

# SR 35

**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.

LINDA LINGLE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
919 Ala Moana Boulevard, 4th Floor  
Honolulu, Hawaii 96814

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No. \_\_\_\_\_

TESTIMONY ON SENATE RESOLUTION 35  
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

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

**AND**

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

Tuesday, March 9, 2010; 1:15PM  
State Capitol, Conference Room 229

Senator Espero, Senator Chun Oakland, and Members of 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.

Finally, as currently written, PSD cannot support provisions of SR 35 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.

# COMMUNITY ALLIANCE ON PRISONS

76 North King Street, Honolulu, HI 96817

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## COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Sen. Will Espero, Chair

Sen. Robert Bunda, Vice Chair

## COMMITTEE ON HUMAN SERVICES

Sen. Suzanne Chun-Oakland, Chair

Sen. Les Ihara, Jr.

Tuesday, March 9, 2010

1:15 PM

Room 229

**STRONG SUPPORT - SCR 80/SR 35 - Incarcerated Parents**

**[PSMTestimony@capitol.hawaii.gov](mailto:PSMTestimony@capitol.hawaii.gov)**

Aloha Chairs Espero and Chun Oakland and Members of the Committees!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative working to improve conditions of confinement for our incarcerated individuals, enhance our 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.

SCR 80/SR 35 urges the Department of Public Safety to provide education to incarcerated parents to ensure child support issues are addressed without delay upon release and to prepare them for reintegration with their children and families, including grandparents who have raised their children.

Community Alliance on Prisons is in strong support of this measure.

Transitioning from incarceration to the community in the best of circumstances is not an easy process. When children have been separated from their parent(s) for a number of years - in many cases with no visits - reunification with their parents is challenging.

One of the changes that the correctional system is currently going through is the focus on reentry. This is new for the department and we understand that change is as difficult for them as it is for the individuals in their care and custody.

Since Hawai'i has banished thousands of individuals to private prisons thousands of miles away, there are many children who have not seen their parents for years. In many cases, the grandparents have raised the children and there is resentment when mom or dad returns home.

If Act 8, the Community Safety Act of 2007, is earnestly implemented by the department, an individual's prison term would be entirely focused on successful reintegration. This would include the maintenance of relationships with loved ones as well as parenting classes and other life skills to ensure successful transition.

In our humble opinion, the program should include the `ohana. These relationships have to be maintained or restored while the parent is incarcerated. It is important to involve the family in exit planning.

The Restorative Circles program - Huikahi Restorative Circles - does this. The Huikahi Restorative Circles program facilitates the reconnection of broken relationships first and then works with the group to help the individual plan for the transition from incarceration to the community.

We urge passage of this important resolution.

Mahalo for this opportunity to share our thoughts.

# HAWAII YOUTH SERVICES NETWORK

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Alan Shin, President

Judith F. Clark, Executive Director

Acadia Hawaii Residential Treatment  
Center (Formerly Children's  
Comprehensive Services)

Adolescent Services Program, Kaiser  
Permanente Medical Care System

Aloha House

American Civil Liberties Union of Hawaii

Assistive Technology Resource Ctrs. of HI

Bay Clinic, Inc.

Big Brothers Big Sisters of Honolulu

Big Island Substance Abuse Council

Blueprint for Change

Bobby Benson Center

Catholic Charities Hawaii

Central Oahu Youth Services Assn.

Child and Family Service

Coalition for a Drug Free Hawaii

College Connections

Community Assistance Center

Domestic Violence Action Center

EPIC, Inc.

Family Support Services of West Hawaii

Foster Family Programs of Hawaii

Friends of the Missing Child Center of HI

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Behavioral Health

Hawaii Foster Parent Association

Hawaii Student Television

Healthy Mothers Healthy Babies Coalition

Hina Mauka Teen Care

Hui Malama Learning Center

Kahi Mo'ohala Behavioral Health

Kama'aina Kids, Inc.

KEY (Kua'loa-Ho'oua Ecumenical Youth)  
Project

Kids Behavioral Health

Kids Hurt Too

Kokoa Kalih'i Valley

Life Foundation

Marimed Foundation

The Maui Farm, Inc.

Maui Youth and Family Services

Palama Settlement

P.A.R.E.N.T.S., Inc.

Parents and Children Together (PACT)

Planned Parenthood of Hawaii

Queen Liliuokalani Children's Center  
Kona Unit

Salvation Army Family Intervention Svcs.

Salvation Army Family Treatment Svcs.

