

SB 1358

SD 1

National Association of Reformed Criminals

Andy Botts

1765 Ala Moana Blvd. #1388

Honolulu, Hawaii, 96815

March 1, 2010

COMMITTEE ON WAYS AND MEANS

Sen. David Y. Ige, Chair

Sen. Michelle Kidani, Vice Chair

Tuesday March 1, 2011

9:20 AM

Room 211

SB 1358 SD1

STRONG SUPPORT

Kulani Honor camp was never a problematic facility and is a perfect environment to house offenders away from the community. It will also help to alleviate the costs of housing offenders on the mainland, and/or the endless costs of another facility in Hawaii. The greatest benefit is that it could re-open immediately, at a cost savings.

Mahalo,

Andy Botts

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON WAYS AND MEANS

Sen. David Ige, Chair

Sen. Michelle Kidani, Vice Chair

Tuesday March 1, 2011

Room 211

9:20 a.m.

SB 1358 SD1 - PLAN FOR REOPENING KULANI

<http://www.capitol.hawaii.gov/emailtestimony>

Aloha Chair Ige, Vice Chair Kidani and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative working on prison reform and justice issues in Hawai`i for more than a decade. We respectfully offer our testimony always being mindful that Hawai`i has some 6,000 people behind bars with almost 1,800 individuals serving their sentences abroad, thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Native Hawaiians, their ancestral lands.

SB 1358 SD1 requires the Department of Public Safety to develop a plan to reopen the Kulani Correctional Facility, implement transfers, and house newly sentenced individuals by 12/1/11 and report to the 2012 Legislature.

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

The ill-conceived and haphazard closing of Kulani had nothing to do with correctional best practices or saving money. It was a political decision that has wreaked havoc upon Hawai`i families and ultimately put our people out of work, banished more of our nonviolent lawbreakers to the hands of prison profiteers, and bought jobs for people in Arizona.

The closure of Kulani was a huge and unexpected blow to the Hawai`i Island community. It not only wreaked havoc on the correctional system, but on Hawai`i Island families as well. In essence, in this economic crisis, we bought jobs in Arizona and put our own people out of work. There are many heartbreaking stories of Adult Correctional Officers living in their cars, getting divorced, losing their homes, etc. because of the closure of Kulani.

This thoughtless move also jeopardized the community in that Kulani was also the home to the largest sex offender treatment program in Hawai`i AND the most successful sex offender treatment program in the nation. *"Since 1988, fewer than 2% of Hawai`i sex offenders who received treatment have returned to prison for new sex crimes, which is the lowest recidivism rate in the nation by far."*¹

¹ Department of Public Safety 2008 Annual Report, Sex Offender Treatment Services, page 51.

PSD promised the legislature that sex offender treatment programming would continue 'uninterrupted'. This did not happen. The men enrolled in this nationally renowned program waited 6 months for a new program to resume. Were some of these men released without completing sex offender treatment?

Kulani also was the most successful reentry facility in that each individual there had to work and then manage the completion of their required programming in the evening. Kulani helped develop strong work ethics and marketable job skills in the individuals who served their sentences there.

Many Adult Correctional Officers who worked at Kulani have said that they didn't really like the intensive programming at the facility at first, but came to appreciate it when they saw former inmates in the community being productive and contributing members of the community.

Community Alliance on Prisons has been advocating for the re-opening of Kulani as either a minimum security prison or a wellness/reentry center, both of which are expressed needs of PSD.

In trying to crunch numbers for the reopening, here are some calculations done by the former staff of the prison:

Facility only operations	\$ 4,738,696
Corrections Program Services	\$ 1,597,671
Health Care	\$ 580,327
	<hr/>
	\$ 6,916,694

Cost per inmate at KCF:

An operational acceptable population of 210 inmates

$\$ 6,916,694 \div 210 = \$32,937$ per inmate per year

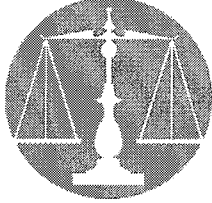
$\div 365 = \$90.24$ per inmate per day

The reason that Kulani's day rate was reported as higher is because the Lingle-Aiona administration stopped transferring individuals to Kulani and at closure it had only 122 incarcerated individuals living there.

Community Alliance on Prisons strongly supports the reopening of Kulani and we stand ready to help the department develop a plan for its reopening and the transfer of individuals back to Kulani to fulfill the promise of Act 8 - the Community Safety Act of 2007 - Hawai'i's reentry law.

Hawai'i can create a model system of rehabilitation and reentry and re-opening Kulani is crucial to this effort and to fulfill Governor Abercrombie's promise of bringing all our people home.

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



CARRIE ANN SHIROTA
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COMMITTEE ON WAYS AND MEANS

Sen. David Ige, Chair
Sen. Michelle Kidani, Vice Chair
Tuesday March 1, 2011
Room 211 at 9:20 a.m.

