

GM 751

Submitting for consideration and confirmation to the Hawai'i Paroling Authority, Gubernatorial Nominee, BERT MATSUOKA, for a term to expire 6-30-2016.

NEIL ABERCROMBIE
GOVERNOR



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

JODIE F. MAESAKA-HIRATA
DIRECTOR

Martha Torney
Deputy Director
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Joe W. Booker, Jr.
Deputy Director
Corrections

Keith Kamita
Deputy Director
Law Enforcement

TESTIMONY ON GOVERNOR'S MESSAGE 751, GUBERNATORIAL NOMINATION OF
BERT MATSUOKA
TO THE HAWAII PAROLING AUTHORITY

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

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

Thursday, April 12, 2012; 2:45 p.m.
State Capitol, Conference Room 224

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

The Department of Public Safety (PSD) strongly supports the nomination of Bert Matsuoka to the Hawaii Paroling Authority (HPA), term expiration of June 30, 2016.

Mr. Matsuoka holds a Master's degree in Public Administration and Bachelor's degree in Sociology from UH-Manoa. Mr. Matsuoka's career includes over 20 years in public services which he began as a metropolitan police officer with the Honolulu Police Department, and moved to state service in 1980 as an investigator with the Department of Human Services (DHS) welfare division. Mr. Matsuoka was promoted to manage the DHS Restitution Control Section where he coordinated and conducted criminal and administrative investigations. In 1992, Mr. Matsuoka administered the DHS Volunteer Services Office where he was active in various community events that introduced him to many volunteers. In 1993, he joined the Office of Youth Services (OYS) as the Youth Gang Project Coordinator and in January 1995 was appointed the OYS Executive Director by then Governor Ben Cayetano. As Executive Director, Mr. Matsuoka worked closely with

community-based organizations that provided services to children and youth. He was respected for his collaborative endeavors with the community, including advocating for and initiating new opportunities for Hawaii's youth.

Mr. Matsuoka's experience also includes being a Hawaii Department of Defense civil defense planner, during emergency events which he was responsible for planning and coordinating with the myriad of agencies, both public and private, which are first responders. Again, this required he draw on his ability to effectively collaborate with others and ensure protection of the public during civil defense emergencies.

Mr. Matsuoka is also a member of the U.S. Coast Guard Auxiliary and a board member of the Moiliili Hongwanji Mission, in addition to participating in community service projects in East Honolulu.

Finally, as this Committee is aware, Governor Neil Abercrombie is in strong support of the Justice Reinvestment Initiative (JRI) that is premised on managing the growth of correctional populations through: 1) valid risk assessments to determine which offenders are better served in community-based programs as opposed to incarceration; 2) evidenced-based approaches, programs and services that do not jeopardize public safety yet reduce admissions to corrections and reduce the length of stay in a correctional facility; 3) expand victim services in all counties; and, 4) reinvest savings generated from reduced corrections spending into communities. PSD is working to return home Hawaii inmates placed out-of-state by developing and implementing a comprehensive reentry plan that will expand and improve in-facility that includes expansion of in-state capacity and community-based programs to prepare inmates for their successful reintegration into the community. HPA is an integral part of the JRI and the reentry process. Mr. Matsuoka has been an integral part in developing a system that promotes public safety through effective and evidenced-based programs for transitioning inmates.

Thank you for the opportunity to submit testimony in support of Mr. Matsuoka's nomination.

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
HAWAII PAROLING AUTHORITY
1177 ALAKEA STREET, GROUND FLOOR
Honolulu, Hawaii 96813

BERT Y. MATSUOKA
CHAIR

JOYCE K. MATSUMORI-HOSHIJO
MEMBER

MICHAEL A. TOWN
MEMBER

TOMMY JOHNSON
ADMINISTRATOR

No. _____

TESTIMONY ON GOVERNOR'S MESSAGE 751
Consideration and Confirmation of Bert Y. Matsuoka
as Chairman of the Hawaii Paroling Authority

HAWAII PAROLING AUTHORITY
Tommy Johnson, Administrator

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

Thursday, April 12, 2012; 2:45 p.m.
State Capitol, Conference Room 224

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

I am providing testimony in support of the nomination and confirmation of Mr. Bert Y. Matsuoka as Chairman of the Hawaii Paroling Authority (HPA) for a term to expire on June 30, 2016.

