

LINDA LINGLE
GOVERNOR



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No. _

TESTIMONY ON SENATE BILL 546, 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, 10:00 AM
State Capitol, Conference Room 309

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

The Department of Public Safety (PSD) wishes to thank the legislature for their interest in having PSD establish and administer a pilot electronic monitoring program on the Island of Oahu for non-violent offenders. However, as written, PSD is unable to support this measure and must therefore, opposes SB 546, SD1.

The approximate cost of a nationwide contract for an electronic monitoring program that has satellite-tracking capabilities for the people wearing the transmitters is approxi-mately \$9 per day per person, for a similar federal program. It would be difficult for PSD to be able to contract with a company for the same capabilities with the much smaller number of people to be monitored.

In addition, initiating this program would also require the purchase and/or leasing of monitoring equipment and new full-time staff positions to monitor, receive the violation information, immediately react to the violations, and conduct the weekly drug testing. As written, this measure does not provide any funding to carry out the provisions contained therein.

It should also be noted that the eligibility criteria that an offender must have no more than thirty-six months remaining of their sentence and be required to undergo weekly drug tested are not the type of offenders that PSD would consider for this type of program as they would not normally be classified as classified as community custody. PSD already has the ability to place inmates on extended furlough that meet our established criteria.

If it is the intent of the legislature to reduce the amount of person's incarcerated while simultaneously reducing recidivism, a program described in this measure may be more appropriately used by the Judiciary as part of a jail diversion program.

Based on the foregoing, PSD appreciates the intent of this measure; however, given the current fiscal difficulties, it would not be prudent to pursue enactment at this time.

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

TO: COMMITTEE ON PUBLIC SAFETY
Rep. Faye Hanohano, Chair
Rep. Henry Aquino, Vice Chair
Thursday, March 19, 2009
10:00 AM
Room 309, Hawaii State Capitol

RE: SB 546 SD1 – Testimony in Support of Electronic Monitoring

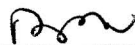
FROM: African-American Lawyers Association
1188 Bishop Street, Suite 1909, Honolulu, Hawaii 96813, (808) 533-0275

Dear Chair Hanohano, Vice Chair Aquino and Members of this Committee on Public Safety:

My name is Attorney Daphne Barbee-Wooten and I am testifying on behalf of the African-American Lawyers Association in support of SB 546 SD1 to release nonviolent committed inmates in the community with electronic monitoring devices. The prison population is bursting at the seams as recent testimony by the Department of Public Safety indicates. Instead of continuing to lock up persons who have committed nonviolent offenses such as trespassing, homeless in the park, sleeping in the park, shoplifting food to eat, and other nonviolent offenses, electronic monitoring is an effective and cost-efficient way to punish a person. For example, if a person is found guilty of trespassing, instead of locking him/her up in jail for one year, electronic monitoring will ensure the person will not go back to the premises trespassed and is more cost-efficient, especially when the person has a job and is working and paying taxes. The Department of Public Safety could charge the cost of the electronic monitoring to the person who has to wear it. This saves the State money and assists in easing the overcrowding of the prisons. Please pass this bill.

Dated: Honolulu, Hawaii

3-18-09



Daphne Barbee-Wooten
Attorney at Law