

# **SB 46**

## **RELATING TO CORRECTIONS.**

Establishes a two-year pilot day reporting center administered by the department of public safety.  
Appropriates funds.

NEIL ABERCROMBIE  
GOVERNOR



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

JODIE MAESAKA-HIRATA  
INTERIM DIRECTOR

Deputy Director  
Administration

Deputy Director  
Corrections

Deputy Director  
Law Enforcement

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

**TESTIMONY ON SENATE BILL 46  
RELATING TO PUBLIC SAFETY**

by

Jodie F. Maesaka-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

Thursday, January 27, 2011, 2:45 PM  
State Capitol, Conference Room 224

Senator Espero, Senator Kidani, and Members of the Committee:

The Department of Public Safety (PSD) supports the intent of this measure; however, as written, PSD must oppose Senate Bill 46. PSD is in the process of developing a new comprehensive reentry plan which would include a day reporting center component for most, if not all our Community Correctional Centers. This measure calls for a pilot program, that will either require contract services or limited term hires, since the funds will expire after the pilot program. In addition, the time required to do a cost analysis, locate an appropriate building, and hire the staff, would significantly cut into the pilot period. PSD agrees with the Legislature, that a day reporting center would be an important component of a comprehensive reentry strategy, but respectfully requests the opportunity to plan, and properly request the funds and staffing necessary to implement and operate a day reporting center on an ongoing basis. Based on the reasons listed above, PSD opposes this measure as written.

Thank you for this opportunity to testify.

# COMMUNITY ALLIANCE ON PRISONS

76 North King Street, Honolulu, HI 96817

Phone/E-Mail: (808) 533-3454/[kat.caphi@gmail.com](mailto:kat.caphi@gmail.com)



## COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Sen. Will Espero, Chair

Sen. Michelle Kidani, Vice Chair

Thursday, January 27, 2011

2:45 PM

Room 224

SB 46 -Two-Year Pilot Day Reporting Center

**STRONG SUPPORT**

[PGMTestimony@capitol.hawaii.gov](mailto:PGMTestimony@capitol.hawaii.gov)

Aloha Chair Espero, 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 to improve conditions of confinement for our incarcerated individuals, enhance the 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.

SB 46 appropriates funds for a two-year pilot Day Reporting Center. Community Alliance on Prisons is in strong support of this measure.

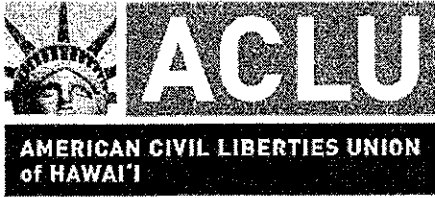
According to the 'Classification Report 'Validation and Re-Design of the Hawai'i Department of Public Safety's Jail and Prison Classification Systems Report' by Patricia L. Hardyman, Ph.D., September 5, 2007, 48% of incarcerated women and 23% of incarcerated men is community custody. The department defines community custody as 'Individuals who are eligible to participate in community release programs such as work furlough or residential transitional living facilities.'

At a recent Ways and Means Committee the department reported that more than 30% of the men serving sentences in Arizona are classified as community custody. Incarceration is the most expensive sanction.

Jurisdictions around the nation are realizing that it is unsustainable to continue locking up low-level lawbreakers. Reducing the imprisoned population has become the mantra as states are struggling with shrinking budgets and rising prison populations.

A Day Reporting Center would free up prison beds for those violent offenders who present a threat to the community. A two-year pilot program would be a strategy to test the efficacy of releasing individuals who pose little to no threat to the community. It would help these folks reunify with their families and find employment while being offered the necessary services to successfully reintegrate into their communities.

Mahalo for the opportunity to testify on this measure.



Committee: Committee on Public Safety, Government Operations, and Military Affairs  
Hearing Date/Time: Thursday, January 27, 2011, 2:45 p.m.  
Place: Conference Room 224  
Re: Testimony of the ACLU of Hawaii in Support of S.B. 46,  
Relating to Public Safety

Dear Chair Espero and Members of the Committee on Public Safety, Government Operations, and Military Affairs:

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in support of S.B. 46, Relating to Public Safety, which seeks to establish a two-year pilot day reporting center.

The ACLU of Hawaii supports every effort to develop a comprehensive reentry system. In general, reentry and furlough programs are far more cost-effective – and far more effective at reducing recidivism – than incarceration, and they deserve the Legislature's full support. Every effort should be made to provide Hawaii's inmates with the support and services they need to become productive and responsible community members.

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for over 45 years.

Thank you for this opportunity to testify.

Sincerely,

Daniel M. Gluck  
Senior Staff Attorney  
ACLU of Hawaii

American Civil Liberties Union of Hawai'i  
P.O. Box 3410  
Honolulu, Hawai'i 96801  
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the  
**Drug Policy  
Forum**  
of hawaii

January 27, 2011

To: Senator Will Espero, Chair  
Senator Michelle Kidani, Vice Chair and  
Members of the Committee on Public Safety, Government Operations, and  
Military Affairs

From: Jeanne Ohta, Executive Director

Re: SB 46 Relating to Public Safety (Day Reporting Center)  
Hearing: January 27, 2011, 2:45 p.m., Conf. Room 224

Position: STRONG SUPPORT

Good afternoon Chair Espero, Vice Chair Kidani and Members of the Committee, I am Jeanne Ohta, Executive Director of the Drug Policy Forum of Hawaii testifying today in strong support of this measure.

