

STAND. COM. REP. NO.

1377

Honolulu, Hawaii

APR 27 2011

RE: GOV. MSG. NOS. 748,  
749, 750

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Public Safety, Government Operations, and Military Affairs, to which was referred Governor's Message Nos. 748, 749, and 750, submitting for study and consideration the nominations of:

HAWAI'I PAROLING AUTHORITY

G.M. No. 748 JOYCE K. MATSUMORI-HOSHIJO,  
for a term to expire 6-30-2015 (Term  
amended to 6-30-2014 by GM783);

G.M. No. 749 BERT Y. MATSUOKA,  
for a term to expire 6-30-2012; and

G.M. No. 750 MICHAEL A. TOWN,  
for a term to expire 6-30-2014 (Term  
amended to 6-30-2015 by GM778,

begs leave to report as follows:

Your Committee has reviewed the personal histories, resumes, and statements submitted by the nominees and finds Joyce K. Matsumori-Hoshijo, Bert Y. Matsuoka, and Michael A. Town to possess the requisite qualifications to be nominated to the Hawaii Paroling Authority.

Your Committee received testimony in support of Joyce K. Matsumori-Hoshijo from the Department of Public Safety, State Public Defender, and fourteen individuals.



Joyce K. Matsumori-Hoshijo currently has a private law practice, specializing in civil and criminal appeals. She has twenty years of experience with the Office of the Public Defender in various trial and appellate positions. The nominee received a Juris Doctor degree from the Hastings College of the Law and a Bachelor of Arts degree from the University of California, Berkeley.

Ms. Matsumori-Hoshijo is active in community organizations, including service since 2009 on the Na Loio (nonprofit legal service organization) Board of Directors as Secretary, and she has served on the Penal Code Reform Committee for the Hawaii State Bar Association.

Your Committee notes from the personal statement of the nominee that she believes the role of Hawaii Paroling Authority members is to make sound decisions regarding the setting of minimum terms of imprisonment and parole-related matters in order to protect the community and reintegrate the offender into the community. The nominee also noted that Hawaii Paroling Authority members are required to follow the applicable statutes and rules when evaluating each case work to ensure that offenders complete all required programming so that they will have the best chance of success upon returning to the community. Society benefits as a whole when these individuals become productive, working members within their families and communities. The nominee's many years of experience as a Deputy Public Defender handling minimum term and parole hearings before the Hawaii Paroling Authority provides her with unmatched knowledge, experience, and insight into the proper functioning of the Authority.

Your Committee believes that the nominee's extensive experience as a Public Defender, as well as serving with Na Loio and on the Penal Code Reform Committee, is invaluable to the Hawaii Paroling Authority.

Your Committee received testimony in support of Bert Y. Matsuoka from the Department of Public Safety, Hawaii Paroling Authority, State Public Defender, The Salvation Army - Family Intervention Services, The Marine Group, and five individuals.

Bert Y. Matsuoka is currently the Contract Manager for Securitas Security Services USA Inc. His prior experience includes serving as the Executive Director of the Office of Youth Services, Acting Volunteer Services Administrator of the



Department of Human Services, and Metropolitan Police Officer for the Honolulu Police Department.

Mr. Matsuoka received a Master's degree in Public Administration, a Certificate in Public Administration, and a Bachelors of Arts degree in Sociology from the University of Hawaii at Manoa.

Your Committee notes from the personal statement of the nominee that the Hawaii Paroling Authority is tasked to determine if and when incarcerated individuals are allowed to transition back into the community without posing a risk to public safety or to the individuals themselves. According to the nominee, the Authority needs to take a careful, objective view of each individual and determine whether that person is prepared to be afforded an opportunity to be allowed back into the community. Mr. Matsuoka will place emphasis on the collected research, data, and history of the individual, and seek the input from the professionals who actually work with and are familiar with the individual in making these determinations.

Your Committee believes that the nominee's experience with the Office of Youth Services and the Department of Human Services allows him to share his valuable insights into the rehabilitation potential in inmates who comes before the Hawaii Paroling Authority.

Your Committee received testimony in support of Michael A. Town from the Department of Public Safety, State Public Defender, and twelve individuals.

Michael A. Town received a Master of Laws degree from Yale Law School with a constitutional law emphasis; a Juris Doctor degree from the University of California, Hastings College of the Law; and a Bachelor of Arts degree from Stanford University in Economics and Latin American Studies.

