

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
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No. _____

**TESTIMONY ON HOUSE BILL 130
RELATING TO COMMUNITY REINTEGRATION**

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

House Committee on Public Safety and Military Affairs
Representative Henry J.C. Aquino, Chair
Representative Ty Cullen, Vice Chair

Thursday, February 17, 2011; 9:00AM
State Capitol, Conference Room 309

Chair Aquino, Vice-Chair Cullen and Members of the Committee,

The Department of Public Safety (PSD) appreciates the Legislature's support of its efforts to provide evidence based reintegration programs for both the men and women who are incarcerated in Hawaii's adult correctional institutions. Although the State's tough economic situation over the past several years has caused PSD to drastically reduce its correctional programs to basic core services, PSD was still able to maintain at least two very worthy programs, Ka Hale Ho'ala Hou No Na Wahine, The Home of Reawakening for Women, a transitional program operated by TJ Mahoney for female offenders and Hina Mauka's Ke Alaula substance abuse therapeutic community treatment program for female offenders at the Women's Community Correctional Center, through continual funding by the Legislature.

Currently, PSD is developing a Comprehensive Reentry Plan to address the needs of both male and female offenders within our correctional institutions while remaining responsibly cognizant of the current fiscal difficulties facing our community. PSD, therefore, feels that it would not be prudent to pursue the enactment of HB 130, at this time.

Thank you for the opportunity to provide testimony on this measure.

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS

Rep. Henry Aquino, Chair
Rep. Ty Cullen, Vice Chair
Thursday February 17, 2011
Room 309
9:00 a.m.

HB 130 - STRONG SUPPORT for Community Reintegration Beds for Women

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

Aloha Chair Aquino, Vice Chair Cullen 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 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 including approximately 1,800 individuals serving their sentences abroad, thousands of miles away from their loved ones and homes - the ancestral homes for a disproportionate Native Hawaiians.

HB 130 requires the Department of Public Safety to determine the number of women who are eligible for reintegration into the community and contract with providers of gender-responsive community services to assist women in successfully transitioning back into the community.

Community Alliance on Prisons is in strong support of this measure. Hawai`i has achieved the dubious distinction of having one of the fastest rising female incarcerated populations in the nation. Our female imprisoned population rose by 89% from January 1, 2001 (403) to June 30, 2008 (760).

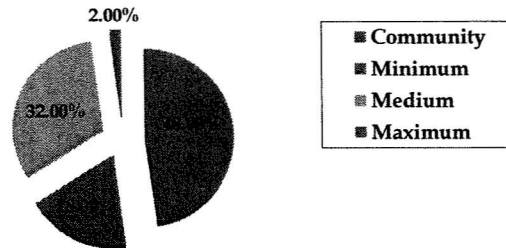
A classification study¹, commissioned by the Department of Public Safety, revealed that The majority of our incarcerated women are nonviolent (84%) and imprisoned for drugs or drug-related crimes. almost half (48%) of our incarcerated women are classified as Community custody, which is defined by the department² as *"Individuals who are eligible to participate in community release programs such as work furlough, extended furlough or residential transitional living facilities"*.

The following chart illustrates the findings of the Classification study.

¹ Classification - A Systematic Approach for Correctional Management, Camille Camp, Patricia Hardyman, Ph.D., Presentation to Hawai`i State Legislature, January 2008.

² Department of Public Safety 2008 Annual Report, Inmate Classification Office, page 18.

Female Incarcerated Population



Based on the female imprisoned population, as reported in the Department of Public Safety's 2008 Annual Report that means that 365 of our incarcerated women are community custody. If 250 of these women were deemed to pose no threat to public safety, wouldn't it be better to fund programs that more appropriately address their needs and help them transition into the community and reunify with their families especially their children?

If, as the department has testified, it costs \$137/day to incarcerate an individual in Hawai'i, it is costing taxpayers \$12,501,250 a year to incarcerate 250 women who should be in the community according to the department's own definition.

Transferring the money from corrections to community reintegration beds is a more sane way of treating women who break the law - address their needs appropriately and help them learn how to live more pro-social and fulfilling lives. Many of our incarcerated women have been having children since their teens. They need help navigating their way into the free world.

Community based gender responsive reintegration programs can help them chart a more positive course for their lives as well as the lives of their children.

Community-based gender responsive reintegration programs provide structure, monitoring and accountability and help women and girls develop the tools to lead responsible and fulfilling lives. They provide the solid foundation that is crucial when these women reenter the community by providing the necessary support through effective programming to address the woman's specific needs. These programs actually enhance public safety.

Especially since women's pathways to crime are different from the pathways of men, it is important that gender responsive reintegration community based programs be adequately funded to reduce recidivism. These programs more directly affect the needs of females in the criminal processing system. Creating a network of these programs can facilitate women's contact with their children and help the family reunify.

Since the data show that children of incarcerated parents are six to seven times more likely than other children to end up incarcerated themselves, this is an investment that will help future generations. Let's break the negative cycle of inter-generational incarceration.

We must get correctional costs under control. Since 2000, appropriations for the Department of Public Safety have increased from \$128M to \$243.7M in 2009, an increase of 90% during that timeframe. What we are doing is not sustainable.

Jurisdictions around the country are awakening to this realization as their correctional budgets soar along with their deficits. Many are repealing mandatory minimum sentencing, working on alternative sentencing, releasing nonviolent, low-level drug offenders to reduce their imprisoned populations the failed war on drugs has created.

We are proud that Hawai'i's leaders (Governor Abercrombie, Senate President Tsutsui, Speaker Say, Chief Justice Recktenwald, and Interim PSD Director Jodie Maesaka-Hirata) have submitted a letter to the Department of Justice asking to be considered for Justice Reinvestment Initiative³ technical assistance to 1) Analyze the prison population and spending in the communities to which people in prison often return; 2) Provide policymakers with options to generate savings and increase public safety; 3) Quantify savings and reinvest in select highstakes communities; and 4) Measure the impact and enhance accountability.