SB 46 appropriates funds for a two-year pilot Day Reporting center. A Day Reporting Center would help reduce the prison population and thus reduce Hawai'i's high incarceration costs.

The Department of Public Safety's own reports show that more than 30% of men serving sentences in Arizona are classified as community custody, meaning that they do not need to be incarcerated in the more expensive medium security facility.

The Day Reporting Center would enhance successful reentry back into the community by providing supervision and appropriate programs. Successful reentry programs reduce recidivism, future criminality, and increase community safety.

We urge you to pass this measure out of committee. Thank you for allowing me to testify today.

**Board of Directors**

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**Robert K. Merce**  
2467 Aha Aina Place  
Honolulu, Hawai'i 96821  
January 25, 2011

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**COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS**

Sen. Will Espero, Chair

Sen. Michelle Kidani, Vice Chair

Thursday, January 27, 2011

2:45 PM

Room 224

SB 46 – Inmate Programs; Day Reporting Center; Appropriation

**FULLY SUPPORT SB 46**

**PGMTestimony@capitol.hawaii.gov**

Dear Chair Espero, 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.

Day reporting centers have been used as an alternative to incarceration in the United States since 1986 and are in use in more than 22 States. Studies have shown them to be effective in promoting rehabilitation and reducing recidivism.<sup>1</sup>

I urge all members of the committee to support SB SB 46.

Thank you.

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<sup>1</sup> See e.g., Ostermann, Michael, *An Analysis of New Jersey's Day Reporting Center and Halfway Back Programs: Embracing the Rehabilitative Ideal Through Evidenced Based Practices*, Journal of Offender Rehabilitation, Vol. 48, Issue 2, February 2009, pp. 139-153.

See also Utah: The Utah Day Reporting Center – Success with Alternative Incarceration (1998), <http://ucjc.law.utah.edu/archives/438>;

From: **Emy Furusaki** <[maukalani78@hotmail.com](mailto:maukalani78@hotmail.com)>  
Date: Tue, Jan 25, 2011 at 1:11 PM  
Subject: SB 46, RELATING TO CORRECTIONS  
To: Kat Brady <[kat.caphi@gmail.com](mailto:kat.caphi@gmail.com)>

COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Sen. Will Espero, Chair

Sen. Michele Kidani, Vice Chair

Thursday, January 27, 2011

2:45 pm

Rm 224

SB 46- Relating to Corrections - Inmate programs; Day Reporting Center

Dear Chair Espero, Vice Chair Kidani and Committee Members:

I STRONGLY SUPPORT this bill. I'm assuming that it includes all prisoners who have six months to a year left to serve, except the violent ones.

The bill will create a supporting center so sorely needed for those who no longer belong to a family because of their criminal activities.

Aloha,  
E. Funakoshi

**From:** Mary K. Dias [mailto:diasohana1@hawaiiantel.net]  
**Sent:** Wednesday, January 26, 2011 4:17 PM  
**To:** PGM Testimony  
**Subject:** SB 46

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT  
OPERATIONS, AND MILITARY AFFAIRS

Senator Will Espero, Chair

Thursday, January 27, 2011

2:45 p.m.

Conference Room 224

State Capitol

415 South Beretania Street

SB 46

Please support SB 46

This bill establishes a two-year pilot day reporting center administered by the department of public safety. Appropriates funds. This is another step forward in getting the non violent inmates back into the community.

We support it and ask that you do the same.

Mahalo,

Mary K. Dias and Ohana



# National Association of Reformed Criminals (NARC)

## **COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS**

Sen. Will Espero, Chair

Sen. Michelle Kidani, Vice Chair

Thursday, January 27, 2011

2:45 PM

Room 224

SB 46 –Two-Year Pilot Day Reporting Center

## **STRONG SUPPORT**

NARC supports any and all avenues of community reintegration as opposed to warehousing for profit. This center could also be self-sufficient if a percentage of the offender's earnings are garnished in the same manner as the Federal Bureau of Prisons half-way houses.

Mahalo,

Andy Botts

From: mailinglist@capitol.hawaii.gov [mailto:mailinglist@capitol.hawaii.gov]  
Sent: Wednesday, January 26, 2011 7:11 PM  
To: PGM Testimony  
Cc: jadamesq@aol.com  
Subject: Testimony for SB46 on 1/27/2011 2:45:00 PM

Testimony for PGM 1/27/2011 2:45:00 PM SB46

Conference room: 224  
Testifier position: support  
Testifier will be present: No  
Submitted by: Jo-Ann M. Adams, Esq.  
Organization: Individual  
Address: 411 Hobron Ln #801 Honolulu, HI 96815  
Phone: 808-528-2100  
E-mail: jadamesq@aol.com  
Submitted on: 1/26/2011

Comments:

SB 46 appropriates funds for a two-year pilot Day Reporting Center. I strongly support of this measure.

Reducing the imprisoned population has become a popular solution as states are struggle with shrinking budgets and rising prison populations. Jurisdictions around the nation are realizing that it is financial folly to lock up low-level lawbreakers.

A two-year pilot program would test the efficacy of releasing individuals who pose little to no threat to the community. A Day Reporting Center would reunify families and help prisoners find employment while being offered the services to successfully reintegrate into society. Further, it would free up prison beds for more violent offenders,

Particularly since the Governor wants to bring all our prisoners home, we need to determine what are the most cost-effective ways of doing so.