

LINDA LINGLE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
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No. _

TESTIMONY ON HOUSE BILL 1776
RELATING TO PUBLIC ASSISTANCE

by
Clayton A. Frank, Director
Department of Public Safety

House Committee on Finance
Representative Marcus R. Oshiro, Chair
Representative Marilyn B. Lee, Vice Chair

Friday, February 27, 2009; 12:00PM
State Capitol, Conference Room 308

Representative Oshiro, Representative Lee, and Members of the Committee:

The Department of Public Safety (PSD) appreciates the legislature's interest in ensuring that those that are incarcerated, fugitives from justice, those previously found guilty of fraudulent misrepresentation, and/or those that are not in compliance with the terms and conditions of their probation or parole do not receive benefits that they may not be entitled to. As written, HB 1776 would require PSD to provide a complete list of all offenders in our custody to the Department of Human Services (DHS) no later than December 31, 2009, and beginning January 31, 2009, provide monthly reports to DHS listing all inmates newly admitted during the previous month to any correctional facility within the state.

The PSD can provide the requested reports electronically to DHS as outlined in this measure. However, PSD does not see the need to codify this matter in statute as a more appropriate means to address this matter would be via a Memorandum of Agreement (MOA) or a Memorandum of Understanding (MOU) between PSD and DHS.

It should be noted that a large portion of the offender population are persons sentenced to jail sentences ranging from 48 hours to as long as 365 days. Therefore, an offender may appear on the initial list and/or a subsequent monthly list, but will not necessarily appear on future monthly lists. It should also be noted that some offenders may be sentenced several times throughout a given year to serve varying short-term jail sentences for misdemeanor offenses.

With respect to the parole population, some of those arrested for technical violations of the terms and conditions of their parole, may be released back into the community after only very short periods of temporary incarceration. PSD defers further comments/testimony regarding the parole population to the Hawaii Paroling Authority and all comments/testimony regarding the probation population to the judiciary.

Thank you for the opportunity to provide testimony on this matter.

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 27, 2009

MEMORANDUM

TO: The Honorable Marcus R. Oshiro, Chair
House Committee on Finance

FROM: Lillian B. Koller, Director

SUBJECT: **H.B. 1776 - RELATING TO PUBLIC ASSISTANCE**

Hearing: Friday, February 27, 2009; 12:00 p.m.
Conference Room 308, State Capitol

PURPOSE: The purpose of H.B. 1776 is to require the Director of Public Safety to transmit monthly reports to the Department of Human Services (DHS) listing all newly admitted inmates during the previous month to a correctional facility. This measure further requires DHS to identify inmates who receive public assistance to enforce the prohibition of inmates from receiving public assistance.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports the intent of this measure as long as its implementation does not impact or replace the priorities set forth in the Executive Biennium Budget for Fiscal Years 2009-2010.

DHS defers to the Department of Public Safety regarding the intent and implementation of this bill.

Thank you for the opportunity to provide comments on this bill.



Waianae Community Outreach

P.O. Box 1912, Waianae, Hi 96792
Ph: (808) 696-5667 Fax: (808) 696-1869

**HOPE for a New Beginning Shelter
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Ph: (808) 682-4673 Fax: (808) 682-4670

Partnerships in Building Community

"I put my hand in your hand, what I cannot do alone, we will do together"

Mission

Provide Comprehensive services with Aloha to individuals & families in need so they can become Self-Sufficient

Vision

Healthy Self-Sufficient Resilient Individuals & Families

Values

Understanding
Respect
Responsibility
Integrity
Compassion
Honesty

TESTIMONY – FULL SUPPORT – HB1776: RELATING TO PUBLIC ASSISTANCE

To: Rep. M. Oshiro, Chair Committee on Finance
Rep. M. Lee, Vice Chair Committee on Finance

Fr: Sophina B. Placencia, Executive Director

Cc: Rep. Karen Awana, District Representative
Rep. Maile Shimabukuro, District Representative
Sen. Colleen Hanabusa, District Senator

Hearing: February 27, 2009 at 12:00pm Rm. 308

Aloha and good morning Chair, Vice Chair and Committee members:

As I've previously submitted testimony on this measure, I would like to ask for your **FULL SUPPORT to HB 1776**. This assuring there is accountability and communication between two vital departments when an individual is incarcerated for any reason.

It is clear that many of these individuals who are admitted to a "prison" institution have dependents that may be receiving some form of public assistance to meet their basic needs. The benefits continue on an automatic system until someone has made a report of a change. This most often isn't done in a timely manner and therefore the benefits get paid out causing an overpayment of some sort and most importantly the benefits are getting to the people it was mostly meant for, i.e. minor children or dependents of the payee.

It is also clear that these types of measure need to be passed because the current system we have does not allow for the transferring of information automatically and yet we are in a system that should be "wrapped around" the needs of the general public.

Again I encourage you all to do the RIGHT thing and support the passage of this measure.

P.O. Box 1169
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Phone (808) 426-4647
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Fax (808) 696-1654

Kanani Kaaiawahia Bulawan

Date: February 26, 2009

To: Rep. M. Oshiro, Chair Committee on Finance
Rep. M. Lee, Vice Chair Committee on Finance

Cc: Rep. Karen Awana, District Representative
Rep. Maile Shimabukuro, District Representative
Sen. Colleen Hanabusa, District Senator

Hearing: February 27, 2009 at 12:00pm Rm. 308

Measure: HB1776: RELATING TO PUBLIC ASSISTANCE

Aloha and good morning Chair, Vice Chair and Committee members:

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It is clear that many of these individuals who are admitted to a "prison" institution have dependents that may be receiving some form of public assistance to meet their basic needs. The benefits continue on an automatic system until someone has made a report of a change. This most often isn't done in a timely manner and therefore the benefits get paid out causing an overpayment of some sort and most importantly the benefits are getting to the people it was mostly meant for, i.e. minor children or dependents of the payee.

It is also clear that these types of measure need to be passed because the current system we have does not allow for the transferring of information automatically and yet we are in a system that should be "wrapped around" the needs of the general public.

Again I encourage you all to do the RIGHT thing and support the passage of this measure. Should you have additional questions or need more information feel free to call me at 783-9302.

Mahalo,
Kanani Kaaiawahia Bulawan