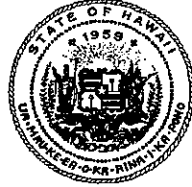


NEIL ABERCROMBIE  
GOVERNOR



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  
Administration

JOE W. BOOKER, JR.  
Deputy Director  
Corrections

KEITH KAMITA  
Deputy Director  
Law Enforcement

TESTIMONY ON HOUSE BILL 2063  
RELATING TO PUBLIC SAFETY  
by  
Jodie F. Maesaka-Hirata, 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 9, 2012; 9:00 A.M.  
State Capitol, Conference Room 309

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

The Department of Public Safety (PSD) appreciates the overall concept of House Bill 2063 that makes an appropriation for various rehabilitation, reentry, and job skill programs of the department of public safety. HB 2063 includes initiatives supportive of our goals and objective; however PSD requests that this measure be held as Request for Proposals (RFPs) will be issued for contractual services through the Justice Reinvestment Initiatives addressed in SB2776 Relating to Public Safety and SB2777 Relating to Crime. As always, the Department is appreciative of all support to improve evidence-based practices and/or programs for Hawaii's offenders.

Thank you for the opportunity to present this testimony.



**HOUSE OF REPRESENTATIVES**

STATE OF HAWAII  
STATE CAPITOL  
415 SOUTH BERETANIA STREET  
HONOLULU, HAWAII 96813

To: **COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS**

Representative Henry J.C. Aquino, Chair

Thursday, February 9, 2012

9:00 a.m.

Room 309

**STRONG SUPPORT for HB2063- RELATING TO PUBLIC SAFETY**

From: Representative Faye P. Hanohano

Aloha Chair Aquino, Vice Chair Cullen and Members of the Committee!

As a retired Adult Correction Officer, I am writing in STRONG SUPPORT for HB2063- Relating to Public Safety. This bill makes appropriation for various programs. This is the "PONO" way to transition and reintegrated our incarcerated population.

Mahalo for the opportunity to share my mana'o.

# COMMUNITY ALLIANCE ON PRISONS

76 North King Street, Honolulu, HI 96817

Phones/E-Mail: (808) 533-3454, (808) 927-1214 / [kat.caphi@gmail.com](mailto:kat.caphi@gmail.com)



## COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS

Rep. Henry Aquino, Chair

Rep. Ty Cullen, Vice Chair

Thursday, February 9, 2012

9:00 a.m.

Room 309

## STRONG SUPPORT FOR HB 2063 - STRENGTHENING FAMILIES OF THE INCARCERATED

Aloha Chair Aquino, Vice Chair Cullen and Members of the Committee!

My name is Kat Brady and I am the Coordinator Community Alliance on Prisons, a community initiative promoting smart justice policies for more than a decade. This testimony is respectfully offered, always being mindful that 6,000 Hawai'i individuals are living behind bars, including 1,800 men who are serving their sentences abroad, thousands of miles from their loved ones, their homes and, for the disproportionate number of incarcerated Native Hawaiians, far from their ancestral lands.

HB 2063 makes appropriations for various rehabilitation, reentry, and job skill programs of the department of public safety.

Community Alliance on Prisons is in strong support of this bill. In order to protect public safety we must acknowledge that people who have lost their way...or those who have never found it require assistance. A rising tide lifts all boats and when we help the least of us, all of us benefit. This is what is called investing in social capital. When we realize that strengthening families is one of the most important component of safe communities, we are on our way toward building the kinds of communities that we all strive for - safe and healthy ones!

This bill outlines some very successful programs that have either not been implemented or have come under the previous administration's budget hatchet.

## STRENGTHENING `OHANA

We cannot stress enough the importance of `ohana. Keeping families connected while a loved one is incarcerated is absolutely crucial. Hawai'i lags far behind the research on the importance of maintaining connections.

Florida's 1999 Statute 944.8031, "Inmate's family visitation..." begins: "The Legislature finds that maintaining an inmate's family and community relationships through enhancing visitor services and programs and increasing the frequency and quality of the visits is an underutilized correctional resource that can improve an inmate's behavior in the correctional facility and, upon an inmate's release from a correctional facility, will help to reduce recidivism."

Or, Oklahoma's 1999 Statute OP-030118, "Visitation," begins: "Because strong family and community ties increase the likelihood the inmate will succeed after release, visits are encouraged."