Mahalo for this opportunity to share our mana`o with the committee today.

³Justice Reinvestment: <http://www.justicereinvestment.org>.

National Association of Reformed Criminals
Andy Botts & Franklin Jackson
1765 Ala Moana Blvd. #1388
Honolulu, Hawaii, 96815
February 17, 2011

COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Rep. Henry J.C. Aquino, Chair

Rep. Ty Cullen, Vice Chair

Thursday February 17, 2011

9:00 AM

Room 309

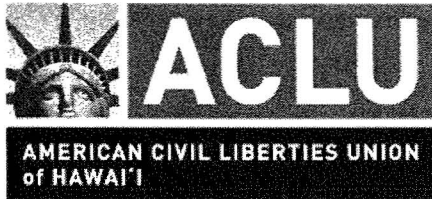
HB 130 RELATING TO COMMUNITY REINTEGRATION

STRONG SUPPORT

This is an urgent matter that could safely free-up bed space. From my personal experience, TJ Mahoney has professionally-run state and federal reintegration programs, which I consider the best in the state. To my understanding, there is a major backlog of 'Community' status inmates eligible for immediate release on work-furlough. Contracting with community based programs is cost-effective in the short and long term, so we strongly support this bill.

Mahalo,

Andy Botts



Committee: Committee on Public Safety and Military Affairs
Hearing Date/Time: Thursday, February 17, 2011, 9:00 a.m.
Place: Room 309
Re: Testimony of the ACLU of Hawaii in Support of H.B. 130,
Relating to Community Reintegration

Dear Chair Aquino and Members of the Committee on Public Safety and Military Affairs:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in support of H.B. 130, Relating to Community Integration

The ACLU of Hawaii supports every effort to reduce overincarceration and develop a comprehensive reintegration system. In furtherance of those goals, we support legislation like H.B. 130 that seeks to identify women who are eligible for reintegration and contract with gender-responsive community services providers to assist women in successfully transitioning back into the community.

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,

Laurie Temple
Staff Attorney
ACLU of Hawaii

American Civil Liberties Union of Hawaii
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Given by:
Jolene Molinaro
February 17, 2011
Conference Room 309
9:00 A.M.

Testimony in support for H.B. No 130

Good Morning Chair Aquino, Vice Chair Cullen and Committee members. My name is Jolene Molinaro and I am a student at UH Manoa in the MSW Program. I wish to give testimony in support of Bill H.B. 130 because I am concerned about the plight of incarcerated women and their children. As a non-violent ex-offender and as a woman, I am a member of a unique and diverse social group who faces its own issues. As many women have become responsible for the total support of their children and families, they are more susceptible now than ever to a variety of new problems. Some of these problems are addiction, crime, and incarceration, often combined with single parenthood. This is what has motivated me in my goal of becoming a Licensed Clinical Social Worker. But my reaching my goal and my education would not be possible without my good fortune of having a great family support network upon my release from prison after my second incarceration.

In 1995 I experienced a difficult divorce and custody battle which lead to major depression and addiction to meth amphetamines I had no family support and without health insurance I was unable to seek therapy services. As you know, this drug is extremely addictive and so I quickly headed down the path of my destruction. I was eventually arrested and charged with possession and promotion of a dangerous drug in the 3rd degree as well as for paraphernalia. During my incarceration I completed a drug treatment program inside the prison and was paroled after 2 1/2 years. However, I had no options for housing other than the area I had come from due to lack of an appropriate sponsor to parole to, so I chose to parole to a friend who I knew was using drugs. I had every intention to do well and I was excited about the possibilities of a new start, However, I was not prepared for the difficulties an ex-offender faces in reintegrating back into society such as obtaining employment and appropriate housing. which is necessary if you are to meet the conditions of parole and provide for yourself and your family. I also was not prepared for the stigmatism I experienced while searching for employment. It was a very stressful and emotional time for me. While I knew that I was the only person responsible for my situation, I could not help but wonder how women like

me were supposed to “go forth and do well” from then on if we didn’t at least have the opportunity to do so.

I managed to stay clean even while I lived in a drug abusing household, but I could not find a job. I began to become discouraged, desperate and angry. Eventually I was eventually rearrested for theft. This mistake, made out of desperation, cost me my freedom, my children and it contributed to the stigma by making me a reoffender. I feel a strong post-prison support network would have helped prevent me from reoffending and it could benefit the hundreds of non-violent ex-offending women in Hawaii. If the women had access to professionals to assist with mental health, family reunification, housing assistance and employment support and educational opportunities I am positive the recidivism rate would drop significantly, saving the state the cost of housing reoffenders and parole violators. I know in my case I would not have re-offended if I had access to the support of professional helpers.

Thank you for this opportunity to testify in support of this bill.

Respectfully Submitted,
D. Jolene Molinaro

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PBMtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 16, 2011 10:20 AM
To: PBMtestimony
Cc: maucrowe@gmail.com
Subject: Testimony for HB130 on 2/17/2011 9:00:00 AM

Testimony for PBM 2/17/2011 9:00:00 AM HB130

Conference room: 309
Testifier position: support
Testifier will be present: No
Submitted by: Jim Crowe
Organization: Individual
Address:
Phone:
E-mail: maucrowe@gmail.com
Submitted on: 2/16/2011

Comments:

I strongly support community reintegration beds for eligible women. I have twenty five years of experience assisting young women in their efforts to overcome addiction. The high rates of success for them corresponded directly with their being in their own community, supported by their own families.

Experience has proven to me that they do change, for the better with this kind of support