

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 1776  
RELATING TO PUBLIC ASSISTANCE**

by

Clayton A. Frank, Director  
Department of Public Safety

House Committee on Public Safety  
Representative Faye P. Hanohano, Chair  
Representative Henry J.C. Aquino, Vice Chair

Thursday, February 5, 2009; 9:15AM  
State Capitol, Conference Room 309

Representative Hanohano, Representative Aquino, 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



LATE TESTIMONY

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 5, 2009

**MEMORANDUM**

TO: The Honorable Faye P. Hanohano, Chair  
House Committee on Public Safety

FROM: Lillian B. Koller, Director

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

Hearing: Thursday, February 5, 2009; 9:15 a.m.  
Conference Room 309, 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.

P.O. Box 1169  
Waianae, HI 96792  
E-mail [kananikb2@hawaii.rr.com](mailto:kananikb2@hawaii.rr.com)

Phone (808) 426-4647  
Cellular: (808) 783-9302  
Fax (808) 696-1654

*Kanani Kaaiawahia Bulawan*

---

Date: February 4, 2009

To: Rep. F. Hanohano, Chair Committee on Public Safety  
Rep. H. Aquino, Vice Chair Committee on Public Safety

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

**Hearing: February 5, 2009 at 9:15am**

**Measure: HB1776: RELATING TO PUBLIC ASSISTANCE**

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

I would like to ask for your **FULL SUPPORT** to this measure 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. Should you have additional questions or need more information feel free to call me at 783-9302.

Mahalo,  
Kanani Kaaiawahia Bulawan

---

**From:** Patricia Patterson [uilanipat@yahoo.com]  
**Sent:** Tuesday, February 03, 2009 8:03 PM  
**To:** PBStestimony  
**Cc:** Rep. Karen Awana  
**Subject:** HB1776

Chair, Vice-Chair and Committee: I am in favor of HB1776. It only makes sense for monthly reports of newly incarcerated individuals be made to the Human Resources Department to track the proper distribution of our money. This seems a simple matter, as the records surely are available--and the information is important. Please pass this bill. Mahalo, Pat Patterson (695-1267)