Sex Abuse Treatment Center

Susannah Wesley Community Center

Turning Point for Families

Waikiki Health Center

Women Helping Women

YouthVision

YWCA of Kauai

March 8, 2010

To: Senator Will Espero, Chair  
And members of the Committee on Public Safety and Military Affairs

Senator Suzanne Chun Oakland, Chair  
And members of the Committee on Human Services

**Testimony in Support of SR 35/SCR 80 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**

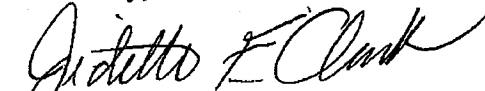
Hawaii Youth Services Network, a statewide coalition of youth-serving organizations, supports SR 35/SCR 80 Urging the Provision of Education to Incarcerated Parents to ensure Child Support Issues are Addressed Without Delay and Upon Release, to Prepare Them for Reintegration with their Children and Families, including Grandparents Who Have Raised Their Children

More than 6,000 children in Hawaii have a parent who is incarcerated. These children are seven times more likely to enter juvenile or adult prisons. They experience problems in school, are at high risk for substance abuse, and suffer emotional trauma, grief, and loss.

Education and supports that help to maintain the parent-child relationship during incarceration and address re-entry to community issues benefit all family members and reduce the stress and trauma experienced by the children.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH  
Executive Director

## IN SUPPORT

### Providing Testimony for the Record

TO: Senator Will Espero, Chair for *Committee on Public Safety*, and Senator Robert Bunda, Vice Chair.  
TO: Senator Suzann Chun Oakland, Chair for the *Committee on Human Services*, and to Senator Les Ihara, Jr. Vice Chair.

FROM: Patricia Urieff, MSW, Licensed Social Worker with thirty years of experience working with children and their families; parent; grandparent, Co-Chair for Legislative Appointed *Grandparents Raising Grandchildren Task Force, August 2008 through December 2009*.

For Hearing on Tuesday, March 09, 2010, 1:15 PM, in Conference Room 229, at State Capitol, 415 South Beretania Street.

Regarding SR 35 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 AND FAMILIES WHO HAVE RAISED THEIR CHILDREN.

1. Regarding educating incarcerated parents about *Child Support Law* that requires the parent to contact the court to inform about incarceration and no ability to pay Child Support. *The Grandparents Raising Grandchildren Task Force* included a staff from the Hawaii State Attorney General's Office, "When an incarcerated parent does not contact the court and provide information about inability to pay Child Support the responsibility to pay Child Support continues to accumulate and last forever".
2. The system can do better to assure education focused at *how to prevent disruptions* as standard advance preparation PRIOR TO RELEASE of incarcerated parents to benefit the parents in relationships with their children, and with the caregivers. That education will also have outcomes that benefit communities.

Between 2005 and 2010, several surveys of grandparents raising grandchildren show caregivers of children report concerns related to disruptions resulting from behaviors of incarcerated and released parents (Report from 2009 Focus Group for Grandparents Raising Grandchildren sponsored by the *Grandparents Raising Grandchildren Task Force*; and surveys of GRG by *'Ohana Caregivers, Department of Family & Consumer Science, College of Tropical Agriculture & Human Resources, University of Hawai'i at Manoa*).

#### Information from Support Groups.

Grandparents raising grandchildren and `ohana caregivers report they experience various difficulties (on a daily basis) and challenges resulting from children having endured, various trauma in relationships with parents, separation, grief, and the loss of parents and their presence. In addition, caregivers report crisis within the `ohana household and resulting anxiety as result of contact(s) when incarcerated parents are released. Education could help incarcerated parents from creating problems.

Who will monitor to assure implementation of education for incarcerated parents soon to be released?

## IN SUPPORT

### Providing Testimony for the Record

TO: Senator Will Espero, Chair for *Committee on Public Safety*, and Senator Robert Bunda, Vice Chair.  
TO: Senator Suzann Chun Oakland, Chair for the *Committee on Human Services*, and to Senator Les Ihara, Jr. Vice Chair.

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For Hearing on Tuesday, March 09, 2010, 1:15 PM, in Conference Room 229, at State Capitol, 415 South Beretania Street.

RE: SCR 80: 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.

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Whenever a child-is-in-crisis because the parents have not or can not provide the child(ren) with safety, nurturance and basic needs, grandparents and other `ohana caregivers providing care have an important part in ensuring an experience of well-being for the children. Grandparents and `ohana caregivers report they experience "meaningful work" and various difficulties (on a daily basis) and challenges resulting from children having endured, various trauma in relationships with parents, separation, grief, and the loss of parents and their presence. In addition, caregivers report crisis within the `ohana household and resulting anxiety as result of contact(s) when incarcerated parents are released.

The system can do better to assure education focused at *how to prevent disruptions* as standard advance preparation PRIOR TO RELEASE of incarcerated parents to benefit the parents in relationships with their children, and with the caregivers.

Who will monitor to assure implementation of education for incarcerated parents soon to be released?