

NEIL ABERCROMBIE
GOVERNOR
STATE OF HAWAII



ALBERT "ALAPAKI" NAHALE-A
CHAIRMAN
HAWAIIAN HOMES COMMISSION

ROBERT J. HALL
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P.O. BOX 1879
HONOLULU, HAWAII 96805

TESTIMONY OF ALAPAKI NAHALE-A, CHAIRMAN DESIGNATE
HAWAIIAN HOMES COMMISSION
BEFORE THE HOUSE COMMITTEE ON HAWAIIAN AFFAIRS
ON **HB 313 HD1, RELATING TO CORRECTIONS**

February 16, 2011

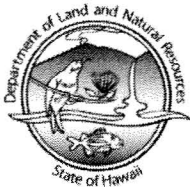
Aloha Chair Hanohano, Vice-Chair Lee and Members of the Committee:

The Department of Hawaiian Home Lands (DHHL) supports the purpose and intent of HB 313 HD1 which establishes a pilot program aimed at reducing recidivism while preserving and restoring significant Native Hawaiian cultural sites.

This pilot program has incredible potential to support the successful transition of inmates from prison to their communities while establishing (or re-establishing) a connection to Hawaiian culture. Several of our beneficiaries and their families would likely benefit from this type of support system. While we realize the benefit of this pilot program, we defer to the Department of Public Safety to determine the feasibility and fiscal impact of this proposal.

Thank you for the opportunity to testify.

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAIHOLAWA ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the House Committee on
HAWAIIAN AFFAIRS**

**Wednesday, February 16, 2011
8:30 AM
State Capitol, Conference Room 329**

**In consideration of
HOUSE BILL 313, HOUSE DRAFT 1
RELATING TO CORRECTIONS**

House Bill 313, House Draft 1 establishes a program within the Department of Public Safety (PSD) to allow non-violent inmates to restore historic sites selected by the Office of Hawaiian Affairs (OHA).

The Department of Land and Natural Resources (Department) notes that the proposed legislation is not necessary in order for OHA and PSD to collaborate on the development of such a program. For example, the Department, through the Division of Forestry and Wildlife, has worked with PSD in the past to provide opportunities for select inmates to work on trail clearing projects in support of the Na Ala Hele Trail System as well as on Hawaii Island watershed restoration projects with Kulani inmates through a memorandum agreement between the agencies. Therefore, the opportunity already exists for OHA and PSD to collaborate on the proposed program, and the passage of this bill is not required.

The Department appreciates the opportunity to testify on this measure.

ASSOCIATION OF HAWAIIAN CIVIC CLUBS

TESTIMONY BY
PRESIDENT SOULEE STROUD

IN SUPPORT OF HOUSE BILL 313, HD1 Relating to Corrections

**Before the Joint House Committees on Hawaiian Affairs
and Culture and the Arts
February 16, 2011; 8:30 a.m Room 329**

Aloha Madam Chair Hanohano, Madam Chair Wooley and members of the House committees meeting jointly today. I am Soulee Stroud, President of the Association of Hawaiian Civic Clubs here today to support the passage of HB 313, HD1.

The first civic club was founded in 1918 and we continue to thrive with clubs on all islands of the State of Hawaii, 11 states on the continent and the District of Columbia. We now have sixty component clubs participating in those activities that our founders envisioned – historic preservation, education of Native Hawaiian students, protection of traditional culture and advocacy for Hawaiian Home Lands. We have also been very active in the support and protection of the public land trust that was created with the annexation of Hawai'i by the United States in 1898. These lands, were the original public, government and crown lands of the Kingdom of Hawai'i and we taken and held in a federal and later with the admission of Hawai'i as a State, in a State public land trust for the benefit of the people of Hawai'i in general and the native Hawaiian people, in particular.

The purpose HB 313 is to establish a pilot program within the Dept. of Public Safety that assigns select, non-violent inmates to a work detail that restores historic sites. It requires the Office of Hawaiian affairs to pay for the program until June of 2015.

The bill was amended to replace the provision that OHA identify the selected sites to DLNR's State Historic Preservation Division propose and review all work. Given the newly amended language of the bill, we would suggest that similarly, DLNR should fund the program until June of 2015.

