

 **the Drug Policy Forum**  
of hawai'i

**LATE TESTIMONY**

March 18, 2010

To: Representative Faye Hanohano, Chair  
Representative Henry Aquino, Vice Chair and  
Members of the Committee on Public Safety

From: Jeanne Y. Ohta, Executive Director

RE: HCR 149 (Non-violent Drug Offenders)  
Hearing: Thursday, March 18, 2010, 9:00 a.m., Room 309

Position: Support

The Drug Policy Forum of Hawai'i writes in support of HCR 149 which requests the judiciary to report to the legislature on the probable impact of sentencing non-violent drug offenders to treatment instead of incarceration.

Data gathered by this report will more accurately inform policy decisions. Incarceration is the most expensive option available in the criminal justice system. This report would help determine how many non-violent offenders needing treatment are behind bars instead of receiving drug treatment.

Treatment is more effective than incarceration; and less expensive than incarceration. In order to stem the skyrocketing corrections budget, Hawai'i needs to use a public health approach to addiction rather than the criminal justice approach that is currently being used.

The state's current budget crisis is the ideal time to evaluate the need for alternative policies. Gathering data is a good start. Hawai'i cannot continue to spend money on failed prison policies while education, health and human services budgets suffer.

Thank you for allowing us to testify in support of this measure.

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# LATE TESTIMONY

To: Members of the Committee on Public Safety:

I am writing this testimony in support of HCR 149.

Criminologists have long recognized that one of the mechanisms leading to the current state of overcrowding in our correctional institutions is indeed the incarceration of low-level, non-violent offenders who pose little threat to public safety. This resolution deserves support as it serves to initiate the reversal of this trend. Further, the resolution will ensure that we first study the impact of sentencing our nonviolent drug offenders to something less restrictive than prison and, thus, utilize research to help guide these efforts.

Smart policy depends on data, and this resolution will provide the requisite data to make sound decisions that not only make sense but are fiscally more sound and certainly a more humane way to serve justice. Assessing the need, and then devising a plan for treatment and community supervision for those amenable to such placement, will enhance public safety rather than detract from it. Research has been consistently clear on the positive effect of social bonds (such as family, employments, and other community ties) on offending, and these bonds can be promoted outside of prison.

This resolution serves to move us forward in 21<sup>st</sup> century correctional policy. I offer my strong support for HCR 149 to determine both the need for and impact of such alternative sentencing for our nonviolent offenders and, too, hope that this committee is able to provide the funds necessary for a well-constructed study.

Sincerely,

Janet T. Davidson, Ph.D.  
Assistant Professor, Criminology & Criminal Justice  
Chaminade University of Honolulu