Judge Town is currently a Mediator and Arbitrator with Dispute Prevention & Resolution in Honolulu. He has experience serving as a Circuit Court Judge in Hawaii from 1993 to 2010, during which time (1994 to 1997) he served as the Senior Judge of the Family Court. Prior thereto, Judge Town was the Supervising Attorney and Director of Litigation at Legal Aid Society of Hawaii and Law Clerk to Associate Justice Bernard H. Levinson.



The nominee has published numerous professional articles and served on several professional committees, such as the Restorative Justice Committee of the Hawaii State Judiciary, with relevant published results including, "Model Code on Domestic and Family Violence"; "Children and Families First: A Mandate for America's Courts"; and "Family Violence: Improving Court Practice". Judge Town's numerous professional affiliations include the Hawaii Justice Foundation and Board of Trustees of the National Council of Juvenile and Family Court Judges.

Judge Town has been an Adjunct Professor of Law at the University of Hawaii William S. Richardson School of Law, and has been a lecturer and workshop leader nationally and internationally on court-related topics such as judge as coach, unified family court, vicarious trauma and resiliency in judges, problem solving courts, and preventive, restorative, and therapeutic justice.

Your Committee notes from the nominee's personal statement that his experience serving as a Family Court Judge, Senior Judge of the Family Court, and Circuit Court Judge uniquely qualify him to serve as a member of the Hawaii Paroling Authority. He believes it is essential to look at each case individually. In light of the reports, social studies, information presented, and the interview process for each offender, he will do his best to make a reasoned decision that reflects restorative justice, which he describes to include community safety, personal accountability, and being receptive to services, so that an offender can become a law-abiding, self-sufficient, and contributing member of the community.

Your Committee believes that Judge Town's experience and sterling reputation as a judge and law professor, and his research and publication on various judicial and penal issues would make him a valued and respected member of the Hawaii Paroling Authority.

As affirmed by the records of votes of the members of your Committee on Public Safety, Government Operations, and Military Affairs that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.



Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,  
Government Operations, and  
Military Affairs,

*Will Espero*


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WILL ESPERO, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Public Safety, Government Operations, and**  
**Military Affairs**  
**PGM**  
**Advise and Consent**

Governor's Message No.:* <b>GM 748</b>	Committee Referral: <b>PGM</b>	Date: <b>4-19-11</b>		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Advise and Consent 2340		<input type="checkbox"/> Not Advise and Consent 2345		
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
KIDANI, Michelle N. (VC)	✓			
BAKER, Rosalyn H.				✓
RYAN, Pohai	✓			
SLOM, Sam				✓
<b>TOTAL</b>	<b>3</b>			<b>2</b>
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: 				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one Governor's Message per Record of Votes

The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Public Safety, Government Operations, and**  
**Military Affairs**  
**PGM**  
**Advise and Consent**

Governor's Message No.:* <b>GM 749</b>	Committee Referral: <b>PGM</b>	Date: <b>4-19-11</b>		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Advise and Consent 2340	<input type="checkbox"/> Not Advise and Consent 2345			
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
KIDANI, Michelle N. (VC)	✓			
BAKER, Rosalyn H.				✓
RYAN, Pohai	✓			
SLOM, Sam				✓
<b>TOTAL</b>	<b>3</b>			<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution:      Original                      Yellow                      Pink                      Goldenrod File with Committee Report      Clerk's Office      Drafting Agency      Committee File Copy				

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**Record of Votes**  
**Committee on Public Safety, Government Operations, and**  
**Military Affairs**  
**PGM**  
**Advise and Consent**

Governor's Message No.:* <i>GM 150</i>	Committee Referral: <b>PGM</b>	Date: <i>4-19-11</i>		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Advise and Consent 2340 <span style="margin-left: 200px;"><input type="checkbox"/> Not Advise and Consent 2345</span>				
<b>Members</b>	<b>Aye</b>	<b>Aye (WR)</b>	<b>Nay</b>	<b>Excused</b>
ESPERO, Will (C)	<i>/</i>			
KIDANI, Michelle N. (VC)	<i>/</i>			
BAKER, Rosalyn H.				<i>/</i>
RYAN, Pohai	<i>/</i>			
SLOM, Sam				<i>/</i>
<b>TOTAL</b>	<i>3</i>			<i>2</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <span style="margin-left: 150px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
<b>Distribution:</b> <span style="margin-left: 50px;">Original</span> <span style="margin-left: 100px;">Yellow</span> <span style="margin-left: 100px;">Pink</span> <span style="margin-left: 100px;">Goldenrod</span> <span style="margin-left: 50px;">File with Committee Report</span> <span style="margin-left: 100px;">Clerk's Office</span> <span style="margin-left: 100px;">Drafting Agency</span> <span style="margin-left: 100px;">Committee File Copy</span>				

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