As the Paroles and Pardons Administrator of the Hawaii Paroling Authority, I have worked very closely with Mr. Matsuoka on a number of issues such as court decisions that affect the parole board's decision making process when fixing minimum terms of imprisonment, parole consideration and parole revocations, policies and procedures, and most recently on several aspects of the Justice Reinvestment Initiative (JRI). We have discussed ways to improve the operational efficiency of the HPA.

In all matters, I have found Mr. Matsuoka very willing to listen, learn, and take the appropriate course of action on issues affecting not only the parole board, but the staff and operations of the HPA as well. During the period that he has already served as Chairman, he has demonstrated the required skills to render, fair, firm, and consistent decisions, while simultaneously promoting respect for the law.

Governor's Message 751 - Consideration and Confirmation of Bert Y. Matsuoka as
Chairman of the Hawaii Paroling Authority

April 12, 2012
Page

When issues of concern were raised regarding HPA decisions, he has reviewed the case materials, and when appropriate, consulted with the Department of the Attorney General, and moved swiftly and effectively to address the issues.

Mr. Matsuoka has displayed unwavering integrity, diligence, and learned the many facets of operations of the parole board. I believe he is committed to ensuring all decisions rendered by the board are thoughtout, rational/well reasoned, and fair. He possesses the ability, professional experience, and vision necessary to continue to serve as Chairman.

I strongly recommend the nomination of this qualified and dedicated public servant to serve a full four-year term as Chairman of the Hawaii Paroling Authority.

Thank you for the opportunity to provide testimony on Mr. Matsuoka's nomination.

**Testimony of John M. Tonaki, State Public Defender
to the Senate Committee on Public Safety,
Government Operations and Military Affairs**

January 30, 2012

GM 751: Nomination of Bert Matsuoka to the Hawaii Paroling Authority

Chair Espero and Members of the Committee:

I strongly support the Governor's nomination of Bert Matsuoka to the Hawaii Paroling Authority ["HPA"]. As the present chair of the HPA, Mr. Matsuoka has been doing an outstanding job in administering that agency. I have had an opportunity to work with him on the working group of the Justice Reinvestment Initiative. Mr. Matsuoka's expertise in the corrections field was frequently called upon in order to help formulate recommendations by that group.

As head of the HPA, Mr. Matsuoka has maintained a positive, encouraging environment among the inmates while, at the same time, balancing public safety concerns. This is extremely important for rehabilitation of offenders. In order to foster rehabilitation, prisoners must feel that there is hope for them to re-enter society and to lead a productive, law-abiding life. The current HPA, under Bert Matsuoka's leadership, has tried very hard to instill this into the present prison population.

Thank for the opportunity to comment on this measure.

April 5, 2012

Dear Committee Members,

I am writing to voice my support for Bert Matsuoka, the Governor's nominee for Chairperson of the Hawai'i Paroling Authority. I have been a Deputy Public Defender in the Appeals Section of the Office of the Public Defender since 1994. During that time, I have made an average of 10-20 appearances a month before several parole boards, including those under chairpersons Claudio Suyat, Alfred Beaver and Albert Tufono. Most recently I have appeared before Mr. Matsuoka.

Mr. Matsuoka has the rare combination of qualities of being tough, yet fair. I believe this comes from his background that includes law enforcement and social service positions. Under Mr. Matsuoka's leadership, the Board's decisions have shown that it considers the "big picture" – the parolee's interests, the public's interest and the interests of the judicial and penal systems. Even when I have not agreed with a decision by the Board, I knew that it was reached after fair consideration and was well thought out. In addition, when delivering decisions, Mr. Matsuoka always treats attorneys and their clients with the utmost respect and dignity.

