



**HAWAII GOVERNMENT EMPLOYEES ASSOCIATION**  
AFSCME Local 152, AFL-CIO

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# LATE TESTIMONY

The Twenty-Sixth Legislature, State of Hawaii  
The Senate  
Committee on Public Safety, Government Operations and Military Affairs

Testimony by  
Hawaii Government Employees Association  
January 27, 2011

S.B. 47 – RELATING TO CORRECTIONS

The Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO, supports the purpose and intent of S.B. 47 - Relating to Corrections. As proposed, the bill would establish and fund an electronic monitoring program for non-violent committed persons who would be permitted to live and work in the community.

The increasing growth in the U.S. prison population over the past three decades has been unprecedented in the country's history, resulting in 2.4 million offenders in jails and prisons in 2007. The cost to taxpayers nationwide for adult and juvenile corrections tripled between 1986 and 2009 from \$15.6 billion to about \$50.3 billion. According to the Center for Economic and Policy Research, non-violent offenders now comprise 60% of the prison and jail population. Non-violent drug offenders now account for about 25% of all prisoners, up from less than 10% in 1980.

Consequently, lawmakers and policymakers must seek alternative means of controlling offenders without jeopardizing public safety. One promising approach to reducing correctional costs is diverting offenders from prison through the use of some type of community supervision with the use of electronic monitoring. Although electronic monitoring has been around for more than 20 years, the latest technology uses GPS, allowing probation officers to constantly track offenders using satellites. This technology costs considerably less than incarceration.

We must reduce our reliance on expensive prison beds and expand cost-effective alternatives for non-violent offenders. Thank you for the opportunity to testify in support of S.B 47.

Respectfully submitted,

Nora A. Nomura  
Deputy Executive Director



# LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov [mailto:mailinglist@capitol.hawaii.gov]  
Sent: Thursday, January 27, 2011 12:07 PM  
To: PGM Testimony  
Cc: rmiller@aya.yale.edu  
Subject: Testimony for SB47 on 1/27/2011 2:45:00 PM.

Testimony for PGM 1/27/2011 2:45:00 PM SB47

Conference room: 224  
Testifier position: support  
Testifier will be present: No  
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Submitted on: 1/27/2011

# LATE TESTIMONY

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January 27, 2011

## **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 43 – Freedom of Information – out-of-state prisons; SB 44 – Rehabilitation, Reentry, Performance Indicators; SB 46 – Two-Year Pilot Day Reporting Center; SB 47 – Relating to Corrections – Electronic Monitoring; Pilot Program;

SB 256 – Early Release of Misdemeanants

**STRONG SUPPORT**

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

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

It is a rare moment in the history of our State when doing the right thing – assuring justice and fairness and protecting Hawaii’s families – coincides with doing the economic thing -- saving the State and its citizens millions of dollars.

I very strongly support these five bills and believe, equally strongly, that you should, too.

SB 43 will for the first time insure transparency by the profit-making private prisons in the way they treat Hawaii prisoners and fulfill their contractual obligations. It will go a long way toward preventing the serious and horrible abuses of our prisoners that have generated complaints. While sending our prisoners to other states for incarceration should be reduced to the minimum, passage of this bill will enable us to ensure that so long as our citizens are imprisoned in those states they will have their basic human rights protected.

SB 44 will enable official agencies, such as the Department of Public Safety and the Legislature, to track and measure the success of programs designed to assist and enable prisoners to reenter society. Because most of our incarcerated population will eventually move back into our society, the failure to successfully prepare them for living fruitfully and honestly when they return – to reduce the recidivism rate to the lowest possible level – causes untold harm to the released prisoners, to their families, and to the general public who are exposed to their conduct. Because we are told that most of the required data is already available but needs to be organized and better presented, passage of this bill should be a “no-brainer.”

SB 46 will create a two-year pilot program to test the efficacy of releasing inmates designated as eligible to participate in community release programs such as work furlough or residential transitional living facilities. Evidently 30 percent of the Hawaii men serving sentences in Arizona have been so designated as community custody, while 48% of *all* our incarcerated women and 23% of all our incarcerated men have been so designated. There

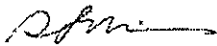
are reasons of justice and preservation of our families plus, at this time of economic crisis, *compelling* reasons of economics to give this program a try.

SB 47 will establish a pilot program on Oahu, under the Dept. of Public Safety, that electronically monitors committed persons who are allowed to live and work in the community, instead of being continuously imprisoned. This will afford reasonable protection to the public against harms that might be committed by these carefully selected non-violent prisoners. While requiring such monitors may raise some questions when non-violent prisoners are involved, the monitors are a far less restraining modality than continued imprisonment. Again, releasing carefully selected prisoners to the community is wise both from a justice and an economic viewpoint. This State just cannot afford to continue to spend huge amounts to imprison non-violent persons who are likely to succeed upon their return to their families and to the community.

SB 256 will allow PSD to release a qualified committed person serving a misdemeanor sentence if the person has served at least two-thirds of the sentence imposed by the court. Other states are allowing early release of these persons because of conditions that exist here in Hawaii: overcrowding and high cost of incarceration. 74% of our women prisoners and 64% of the men jailed in Hawaii are non violent and roughly similar percentages are classified as community or minimum custody. There are more inexpensive and more effective ways of dealing with the problems of these inmates, such as substance abuse treatment or anger management training.

The time is now to adopt these SMART JUSTICE policies which serve both the demands of human dignity for Hawaii's people and families and the need to deal with a horrendous economic situation.

Mahalo nui loa for considering my views. These views are personal to me, as a citizen, and do not necessarily represent those of the University of Hawaii or the William S. Richardson School of Law.

A handwritten signature in cursive script, appearing to be 'D. S. Richardson', followed by a horizontal line.