



STATE OF HAWAII
HAWAII PAROLING AUTHORITY
1177 ALAKEA STREET, GROUND FLOOR
Honolulu, Hawaii 96813

ALBERT TUFONO
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ADMINISTRATOR

No. _____

TESTIMONY ON SENATE BILL 2025, SD2
RELATING TO PAROLE

HAWAII PAROLING AUTHORITY
Albert Tufono, Chair

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

March 11, 2010, 9:00 a.m.
State Capital, Room 309

Chair Hanohano, Vice Chair Aquino and Committee Members:

The Hawaii Paroling Authority supports Senate Bill 2025 SD 2, amending Section 353-70 of the Hawaii Revised Statutes. Current practices are in place to address early discharge consideration for parolees that have displayed a positive adjustment to parole supervision in the community. All persons that are eligible and wish to pursue a gubernatorial pardon must do so utilizing the appropriate application and be subject to an investigation by the Hawaii Paroling Authority as well as the Department of Attorney General, before a decision is made by the Governor.

Under current federal and state laws, convicted felons are prohibited from owning and possessing firearms thus making them ineligible from entering the military service of the United States.

These amendments will update Section 353-70 with current laws and practices and streamline the workload for staff at the Hawaii Paroling Authority.

We thank you for this opportunity to testify and for your support on this bill.

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON PUBLIC SAFETY

Rep. Faye Hanohano, Chair

Rep. Henry Aquino, Vice Chair

Thursday, March 11, 2010

9:00 a.m.

Room 309

OPPOSITION TO SB 2025 - Parole

PBSTestimony@capitol.hawaii.gov

Aloha Chair Hanohano, Vice Chair Aquino and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a diverse community initiative working to improve conditions of confinement for Hawai'i's incarcerated individuals, enhance the quality of justice, and promote public safety by supporting smart justice policies. We come today to speak for the 6,000+ individuals whose voices have been silenced by incarceration, always mindful that almost 2,000 of those individuals are serving their sentences abroad, thousands of miles from their homes and loved ones.

SB 2025 SD2 repeals the provision to require annual review by the paroling authority of paroled prisoner who is not granted a final discharge and full pardon. Repeals provision to allow a paroled prisoner who enters military service of the U.S. to petition for final discharge from parole based on an honorable discharge from the military. (SD2)

Community Alliance on Prisons is OPPOSED to this measure.

If a person has been doing well for 5 years under supervision, there should be a process for an individual to come before the parole board and be considered for discharge. If the discharge is denied, HPA should have a duty to revisit the issues the following year. It is important to mandate that HPS hold annual review hearings or there may be no consideration for discharge.

HPA already has discretion to grant discharge under the law, but having discretion on paper does not always translate to actual consideration.

It is more meaningful to have an individual who is under parole supervision present his/her case in person. Currently HPA allows an individual to submit a reduction in minimum sentence annually provided that defined criteria are met, but this is only a paper review and most requests are denied.

The 2008 Annual Statistical Report of the Hawai'i Paroling Authority cites the number of applications for Reduction of Minimum Sentence as follows:

	<u>05-06</u>	<u>06-07</u>	<u>07-08</u>
Requests	180	148	127
Granted	2	12	2
DENIED	178	136	125

As you can see, the vast majority of requests for reconsideration are denied.

We believe that the law should remain as it is with regard to a person petitioning HPA for discharge consideration upon dishonorable discharge from the military. A person who serves in the military and is granted an honorable discharge should also have a process to petition for discharge consideration.

Parole is the safety valve of the correctional system. It can also be the bottleneck. In fact, it is. Making parole hearings discretionary will have individuals lingering in the system with no hope. Best practices entail moving an individual through the system toward eventual reentry/reintegration in the community.

The majority of Hawai'i's incarcerated population has substances abuse problems. The research is clear that incentives work for people with drug problems. Parole hearings give individuals the incentive to continue working on their rehabilitation and toward their reintegration. It's a light at the end of a dark tunnel.

We respectfully ask that you HOLD this measure.

Mahalo for this opportunity to share our thoughts with the committee.

aquino1-Ruffalyne

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 10, 2010 3:32 PM
To: PBStestimony
Cc: rmiller@aya.yale.edu
Subject: Testimony for SB2025 on 3/11/2010 9:00:00 AM

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Conference room: 309
Testifier position: support
Testifier will be present: No
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Submitted on: 3/10/2010

Comments:
I support this bill.