SB 1358 SD1 – PLAN FOR REOPENING KULANI

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*We must focus more attention on the conditions of incarcerated person... To put people behind walls and bars and do little or nothing to change them is to win a battle but lose a war...
It is wrong. It is expensive. It is stupid.*

Chief Justice Warren Burger

SUPPORT: SB 1358 SD 1 Plan to Reopen Kulani Correctional Facility

Aloha Chair Ige, Vice Chair Kidani and Members of the Committee!

I am writing in support of SB 1358 SD1 that requires the Department of Public Safety to develop a plan to reopen the Kulani correctional facility, implement transfers, and house newly sentenced individuals.

I speak from my experience as a former Deputy Public Defender and Director of MEO's Being Empowered and Safe Together (BEST) Reintegration Program, and as a member of Community Alliance on Prisons. During the past ten years, I have advocated for alternatives to mass incarceration policies that have proven effective in reducing crime, and providing men, women and youth involved in the criminal justice system with the education, training, counseling, and treatment necessary to turn their lives around.

I support this bill for the following reasons:

- Kulani offered a wide range of educational courses and vocational training to assist the men to prepare for their successful reentry into the community
- Kulani provided Substance Abuse Level I and II treatment
- Kulani Correctional Facility (KCF) was a working facility where all inmates were assigned jobs. In other words, the incarcerated population did not remain idle, and used their time wisely to better their lives.
- The incarcerated population at Kulani gave back to the community. For example, in 5 years, Kulani inmates provided \$1.7 million in community service projects for Hilo

- Kulani was the primary location for the department's sex offender treatment program and has been nationally recognized for its efficacy. National statistics suggest that 11% of sex offenders who receive treatment in prison will commit a new sex crime within two years of their release. Since 1988, fewer than 2% of Hawai'i sex offenders who received treatment have returned to prison for new sex crimes.
- There is a shortage of minimum security prison beds in Hawai'i. The re-opening of Kulani will provide a minimum security facility with intensive programming services. Despite the fact that PSD's own policies state, "each inmate should be classified at the least restrictive capacity consistent with security needs, many men currently classified as "minimum" custody have been transferred to out-of-state private prisons at a higher (medium) security level. Research has also shown that over-classification actually increases recidivism. (*Source: Cowles Foundation for Research in Economics at Yale University, January 2004 - DOES PRISON HARDEN INMATES? A DISCONTINUITY-BASED APPROACH* M. Keith Chen and Jesse M. Shapiro)
- According to the Department of Business, Economic Development & Tourism's formula, for every dollar that Hawai'i ships out, we lose \$3 in economic activity. It is unconscionable for our State to continue to transfer prisoners to CCA private prisons, when Kulani could be re-opened. The reopening of Kulani would provide jobs, and the circulation of \$66 million in Hawai'i's economy. In multiplier terms, this would circulate the equivalent of \$198 million in our economy.
- The reopening of Kulani is consistent with the Governor's pledge to return our out-of-state prisoner population home. Kulani would provide beds for 160 men to return home, AND receive the necessary education, training, and treatment to help them better prepare for their transition, and become contributing members of our community.

In summary, the re-opening of Kulani as a program intensive facility, or conversion to a "pu'uhonua" or wellness center model, would contribute to a more safe and healthy community.

Thank you for the opportunity to submit testimony in support of this bill.

Sincerely,

Carrie Ann Shiota

Carrie Ann Shiota

Public Decision Making
March 1, 2011
0920 Hours
Conference Room 211

Testimony by
Jonathan Taum
Adult Correctional Officer
Hawaii Community Correctional Center
February 26, 2011

SB1358 SD1 – RELATING TO
PUBLIC SAFETY

I Jonathan Taum strongly support SB1358 SD1 which requires the Department of Public Safety to develop a plan to reopen the Kulani Correctional Facility, implement transfers, and house newly sentenced individuals by 12/1/2011.

I have been employed as an Adult Correctional Officer at Hawaii Community Correctional Center for thirteen years of which I was a supervisor for seven years. Throughout those years, many decisions to improve or resolve problems within the system have been based on the States and/or the Departments finances or the lack of it. I am well aware of the concept of needing financial resources to accomplish these improvements, but at the same time I strongly believe the priority and long term goals were lacking in the decision making process to prioritize our financial resources. Many decisions have been made with only short term goals in mind and not the end result, which would eventually be beneficial for future generations.

To my knowledge from the reports made from past hearings or news reports, the closing of Kulani was made to save money during these difficult financial times, but at a great cost. Through my years of experience working within the correctional system, many of those incarcerated are non-violent offenders. I have learned that the only difference between those incarcerated and so called "law abiding" citizens is those who got caught and those who didn't. It is like the parable of "those without sin casting the first stone". Everyone at one time of their life has broken some law, whether having knowledge of it or not. Majority of those incarcerated are our neighbors, classmates, family, or someone that we have had contact with in the past. Since these inmates have been sent to mainland facilities, I have personally witness those incarcerated become worse than they were when they were first incarcerated. The fact being, that when placed in an environment where you become the minority, it is survival instincts that causes them to group up and form gangs or to enter into further criminal activities. So for an inmate who was incarcerated for one crime now has become a harden criminal. These inmates who are now being released has been educated in the criminal sense and is now released back into society without any rehabilitation.

