

HCR 162

Measure Title:

URGING THE PROVISION OF EDUCATION TO INCARCERATED PARENTS TO ENSURE CHILD SUPPORT ISSUES ARE ADDRESSED WITHOUT DELAY AND UPON RELEASE, TO PREPARE THEM FOR REINTEGRATION WITH THEIR CHILDREN AND FAMILIES, INCLUDING GRANDPARENTS WHO HAVE RAISED THEIR CHILDREN.

Report Title:

Incarcerated Parents; Additional Information and Training by DPS

April 21, 2010

To: Senator Will Espero
CHAIR COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

From: Representative Marilyn B. Lee

Subject: testimony in SUPPORT of HCR 162

Senator, I am in support of HCR162 which urges the provision of education for incarcerated parents to ensure child support issues are addressed without delay and upon release to prepare them for reintegration with their children and families including grandparents who have raised the children during parental absences.

The mandatory education of incarcerated persons related to their responsibilities as parents has largely been ignored by public safety. The importance of preparing people for their role in the community can mean the difference between success and failure after release.

Parents must understand their role in child support, provision of shelter, and medical care as well as laws which govern child custody and protection. The cost of providing such education to incarcerated persons is not great and in the long run will save much distress for both children and parents. Volunteers may be utilized to provide such education and existing literature may be available to supplement the knowledge base.

Ultimately, the children of the incarcerated will benefit the most, while the parent will be better prepared for life outside of prison and will more successfully participate in the care of family members.

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TESTIMONY ON HOUSE CONCURRENT RESOLUTION 162 URGING
THE PROVISIONS OF EDUCATION TO INCARCERATED PARENTS
TO ENSURE CHILD SUPPORT ISSUES ARE ADDRESSED
WITHOUT DELAY AND UPON RELEASE, TO PREPARE THEM
FOR REINTEGRATION WITH THEIR CHILDREN AND FAMILIES,
INCLUDING GRANDPARENTS WHO HAVE RAISED THEIR CHILDREN

by

Clayton A. Frank, Director
Department of Public Safety

Committee on Public Safety and Military Affairs
Senator Will Espero, Chair
Senator Robert Bunda, Vice Chair

Committee on Human Services
Senator Suzanne Chun Oakland, Chair
Senator Les Ihara Jr., Vice-Chair

Thursday, April 22, 2010; 9:00 a.m.
State Capitol, Conference Room 312

Senator Espero, Senator Chun Oakland, and Members of the both Committees:

The Department of Public Safety (PSD) is unable to support this measure at this time. As written, this measure request's PSD make mandatory participation in parenting classes for all offenders that are parents and requests PSD enhance the parenting class by including training regarding how soon-to-be-released parents can:

1. Renew contacts with their children and grandparents and other family members caring for their children;
2. Prevent or avoid conflict and disrupting the lives of their children and grandparents who have been raising their children; and

3. Prepare themselves for assuming full responsibility as a parent.

Unfortunately, due to budget constraints, PSD no longer offers parenting classes for offenders incarcerated in our State facilities. Therefore, we are unable to comply with the provisions of this measure as they relate to our facilities. However, we do continue to offer parenting classes for those incarcerated on the mainland at the Saguaro Correctional Center in Arizona.

This measure also requests that PSD inform parents being incarcerated that it is their responsibility to contact the respective court in reference to child support obligations and to inform the court of their inability to pay child support due to incarceration, which PSD can do. PSD respectfully requests clarity regarding the length of the incarceration period that would trigger notification to the parent being incarcerated.

Further, at present, PSD provides a monthly report to the Department of Human Services of all persons in our custody and care which is used to assist in determining eligibility for various State and Federal benefits. This same report can be provided to the Judiciary for dissemination to the appropriate court having jurisdiction over the incarcerated parent's child support case. We believe this to be an efficient way to notify the courts of all person's incarcerated during any given month. Another avenue for the courts to be notified would be to simply require the Judiciary to internally notify the court having jurisdiction over child support cases of an order from the criminal court that would incarcerate a parent.

Finally, as currently written, PSD cannot support provisions of HCR 162 and must oppose it as it is impractical, has unbudgeted fiscal impact, and negatively affects the priorities set forth in the Executive Supplemental Budget for Fiscal Year 2010-2011.

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