of an enhanced offender monitoring and supervision system.

The sum appropriated shall be expended by the department of public safety, who may contract with a private or nonprofit agency to operate ~~[the day-reporting center for the purposes of this part.]~~ and maintain the system."

III. COGNITIVE RESTRUCTURING PILOT PROGRAM

SECTION . Act 8, Special Session Laws of Hawaii 2007, is amended by amending sections 19 and 20 to read as follows:

"SECTION 19. The cognitive restructuring pilot program shall be established by the department of public safety at a location or locations determined by the department and teach specific skills that include problem solving, social skills training, anger management, and empathy training. ~~[The cognitive restructuring pilot program shall be established in the county of Hawaii at Kulani correctional facility, Hawaii community correctional center, and Hale Nani reintegration center.]~~

SECTION 20. There is appropriated out of the general revenues of the State of Hawaii the sum of \$33,000 or so much thereof as may be necessary for fiscal year ~~[2007-2008]~~ 2008-2009 for a cognitive restructuring pilot program ~~[to be established in the county of Hawaii at Kulani correctional facility, Hawaii community correctional center, and Hale Nani reintegration center]."~~