It would have been reasonable if the Office of Hawaiian Affairs identified the historic sites, then they too, could have provided an interpretation of the

significance of the site, a cultural perspective to the inmates, and the funding for such a program because the benefit would be to the native peoples of Hawai'i. We believe that if others learn the culture and history of our lands, then they will care and respect our traditions and we will benefit from that respect. Hence, the use of the OHA revenue would seem reasonable.

However, if DLNR's Historic Preservation Division is being charged with identifying and approving all proposed work on selected historic sites, then we believe that the benefit accrues to the people of Hawai'i and the vast number of cultures and uses of the land that occurred after 1778. Therefore, DLNR should pay for the program. Sites deemed historic by DLNR are identified as contemporary history as well as ancient.

We urge your support of these measure and thank you for allowing us to testify today.

For further information please contact our Government Relations Chair, Jalna Keala at jalna.keala2@hawaiiantel.net.

COMMUNITY ALLIANCE ON PRISONS

76 North King Street, Honolulu, HI 96817

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



COMMITTEE ON HAWAIIAN AFFAIRS

Rep. Faye Hanohano, Chair

Rep. Chris Lee, Vice Chair

Wednesday, February 16, 2011

8:30 AM

Room 329

HB 313 - INMATE REHABILITATION; HISTORIC SITE RESTORATION

SUPPORT INTENT with suggestion

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

Aloha Chair Hanohano, Vice Chair Lee 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, improve the quality of justice, and enhance community safety by promoting smart justice policies. We are always mindful that there are 6,000 individuals whose voices have been silenced by incarceration with 1,800 individuals are serving their sentences abroad, thousands of miles from their loved ones and, in many cases, from far from their ancestral lands.

HB 313 HD1 establishes a program within the Department of Public Safety that assigns select, non-violent inmates on a work detail that restores historical sites selected by the Office of Hawaiian Affairs. The HD1 replaced the provision that OHA ensures that the selected sites are on rural lands with a provision that the State Historic Preservation Division review and approve all proposed work on selected historic sites.

Community Alliance on Prisons supports the intent of this well-meaning bill, as we have first-hand knowledge of the importance of connecting incarcerated individuals with the `aina. This bill establishes a pilot program to restore historic sites.

Some suggestions:

1. Since many of these historic/cultural treasures are taken care of by community groups, we urge a discussion amongst stakeholders before anything is decided regarding the restoration of any sites. Perhaps OHA would be willing to convene such a group.
2. The Department of Public Safety is already over-burdened and having a program that requires supervision by ACOs increases costs.
3. Alternatively, we suggest that a community service program be considered instead. No supervision is needed since the individual is in the community already. The Judiciary is the agency that handles community service sentences.
4. Consideration should be given to this being a Judiciary program staffed by volunteers with knowledge of cultural sites in Hawai'i. A teachable moment ~ another way to educate people!

Mahalo for this opportunity to share our thoughts.

clee2 - Matt

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 14, 2011 10:24 AM
To: HAWtestimony
Cc: kaiwohi@yahoo.com
Subject: Testimony for HB313 on 2/16/2011 8:30:00 AM

Testimony for HAW 2/16/2011 8:30:00 AM HB313

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: Kanoelani Medeiros
Organization: Individual
Address:
Phone:
E-mail: kaiwohi@yahoo.com
Submitted on: 2/14/2011

Comments:

I support this bill because it will be beneficial to incarcerated individuals as well as the Hawaiian community.

**National Association of Reformed Criminals
1765 Ala Moana Blvd. #1388
Honolulu, Hawaii, 96815
February 15, 2011**

COMMITTEE ON HAWAIIAN AFFAIRS

Rep. Faye P. Hanohano, Chair

Rep. Chris Lee, Vice Chair

Wednesday, February 16, 2011

8:30 AM

Room 329

BILL # HB 313

Support

We support this bill, even though the Dept of Public Safety can and have been expanding the prison's community service program for these types of projects since 1983. MY only objection is to the language that restricts certain participants. This bill is designed for "select, non-violent inmates," which conflicts with the DPS security classification process that takes all factors into consideration - such as instant offense, escape history, violence, institutional conduct, etc. - before their security level is reduced to allow them to work in the community under the supervision of an ACO. Our stance is that the wording is revised to say "Select, low-custody inmates" instead of non-violent inmates only, which is the current policy, so we don't restrict someone who would benefit from this type of program.

Mahalo,

Andy Botts