In conclusion, I would like to voice my strong support for Bert Matsuoka's nomination for Chairperson of the Hawai'i Paroling Authority.

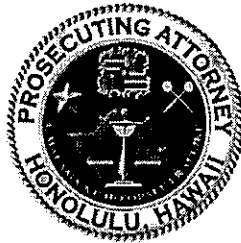
Sincerely,

Jon N. Ikenaga
Deputy Public Defender

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
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KEITH M. KANESHIRO
PROSECUTING ATTORNEY



ARMINA A. CHING
FIRST DEPUTY PROSECUTING ATTORNEY

THE HONORABLE WILL ESPERO, CHAIR
SENATE COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS AND
MILITARY AFFAIRS
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawai'i

April 12, 2012

RE: GM751, Submitting for consideration and confirmation to the Hawai'i Paroling Authority, Gubernatorial Nominee, BERT MATSUOKA, for a term to expire 6-30-2016.

Chair Espero, Vice-Chair Kidani and members of the Senate Committee on Public Safety, Government Operations and Military Affairs, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in support of GM751, the appointment of Bert Matsuoka to the Hawai'i Paroling Authority for a term to expire 6-30-2016.

Bert Matsuoka has a wealth of experience and knowledge that will make him an asset to the Hawai'i Paroling Authority. Beginning his career as a metropolitan police officer with the Honolulu Police Department, Mr. Matsuoka continued his public service in 1980 as an investigator with the Department of Human Services (DHS) welfare division and was soon promoted to manage the Restitution Control Section where he coordinated and conducted criminal and administrative investigations. In 1992, Mr. Matsuoka administered the DHS Volunteer Services Office where he was active with various community organizations. In 1993, he joined the Office of Youth Services (OYS) as the Youth Gang Project Coordinator and in January 1995, he was appointed the OYS Executive Director by then Governor Ben Cayetano. As Executive Director, Mr. Matsuoka worked with community-based organizations that provided services to children and youth.

Further, Bert Matsuoka served as a Hawaii Department of Defense civil defense planner, member of the U.S. Coast Guard Auxiliary, and board member of the Mo'ili'ili Hongwanji Mission.

We strongly support Mr. Matsuoka not only for his experience and knowledge, but for his ability to work with others. He is easy to work with and has the temperament fitting for a leadership position. We believe Mr. Matsuoka will be a great asset for the Hawai'i Paroling Authority and the State of Hawai'i. Thank you for this opportunity to testify.

3/31/12

Dear Chair Espero, Vice-Chair Kidani and Members of the Hawai'i Senate Committee on Public Safety, Government Operations and Military Affairs:

Regarding Governor's Message 751: Bert Matsuoka
Hearing date 4/12/2012

I write in strong support of Bert Matsuoka's confirmation as Chair of the Hawai'i Paroling Authority. In my view Mr. Matsuoka has been and will continue to be a thoughtful, effective, caring and diligent Chair. I suggest he should be retained without reservation or exception. He is a good man, a committed public servant, an experienced Chair and quite knowledgeable in the criminal justice system.

Let me be specific. Since July 2011 he and I worked together as colleagues hearing a variety of HPA cases involving minimum settings, parole hearings, parole revocations, and other HPA business. Mr. Matsuoka was always well prepared, punctual, cordial and attentive to the correct procedures. He gives those appearing before the Board, including the inmates, victims, attorneys and staff, a fair hearing. We sit some 16 to 20 days monthly and often there are some 20 + cases calendared each day. We visit some nine (9) different facilities most months including Saguaro in Arizona by video, the neighbor islands and the Federal Detention Center.

What I most appreciate is Mr. Matsuoka's ability to manage and encourage the diversity of views by the current Board with an eye toward consensus. This diversity in my view allows for full and fair discussion by the Commissioners. We usually are unanimous in our final decision, which demonstrates how effective Mr. Matsuoka is in guiding the Board. Also of importance to me is his exemplary attention to the staff of the HPA including administration, parole officers and staff. For the first time ever, we met statewide in Honolulu so the various staff could meet each other, hear from the Chair and appreciate this team approach. Of course, when it comes to public safety and individualized decisions, there is always will be room for some controversy. Great collegiality and cooperation are the order of the day.

Should you have any questions, feel free to contact me. Suffice it to say that I urge the confirmation of Mr. Matsuoka.

Sincerely,

Michael A. Town
Circuit Court Judge (Retired)

Craig K. Nakamoto
5258 Alahee Street
Honolulu, Hawaii 96821

Senator Will Espero, Chair
Committee on Public Safety, Government Operations, and Military Affairs
Conference Room 224
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Subject: Governor's Message 751—Nomination of Bert Matsuoka
Testimony in SUPPORT of his nomination

Dear Chairperson Espero:

Thank you for the opportunity to submit testimony on the nomination of Bert Matsuoka to the Hawaii Paroling Authority and I am writing in SUPPORT of his nomination.

I have known Mr. Matsuoka for many years, personally, and found him to be a person of the highest integrity and character. Moreover, his experience in law enforcement and as the former director of Youth Services makes him uniquely qualified to head the paroling authority.

I respectfully urge you to approve his nomination.

Yours very truly,

Craig K. Nakamoto

The Honorable Will Espero, Chair
The Honorable Michelle N. Kidani, Vice-Chair
Senate Committee on Public Safety, Government Operations, and
Military Affairs
GM751
April 12, 2012
2:45 p.m.

Testimony in Support of Mr. Bert Matsuoka for Confirmation to the Hawai'i
Paroling Authority

My name is Malia Espinda. I am a former Hawaii State Department of Health employee. In 2002, Mr. Bert Matsuoka was my supervisor in his role as the Chief of the Office of Planning, Policy, and Program Development (OPPPD)

As a supervisor, Bert was clear, decisive, smart, heartfelt, caring, honest, and empowering of his subordinates. Bert believed in 'teams', and helped to bring his 'team' close, working together and loyal to one another. As a subordinate, I knew I could always count on Bert to be specific with me, to help me if I did not understand something, and he was always there to work together with me, through whatever we needed to get done.

Bert is a good man, a great boss, and I believe the HPA staff would be lucky folks to have Bert as their administrator.



Moiliili Hongwanji Mission

902 University Avenue / Honolulu, Hawaii 96826 / Phone (808) 949-1659

April 12, 2012

Senator Will Espero, Chair
Senator Michelle Kidani, Vice Chair
Senate Committee on Public Safety, Government Operations,
and Military Affairs
State Capitol, Rm. 224
Honolulu, Hawaii 96813

**RE: Governor's Message #751
Confirmation of Bert Y. Matsuoka
Chairperson, Hawaii Paroling Authority**

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

I am writing in strong support for the re-appointment of Bert Y. Matsuoka as Chairperson of the Hawaii Paroling Authority. I have had the privilege of knowing Mr. Matsuoka for the past fourteen years as members of the Moiliili Hongwanji Mission. We have served together on the Temple Board of Directors for many years and I have always been impressed by his outstanding leadership ability, professionalism and character.

Mr. Matsuoka has served as Chairperson of the Paroling Authority for the past year and has done an excellent job. He has extensive experience in both state government and in matters of criminal justice. His outstanding professional experience is complemented by a deep commitment toward making our community a better place to live. I am confident he will continue to serve the public with distinction.

I respectfully request that Bert Y. Matsuoka be re-appointed as Chairperson of the Hawaii Paroling Authority. Thank you for your consideration.

With Gratitude,

A handwritten signature in black ink, appearing to read "Blayne M. Higa".

Blayne M. Higa
President
Moiliili Hongwanji Mission

Law Offices of Joyce K. Matsumori-Hoshijo

4 Waterfront Plaza
500 Ala Moana Blvd., Suite 480
Honolulu, Hawai'i 96813
Phone: (808) 591-9597

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

FR: Joyce K. Matsumori-Hoshijo
Hawai'i Paroling Authority, Member

RE: GM 751—Testimony in Support of the Nomination of Bert Matsuoka
as Chairman of the Hawai'i Paroling Authority
Hearing date and time: Thursday, April 12, 2012 @ 2:45 p.m.

I am writing to express my unqualified support for the nomination of Bert Matsuoka as Chairman of the Hawai'i Paroling Authority.

As a member of the Hawai'i Paroling Authority, I have had the opportunity to work with Bert nearly every day for the past ten months and to witness his outstanding leadership ability. As a board, we render decisions in approximately one hundred minimum term, parole, and/or parole revocation cases each week. Thus far, we have decided over four thousand cases.

Throughout this entire process, Bert has worked extremely hard to ensure that we issue fair and impartial rulings, that each of our opinions is heard, and that our interactions are always collegial. With Bert's strong guidance, board hearings are conducted in a very professional and dignified manner.

In addition to our decision-making duties, Bert has a full load of administrative and legislative tasks. I have seen him handle these matters with the utmost efficiency and diligence. I appreciate that Bert cares about the HPA staff morale and takes time to listen to the concerns and suggestions of the staff.

It is truly a pleasure to work with someone who is always respectful of the views of others and who holds himself to the highest ethical standards. Bert is a person of integrity. He takes his role as Chairman very seriously and is committed to making a difference through his efforts. This is the kind of leader we need for the challenging work ahead of us.

Thank you very much for your time and attention to this letter of support.

**TESTIMONY OF BERT Y. MATSUOKA
TO THE SENATE COMMITTEE ON
PUBLIC SAFETY, GOVERNMENT OPERATIONS AND MILITARY AFFAIRS**

APRIL 12, 2012

GOVERNOR'S MESSAGE 751

Chair Espero, Vice-Chair Kidani and members of the Senate Public Safety, Government Operations and Military Affairs Committee thank you for the opportunity to appear before you today.

I want to first thank Governor Neil Abercrombie for again nominating me to the Hawaii Paroling Authority (HPA). It is an honor and a privilege to be considered for the position of Chairperson of the HPA.

I also want to extend my appreciation to all who submitted testimony on my behalf and to those here in attendance offering their support.

It was just about a year ago that I appeared before you for a confirmation hearing for this position. Because the appointments of the three (3) Parole Board members are staggered to maintain continuity in Board membership, I'm again before you for confirmation.

Before I go on, I need to express much mahalo to my two colleagues, Parole Board members Ms. Joyce Matsumori-Hoshijo and Judge Michael Town. Both are truly outstanding individuals who have helped me tremendously with their knowledge and experience. I feel that our Parole Board is a great team. I also want to acknowledge Mr. Tommy Johnson and the entire staff of the Hawaii Paroling Authority for their support and patience with a "rookie" Chair this past year. And I'm very appreciative of Director Jodie Maesaka-Hirata for all she and her Department have done to support the HPA and me.

The past year has been exciting, challenging and a real learning experience for me. I have observed the excellent work done by the staff of the HPA. And have learned the process and procedures of the Parole Board. As former Board Member Roy Reeber told me, it will take you at least a thousand hearings before you feel reasonably comfortable. Roy also said no matter how many cases you hear, something new will always come up. Roy was right on both counts.

I see great potential for the HPA and the Parole Board. With several legislative initiatives directly involving the HPA this session, I foresee the opportunity for future changes. However, I will caution that before we can commit on taking on new ideas and programs, we need to be sure that we're prepared to make it work. To attempt new ventures without personnel, infrastructure and resources would jeopardize current HPA mandates and not afford a new program a fair opportunity to succeed.

I was asked by Chair Espero to complete a questionnaire regarding my nomination. I understand that the Committee members were afforded copies. So to not repeat my responses, I will defer to the questionnaire for information on myself.

Thank you for considering my nomination.

I am happy to answer questions the Committee may have.

April 6, 2012

Honorable Senator Will Espero
Chair, Senate Committee on Public Safety, Government Operations and Military Affairs
Hawaii State Senate
Honolulu, HI 96813

RE: Nomination of Bert Y. Matsuoka to the Hawaii Paroling Authority (HPA)

Dear Senator Espero:

This is in response to your letter dated April 2, 2012 requesting information regarding my nomination to the HPA by Governor Neil Abercrombie.

The following are my responses to your questions:

1. Why do you wish to be a member of the Hawaii Paroling Authority?

I have over 30 years of public service; most of those years were spent either in criminal justice, juvenile justice, or administrative/management positions. Those are areas that I have personal commitment and interest in. The HPA plays a critical role in our community's well-being and I believe I can continue to contribute by making sound Parole Board decisions and also help guide the HPA to become an even more effective and efficient State agency.

2. Given your understanding of the role and responsibilities of a member of the Hawaii Paroling Authority, why do you believe that you are qualified for the position? Please include a brief statement of your skills, expertise, or knowledge that would aid in your decision-making ability as a member of the Hawaii Paroling Authority.

My experience and character allows me to view situations in an objective manner. With regard to the specific situations facing the Parole Board, I can bring a balanced approach in determining decisions. My law enforcement experience coupled with my social services background will allow me to view a situation with minimum bias. I will place emphasis on the collected research, data, and history of the individual, and seek the input from the professionals who actually work with and represent the individual. I will also take into consideration information and comments from law enforcement and the victims of the crimes.

I won't be intimidated by either the inmate or the establishment in making decisions. When decisions are based on accurate information, established "best practices," and clear objective views, you will have appropriate and responsible outcomes.

As stated earlier, I believe the combination of my experience, character, and education affords me a range of attributes that contributes to my qualifications.

I was appointed by former Governor Ben Cayetano to an eight-year term as the Executive Director (ED) of the Office of Youth Services (OYS). My experience as a Honolulu Police Officer and Supervisory Investigator with the Department of Human Services has also contributed to my understanding of the criminal justice system in Hawaii. I also have many years of working with the State Legislature, various State and County agencies, the Judiciary, and numerous community and non-profit organizations.

In addition to previous positions, my education includes a Masters Degree in Public Administration and a Bachelors Degree in Sociology, both from the University of Hawaii – Manoa. I also attended the Masters of Social Work program at UH-Manoa where I did my practicum as a juvenile probation officer with the Family Court.

3. What do you hope to accomplish during your term of service?

Having now been the Chairperson for over a year, I have observed the good work done by the HPA. These are very dedicated and committed professionals who strive to maintain the high standards required of the HPA.

If afforded the opportunity to continue, I want to help the HPA to positively move forward. I will work collaboratively with all segments of the staff and look at areas where we can strengthen and improve the agency. I believe this can be accomplished with good communication and networking, not just within the HPA, but reaching out to other entities that have a part in the entire parole process.

The “process of parole” needs to be recognized as complex and multi-faceted. I believe improvement in the parole process cannot occur with the HPA operating alone. Positive strides will occur when there are more working partnerships with the Department of Public Safety, other government agencies, non-profit organizations, and community groups all contributing and who share this endeavor.

With the assistance of the other Board members, and the staff of the HPA, I believe that we can begin the movement in this direction.

4. Can you foresee any possible conflicts of interests that could arise during your service o the Hawaii Paroling Authority? How would you overcome any possible conflicts of interests?

If faced with a potential conflict, I will take myself out of the situation. And if assistance is needed in determining the proper action, I will consult with the Department of the Attorney General and/or the Office of the Governor.

Thank you for the opportunity to respond to your questions.

Sincerely,

Bert Y. Matsuoka