The most striking feature of the literature about the benefits of visits for prisoners, their families and communities, is that there is little if any contrary argument and conflicting data to the general principle that the better the quality of visitation throughout a prisoner's incarceration, the better the effects on the prisoner, his or her post-release adjustment, the family of the prisoner and the community.<sup>1</sup>

The classic study was done by Holt and Miller (1972). Among other things, they showed that California prisoners who have regular, continuing visits with (at least three) family members show a significantly lower recidivism rate when compared with those who do not have such visits throughout their prison term. Prisoners with no visitors were six times more likely to re-enter prison during the first year of parole as those with three or more visitors.

Ohlin (1954) had earlier studied prisoners released from Illinois prisons between 1925 and 1935 and showed that 75% of those who had maintained "active family interest" (i.e., maintained continuing visitation with family members) during their term of incarceration were successful on parole while only 34% of those considered loners experienced parole success.

Glaser (1964) did a similar study with federal prisoners and found that 71% of the "active family interest" group were successful on parole compared with 50% of those in the "no contact with relatives" group.

According to Patton (1998), in a law review article summarizing research, "Female prisoners who have contact with their children and who complete family reunification programs which reintroduce them in a Community-based setting have lower recidivism rates than female prisoners without access to their children or such programs."

Schafer (1994) conducted a survey of visitors to two men's prisons and found that successful completion of parole is significantly related to the maintenance of family ties during incarceration.

Eva Lee Homer (1979), in a review article on inmate-family ties, summarized the extant research literature: "The convergence of these studies, the consensus of findings, should be emphasized. The strong positive relationship between strength of family-social bonds and parole success has held up for more than 50 years, across very diverse offender populations and in different locales. It is doubtful if there is any other research finding in the field of corrections which can come close to this record" (p.49).

## **CHILDREN OF INCARCERATED PARENTS**

As Co-Chair of the Children of Incarcerated Parents Task Force and reviewer of reams of research on the issue, we cannot stress strongly enough the importance of keeping children connected to their parents. We are heartened that this administration is taking this issue seriously since the previous administration gave only lip service to this important issue and rarely showed up for meeting. In fact, we couldn't even get PSD to insert a box in their intake forms asking if the individual had children and if, so who and where they were cared for.

Again, there is plenty of research to support the need for keeping children connected to their parents, at

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<sup>1</sup> Brief Literature Review re Prison Visiting by Terry A. Kupers, M.D., Oct. 9, 2000

the very least of which is to keep the next generation out of prison themselves since the data show that children with an incarcerated parent are six to seven times more likely than other children to end up incarcerated themselves.

A National Council on Crime and Delinquency study found that the chances for recidivism for the prisoner and delinquency for the child increase dramatically when they are denied regular visits.

The United States General Accounting Office (1991) reports that consistent, quality visitation with parents who do not have custody of their children results in a much higher rate of reunification; in fact, in 1986, the GAO reports that only half of the children who had regular visits with parents were in foster care for more than one year, compared to 90% who received infrequent or no visits.

### **RESTORATIVE CIRCLES**

This program - Huikahi Restorative Circles - was created in Hawai'i as a way for victims and the person incarcerated for the crime can come together in a safe environment to work on the basic questions of restorative justice. Who was harmed? How were they harmed? How can the harm be repaired?

Restorative justice has been around for several decades and was instituted in the Aotearoa Juvenile Justice System in 1987, where they realized a 27% decline in juvenile crime after instituting this process. Hawai'i's program - Huikahi Restorative Circles - took to one step further and added a reentry component where the incarcerated person and those in the circle create a plan for his/her reentry. There are follow-up circles to check in and make any adjustments or provide supports where needed.

The participants of these circles have praised the process, many saying that this was the first time they were asked what they need and how the harm could be repaired. In short, this process is really a community building process and as the 2007 reentry law (Chapter 353H, HRS) intended, should be implemented at all Hawai'i facilities. It reduces recidivism, strengthens families and helps those who will reenter our communities, as more than 95% of incarcerated individuals will, rebuild their lives.

### **GOING HOME**

This is another great program de-funded by the prior administration. It is a great collaboration, one that should be replicated by all islands, of businesses, churches, non-profits, concerned citizens, and formerly incarcerated individuals who have come together to strengthen their communities by helping those who are exiting incarceration. Going Home is the type of collaboration that will strengthen communities, help rebuilding lives and restore families.

