

SB 284

RELATING TO CORRECTIONS.

Establishes a program within the Department of Public Safety that assigns select, non-violent inmates on a work detail that restores historical sites selected by the Office of Hawaiian Affairs.

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
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No. _____

**TESTIMONY ON SENATE BILL 284
RELATING TO CORRECTIONS**

by

Jodie F. Maesake-Hirata, Interim Director
Department of Public Safety

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

Senate Committee on Hawaiian Affairs
Senator Brickwood Galuteria, Chair
Senator Pohai Ryan, Vice Chair

Wednesday, February 16, 2011, 2:45 PM
State Capitol, Conference Room 224

Chairs Espero and Galuteria, Vice Chairs Kidani and Ryan, and Members
of the Committees:

Department of Public Safety (PSD) supports the intent of Senate Bill 284, which establishes a program within PSD that assigns select, non-violent inmates on a work detail that restores historical sites selected by the Office of Hawaiian Affairs (OHA). We respectfully request that the Legislature give serious consideration to adequately fund and support such a program in partnership with OHA and PSD.

On Oahu, PSD currently utilizes two types of worklines to provide services to government and non-profit agencies:

1. Community Worklines (OCCC, WCCC, WCF): community classified inmates – No fees charged to requesting agency
Example: City and County Parks and Recreation clean up
2. Hawaii Correctional Industries (HCI) Worklines (OCCC, WCCC, HCF): Community classified inmates-fees charged for HCI services
Example: Dept. of Transportation road maintenance,
Department of Education playground installation
HCI Worklines (HCF): Medium classified inmates-fees charge for HCI services
Example: Commissary (services PSD only)
Example: Printshop, Sewing (services available to government/non profit agencies)

PSD must honor current commitments to those agencies that contract with us to do business through HCI. We also must honor our current commitments to those agencies that while receiving free services from us, have allowed us to successfully utilize inmates worklines through the years to “give back to the community.”

We welcome the opportunity to do more community partnerships but are limited at the same time to fulfill all of our community obligations due to various staffing, funding and daily operational constraints. With this in mind, we ask that the Legislature allow the two Departments the opportunity to form a working agreement that would be a benefit to both agencies.

We thank you for this opportunity to testify on Senate Bill 284.

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
WILLIAM J. AILA, JR.
Chairperson

Before the Senate Committees on
PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS
and
HAWAIIAN AFFAIRS

Wednesday, February 16, 2011
2:45 PM
State Capitol, Conference Room 224

In consideration of
SENATE BILL 284
RELATING TO CORRECTIONS

Senate Bill 284 establishes a program within the Department of Public Safety (PSD) to allow non-violent inmates to restore historic sites selected by the Office of Hawaiian Affairs (OHA).

The Department of Land and Natural Resources (Department) notes that the proposed legislation is not necessary in order for OHA and PSD to collaborate on the development of such a program. For example, the Department, through the Division of Forestry and Wildlife, has worked with PSD in the past to provide opportunities for select inmates to work on trail clearing projects in support of the Na Ala Hele Trail System as well as on Hawaii Island watershed restoration projects with Kulani inmates through a memorandum agreement between the agencies. Therefore, the opportunity already exists for OHA and PSD to collaborate on the proposed program, and the passage of this bill is not required.

The Department appreciates the opportunity to testify on this measure.



SB 284

RELATING TO CORRECTIONS

Senate Committee on Public Safety, Government Operations and Military Affairs
Senate Committee on Hawaiian Affairs

February 16, 2011

2:45 p.m.

Room 224

The Office of Hawaiian Affairs (OHA) offers the following comments on SB 284. This bill establishes a pilot program within the Department of Public Safety (DPS) that assigns select, non-violent inmates on a work detail that restores historical sites selected by OHA. The bill also appropriates funds for this program.

OHA has very strong reservations about the means utilized to fund this program since general fund resources for this program appear to offset or reduce general fund resources allocated to OHA for its programs. This bill inappropriately seeks to reduce OHA's general funds in the amount of the DPS appropriation while at the same time asking OHA to play a major role in the project. We also note that the reference to HRS §10-31 is confusing because that provision relates to OHA's authority to issue revenue bonds. HRS §10-13 might be the intended reference, but even that reference leaves unclear which OHA general funds would be affected.

OHA recognizes the value of culturally appropriate programs that assist incarcerated individuals with rehabilitation and reintegration into the community. In the past, OHA has supported cultural programming for incarcerated individuals (or pa'ahao) and reintegration efforts. Important service providers such as MEOBest, T.J. Mahoneys, and Hina Mauka have all received OHA grant resources previously to support Native Hawaiian pa'ahao.

OHA's recent report, "The Disparate Treatment of Native Hawaiians in the Criminal Justice System," further confirms that culturally appropriate programs, like the one suggested in this bill, help pa'ahao rehabilitate and re-enter the community.

This bill does not expand resources for pa'ahao, it simply reallocates existing resources away from OHA to DPS. Since more services are needed, we strongly encourage the Committee to fund this program without incorporating the offset to OHA general revenue resources.

Thank you for the opportunity to submit comments on this legislation.

National Association of Reformed Criminals
1765 Ala Moana Blvd. #1388
Honolulu, Hawaii, 96815
February 15, 2011

COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Sen. Will Espero, Chair

Sen. Michelle Kidani, Vice Chair

Wednesday February 15, 2011

2:45 PM

Room 224

SB 284

Support

We support this bill, even though the Dept of Public Safety can and have been expanding the prison's community service program for these types of projects since 1983. Our only objection is to the language that restricts certain participants. This bill is designed for "select, non-violent inmates," which conflicts with the DPS security classification process that takes all factors into consideration - such as instant offense, escape history, violence, institutional conduct, etc. - before their security level is reduced to allow them to work in the community under the supervision of an ACO. Our stance is that the wording is revised to say "Select, low-custody inmates," which is the current policy, instead of non-violent inmates only, so we don't restrict someone who would benefit from this type of program.

Mahalo,

Andy Botts

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 14, 2011 10:25 AM
To: PGM Testimony
Cc: kaiwohi@yahoo.com
Subject: Testimony for SB284 on 2/16/2011 2:45:00 PM

Testimony for PGM/HWN 2/16/2011 2:45:00 PM SB284

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Kanoelani Medeiros
Organization: Individual
Address:
Phone:
E-mail: kaiwohi@yahoo.com
Submitted on: 2/14/2011

Comments:

I support this bill because it will be beneficial to incarcerated individuals as well as the Hawaiian community.