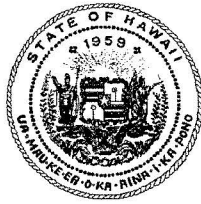


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TESTIMONY ON SENATE BILL 539, SD1  
RELATING TO CORRECTIONS

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, March 19, 2009; 10:00AM  
State Capitol, Conference Room 309

Representative Hanohano, Representative Aquino, and Members of the Committee:

The Department of Public Safety (PSD) appreciates the legislature's sincere interest in the Department's efforts with respect to re-entry and the accompanying services provided in our efforts to rehabilitate offenders. However, PSD continue to oppose Senate Bill 539, SD1, which seeks to establish a reentry division within the Department.

As you know, early this legislative session, PSD provided this committee and the Senate Committee on Public Safety and Military Affairs with two in-depth briefings regarding our efforts to comply with the provisions of Act 8, most of which are not funded, and on our comprehensive offender reentry system plan. In addition to those efforts, the PSD is also currently developing and will implement internal "directed" reorganizations of several sections and branches within the Department.

Our current internal reorganization efforts are specifically designed to ensure the the entire Corrections Division operates more effectively and efficiently with current resources by streamlining several operations and consolidating some to be more

cohesively sound operations. These changes will enable the Department to more effectively perform our core correctional management, offender management, classification, and re-entry functions.

In addition, the Department is currently considering the reorganization of the major branches within the Institutions Division into two separate and distinct areas of corrections (jails and prisons). At present both, jails and prisons have one overall Corrections Manager, which is inefficient, extremely burdensome, and often times requires the Institutions Division Administrator to work long arduous hours in an attempt to oversee all eight (8) correctional facilities.

As written, this measure would rename the Institutions Service Centers Division to the Reentry Intake Services Division, add to the duties and responsibilities of the Reentry Intake Services Division, by requiring the Division to work closely and collaborate with the Hawaii Paroling Authority (HPA) and the Corrections Program Services Division. It also, seeks to change all references to the Corrections Program Services Division, other than reference to the Corrections Program Services Division in section 353c – (b) (5), HRS, to the Intake Service Center Division.

Although this measure states that no additional funds will be provided to carry out the provisions contained in SB 539. SD1, the fact remains, costs will be incurred, as this type of reorganization requires staff time, effort, dedicated resources, and in-depth consultations with both the HGEA and the UPW unions. “Adding to duties and responsibilities” changes the conditions, which requires consultations with the employee’s union. In addition, proposed organizational changes requires the approval of the Department of Human Resources Development (DHRD) and the Department of Budget and Finance, both of which complete extensive reviews and analysis of any proposed organizational change(s).

It should be noted that the Intake Service Centers Division already coordinates and collaborates with other Divisions, Branches, and Sections within the Department of Public Safety, its attached agencies such as the HPA and the Crime Victim Compensation Commission (CVCC), and any community-based organization in the fulfillment of its mission. There is no need to codify in statute what already voluntarily takes place and has for decades.

If it is the intent of this legislature to have an entity within the Department of Public Safety to be known for its reentry functions, it would be more appropriate to allow the PSD the opportunity to address this matter in our on going internal directed reorganization of several elements of the Corrections Division. It may also be more appropriate for the Department to address specific concerns of the legislature in a Senate and/or House Concurrent Resolution report to be provided at least twenty days prior to the next legislative session.

Further, in these extremely challenging fiscal times, we all have a shared responsibility to ensure that our taxpayer dollars are used for those items and services that are the most critical to the people of Hawaii. Given that this measure is clearly not one of critical importance when weighed against the difficult financial challenges the state is experiencing and coupled with the fact that the Department already has in place a comprehensive offender reentry system plan, this measure is unnecessary and we respectfully request it be held.

Finally, thank you for the opportunity to provide testimony on this matter.