### **BEST PROGRAM ON MAUI**

It was heartbreaking to see the previous administration de-fund this successful program that showed a much lower recidivism rate than the state and witness individuals rebuilding their lives. The Maui community came together as Maui Cares and their support of this program really proved that! Business, churches, community organization, concerned citizens and formerly incarcerated individuals worked together to help strengthen their community by assisting those who were formerly incarcerated. It was indeed Hawai'i's best hope for reentry. And, interestingly, the program was started with funding from the Serious Violent Offender Reentry Initiative, so the participants were people who served long prison sentences for violent offenses. BEST showed that assisting individuals and helping them navigate their way back to the community works. We should have programs like this all across Hawai'i nei!

## **BUILDING JOB SKILLS**

Wow, I wish PSD actually had more programs that teach inmates transferable job skills. Correctional Industries is a great program and was even more successful when it ran out of Kulani, which was closed by the prior administration. At Kulani men had opportunities for construction work, agricultural work, conservation work, and auto mechanics. They provided millions of dollars in labor to Hawai'i County and the men were so happy to learn and contribute to the community.

There's plenty of talk about the programs in Arizona that few inmates can actually access. One that we know of, the electrician program was touted as something that could be transferred to Hawai'i. However, upon checking with the electricians union here, the program offered in Arizona is not recognized in Hawai'i. This is just another example of 'things look good on paper, but do they really do what they say?'

All these programs are in line with the Justice Reinvestment Initiative bills (HB 2514 and HB 2515) and must be supported if we are truly interested in rebuilding lives, restoring families and revitalizing communities.

Mahalo for this opportunity to share our thoughts and experience on this important bill!

# HAWAI'I FRIENDS OF JUSTICE & CIVIC EDUCATION

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## COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS

Honorable Representative Rep. Henry J.C. Aquino, Chair  
Honorable Representative Ty Cullen, Vice Chair

Thursday, February 9, 2012  
9:00 AM  
Room 309

### **HB 2063 RELATING TO PUBLIC SAFETY**

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

### **STRONG SUPPORT FOR THIS MEASURE TO PROVIDE RESTORATIVE CIRCLES AND OTHER SUPPORT FOR INCARCERATED PEOPLE AND THEIR FAMILIES**

We STRONGLY SUPPORT this measure to provide restorative circles.

Our organization has provided the *Huikahi Restorative Circle* program, which was designed by Loren Walker, who is our restorative justice coordinator. *Huikahi* was added to the name a few years ago to distinguish this reentry planning process for incarcerated people and their loved ones, from different restorative justice interventions labeled "restorative circle" used in Brazil and elsewhere.

The Huikahi Restorative Circle program has provided healing for many people hurt by crime and imprisonment, while also providing a mechanism for imprisoned people to be accountable, make amends, and find healing too.

Successful outcomes of the Huikahi Restorative Circle program support it as a best practice, which uses public health learning principles, restorative justice and solution-focused language skills to help people recover from the harmful effects of crime and imprisonment.

Since 2005, 71 incarcerated people in Hawai'i have had Huikahi Restorative Circles where they met with loved ones harmed by their behavior and/or imprisonment. The imprisoned people also addressed reconciliation with the community at large, and other unrelated crime victims, at the Circles. Many more imprisoned people have applied for Circles than what can be provided with the limited resources and pro bono efforts currently available for the program.

To date over 360 people in Hawai'i have participated in 71 Circles. Two other people in New York and Helsinki, Finland also had Circles. In all places where the Huikahi Circles have been provided, 100% of the surveyed participants, including prison staff, report the process is positive. This is true even when there is re-incarceration after a Circle. Preliminary research also shows the Circles are promising for reducing recidivism.

Our board members include officers: Joe Allen, Ph.D., president and professor of criminology at Chaminade University; Roger Epstein, Esq., vice president and senior partner, business and tax lawyer for Cades Schutte law firm; Cheri Tarutani, MSW, secretary and instructor social work program, University of Hawai'i; Jeffery Kent, J.D., policy analyst, Office of Hawaiian Affairs; and Cy Kalama and Rich Turbin, Esq. Loren Walker is our restorative justice program coordinator.