

# **GM591**

Submitting for consideration and confirmation to the Corrections  
Population Management Commission, Gubernatorial Nominee,  
DAVID HEAUKULANI, for a term to expire 6-30-2012.

NEIL ABERCROMBIE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
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No. \_\_\_\_\_

**TESTIMONY ON GM 591, GUBERNATORIAL NOMINATION OF  
DAVID HEAUKULANI  
TO THE CORRECTION POPULATION MANAGEMENT COMMISSION**

by

Jodie F. Maesaka-Hirata, Director  
Department of Public Safety

Senate Committee on Public Safety, Government Operations, and Military Affairs  
Senator Will Espero, Chair  
Senator Michelle Kidani, Vice Chair

Tuesday, April 19, 2011; 1:15 p.m.  
State Capitol, Conference Room 312

Chair Espero, Vice Chair Kidani, and Members of the Committee:

The Department of Public Safety (PSD) strongly supports the nomination of David Heaukulani to the Corrections Population Management Commission (CPMC).

Based on the discussion below, I believe Dr. Heaukulani will be a great asset to the CPMC given his extensive career in law enforcement, his practical knowledge of research in criminology, and his participation in community activities. Under two Hawaii governors he was a member of the Prison Overcrowding Task Force, a precursor to the current CPMC.

Dr. Heaukulani has an broad history in the field of law enforcement, including Assistant Chief of Police for the Honolulu Police Department and Chief of the Department of Defense Police for Pohakuloa. During his tenure, he participated in numerous criminal justice task forces and represented law enforcement in community meetings.

In 1986, Dr. Heaukulani received his Ph.D. in Sociology, specializing in Criminology, from the University of Hawaii at Manoa. Since 1981, he has held adjunct faculty positions at various local colleges and universities, and is currently affiliated with the University of Hawaii at Hilo. Many members of Hawaii's criminal justice system statewide have benefited from his teachings. Dr. Heaukulani keeps abreast with contemporary issues in the field of criminal justice and brings a wealth of knowledge to the table.

Dr. Heaukulani is an active member of the Big Island community and well known for his ukulele slack key skills, including composing and recording, which he enjoys sharing with others through performing and offering instruction.

Thank you for the opportunity to provide testimony in support of Dr. Heaukulani's nomination.

David Heaukulani, Ph.D.  
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Senator Will Espero  
The Senate  
Hawaii State Capitol  
Honolulu, HI 96813

Dear Senator Espero:

Re: Nomination to the Correctional Population Management Commission

I apologize for being unable to attend the Senate hearing on April 19. The notification on April 15 was too late for me to make alternate arrangements for the criminology class I teach at the University of Hawaii, Hilo on Tuesdays and Thursdays.

The following are my responses to the questions from the Chair, Senate Committee on Public Safety, Government Operations, and Military Affairs.

(1) Why do you wish to be a member of the Correctional Population Management Commission?

- I wanted to serve the new administration in a volunteer capacity in some area that I have experience and knowledge. I served on Governor Ariyoshi's Task Force on Prison Overcrowding in the mid-1980s when Hawaii entered into the consent decree with the ACLU. My term was continued under Governor Waihee. I was the police representative for Oahu serving with Jon Ono, Hawaii County Prosecutor, Circuit Judge Dan Heely, Corrections Administrator Ted Sakai, Parole Authority Chair Tom Hugo, and the governor's representative, the late Dr. Irwin Tanaka.
- I believe the correctional population management issue is important to the County of Hawaii in many respects. I foresee future correctional facility expansion or treatment programs for Hawaii County. As an appointee by Mayor Kenoi to a Hawaii County Commission, I wish to be a representative for Hawaii County on this important commission that affects the livelihoods of Hawaii county residents, as employees and clients of the corrections branch of the criminal justice system. I will support any expansion plans for future treatment programs or facility expansion targeted for Hawaii County. I understand the economic realities of the State in shutting down Kulani saving \$2.8 million per year. And yet, Governor Lingle on December 21, 2009 proposed upgrading Kulani

with a \$1.8 million loan that the National Guard desired for its Youth Challenge program that was scheduled to take over the site. Moreover, I'm sure you heard about the National Guard delaying its plans because its staff required a one year training before it could engage with youths. I think we can do better in preparing well thought out plans and population management concerns with anything that affects the inmate population as drastically as shutting down a 160 bed facility; a decision that impacted Hawaii County families—in terms of jobs and important visitation privileges for inmate families.

(2) How do you perceive the role and responsibilities of a member of the Correctional Population Management Commission?

- I believe I would be one of two community representatives on the commission should I be honored to serve. In accordance with Act 343, SLH 1993, the commission is charged with establishing maximum inmate population limits for each correctional facility and to formulate policies and procedures to prevent the inmate population from exceeding the capacity of each correctional facility. I see my role as an advisory one to aid and assist the Corrections Branch of the Department of Public Safety to ensure that the population limits are maintained accordingly. I believe Martha Torney is still with the Corrections Branch of the Department of Public Safety. We are colleagues in this field going back to graduate school and you can rest assured that our philosophies in corrections population management are compatible.

(3) Given your understanding of the role and responsibilities of a member of the Correctional Population Management Commission, why do you believe that you are qualified for the position?

- As stated above, I was a charter member of the original task force on prison overcrowding under Governor Ariyoshi and Governor Waihee. This Task Force was the genesis for the current Correctional Population Management Commission. Governor Ariyoshi sent us around the country to study various corrections methodologies and policies to include training at the National Corrections Institute in Colorado. The issues have not changed since then, *viz.*, a growing felon population and limited tax revenues to address the multiple demands for all government services. The only thing that has changed since then is the transfer of inmates out of state. Notwithstanding the lawsuit stemming from the CCA facility in Saguaro, Arizona, that particular policy only supports the argument that privatization of corrections works—something that must be addressed and considered.
- I have taught college level courses in the administration of justice that includes the corrections discipline since the mid-1970s.. For example, this semester I am teaching an upper level college course in Criminology at the University of Hawaii,

Hilo, that includes corrections theory. I am familiar with the theory although I have no experience in the practical application.

(4) What do you hope to accomplish during your term of service?

- I hope I can serve the State of Hawaii to the best of my ability as a volunteer. I hope that as a member of this commission, I will be able to assist the Department of Public Safety in developing strategies to maintain its legislative and legal mandates regarding the management of the corrections population. I hope I can be a part of Hawaii history where we can say we are able to operate our inmate housing issues that are:
  - free from threat of legal actions and consent decrees and,
  - be recognized as a flagship in this field where practitioners will visit Hawaii to learn, rather than visiting them to learn.

I thank you for this opportunity to express my interest, and I respectfully request the Senate Committee to render a favorable consideration to my nomination.

Me ke aloha pumehana,

*/s/ David Heaukulani*

David Heaukulani