Throughout the years, many programs have been cut within the correctional facilities throughout the State due to "lack of finance". The correctional system has slowly strayed away from the priority of re-integration and reform and has become a institution of just "babysitting" those incarcerated. The greatest example of a short term decision due to lack of finances was the closing of Kulani, a well established re-integration facility, which goals were to assist those incarcerated in transitioning back into the community to become productive citizens.

I am in strong support of the reopening of Kulani for the reasons stated above. I strongly believe that our goals as a State should be for the long term and not based on short term financial situations. This bill is not about finances, but truly about the future of the people living in Hawaii. It's easy and I believe in the

end more costly to have the mentality of locking those incarcerated up and throwing away the keys, but the end results are and will be the downfall of our Hawaiian culture and livelihood. Concentrating on helping and training those who have “fallen through the system” on being productive and educated citizens, will in the end save the State more money by having less repeat offenders in the long run. I strongly believe and support our Governor and law makers in making decisions that are not based only on the present financial situation but decisions for the future generations and assurance that the culture of Hawaii is preserved.

Respectfully Submitted,
Jonathan Taum

Robert K. Merce
2467 Aha Aina Place
Honolulu, Hawai'i 96821
February 28, 2011

COMMITTEE ON WAYS AND MEANS

Sen. David Ige, Chair
Sen. Michelle Kidani, Vice Chair
Tuesday March 1, 2011
Room 211
9:20 a.m.
SB 1358 - Plan For Reopening Kulani
Strongly Support

Dear Chair Ige, Vice Chair Kidani and Members of the Committee,

I am a retired member of the Hawaii State Bar. Before retiring, my practice included the representation of prison inmates on a wide array of issues. This made me aware of the many ways in which our justice system is failing inmates and the community, and since retiring I have decided to try to do something about it.

I strongly support SB 1358 SD1 which would, among other things, require the Department of Public Safety to formulate a plan to reopen the Kulani Correctional Facility.

It was a terrible mistake to close Kulani in the first place. All of the justice advocates I have talked to strongly support the reopening of Kulani for the reasons stated in SB 1358 - greater potential for rehabilitation, the success of the sex offender treatment program (SOTP), and the high cost of incarceration.

I particularly support Sec. 2(b) of the bill which states that the emphasis of the reopened Kulani correctional facility shall be on providing sex offender treatment rehabilitation services. As I am sure you know, an inmate who has served at least one-third of his or her minimum sentence can apply for a "reduction of minimum sentence". It is my impression that there are a significant number of inmates who have served at least one-third of their minimum sentences for sex crimes and who would be appropriate candidates for reduction of their minimum sentence, but their requests for reduction *are not being seriously considered because there is no room for them in the SOTP*. Reopening Kulani and gearing up the SOTP would go a long way toward safely reducing our prison population, achieving greater justice, and saving state resources.

Thank you for giving me this opportunity to testify.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 8:03 AM
To: WAM Testimony
Cc: maucrowe@gmail.com
Subject: Testimony for SB1358 on 3/1/2011 9:20:00 AM

Testimony for WAM 3/1/2011 9:20:00 AM SB1358

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: James Crowe
Organization: Individual
Address:
Phone:
E-mail: maucrowe@gmail.com
Submitted on: 2/28/2011

Comments:

My name is James Crowe. I speak from twenty years of assisting former inmates with reintegration into the community of Maui. Reopen Kalani. It is already there, ready to house 200 inmates. A high percentage of our Hawaii inmates who are in Arizona are suitable for reintegration into the community.

Hawaii can be a best practices model for rehabilitation and re-entry.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 27, 2011 10:31 PM
To: WAM Testimony
Cc: JSWJR66@AOL.COM
Subject: Testimony for SB1358 on 3/1/2011 9:20:00 AM
Attachments: sb 1358 testimony.pages

Testimony for WAM 3/1/2011 9:20:00 AM SB1358

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: JAMES WATARU
Organization: Individual
Address:
Phone:
E-mail: JSWJR66@AOL.COM
Submitted on: 2/27/2011

Comments:

February 15, 2011
Honorable Will Espero, Chair
And Members of the Senate Committee on
Public Safety, Government Operations and Military Affairs Hawai'i State Capitol, Room 224
415 South Beretania Street
Honolulu, Hawai'i 96813
Aloha Chair Espero and Committee Members:

My name is James Wataru I am the State President of the united Public Workers Union which represents unit 10 Adult corrections officers and unit 1 support staff from the formerly state run Kulani Correctional facility

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 27, 2011 5:35 PM
To: WAM Testimony
Cc: netra@electnetra.com
Subject: Testimony for SB1358 on 3/1/2011 9:20:00 AM
Attachments: SB1358 WAM.pages

Testimony for WAM 3/1/2011 9:20:00 AM SB1358

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: Netra Halperin, M.A.
Organization: Individual
Address:
Phone:
E-mail: netra@electnetra.com
Submitted on: 2/27/2011

Comments: