

NEIL ABERGROMBIE  
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 SENATE BILL 2250, SD1  
RELATING TO PAROLE

BY

HAWAII PAROLING AUTHORITY  
Bert Y. Matsuoka, Chairman

House Committee on Judiciary  
Representative Gilbert S.C. Keith-Agaran, Chair  
Representative Karl Rhoads, Vice Chair

Wednesday, March 21, 2012; 2:15 p.m.  
State Capitol, Conference Room 325

Chair Keith-Agaran, Vice Chair Rhoads, and Members of the Committee:

The Hawaii Paroling Authority (HPA) appreciates the legislature's interest in the area discussed in Senate Bill 2250 and supports the intent of the measure.

It is normally the court that sentences offenders to perform community service and determines the amount of hours required of the offenders. It is also normally the Juvenile and Adult Community Services Restitution Unit (JACSRO) of the Judiciary that determines the types of community service that are appropriate for the offender. The JACSRO has the staff, procedures, and system in place to maintain records and files on the community service hours performed by offenders. Therefore, the HPA requests the following amendment to this measure:

**Page 2 (Line 11 through Line 12) - (2) (B) Delete the line [~~Community service for a specified number of hours;~~]**

The HPA is not operationally or organizationally set up to facilitate sentencing offenders to community service nor does this agency have the resources required to ensure that parolees perform valid community service tasks.

Senate Bill 2250, SD1  
March 21, 2012  
Page 2

With respect to the provision of SB 2250, SD1 the HPA has no concerns regarding scheduling parole consideration hearings for selected parole violators no later than two years from the date of parole revocation. However, this provision appears to be in conflict with both, HB 2514, HD3 and SB 2776, SD2, HD1 that are the result of State's Justice Reinvestment Initiatives currently moving through the legislature.

Thank you for this opportunity to provide testimony on this matter.

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

No. \_\_\_\_\_

TESTIMONY ON Senate Bill 2250 SD1  
RELATING TO PAROLE

by

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

House Committee on Judiciary  
Representative Gilbert S.C. Keith-Agaran, Chair  
Representative Karl Rhoads, Vice Chair

Wednesday, March 21, 2012, 2:15 p.m.  
State Capitol, Conference Room 325

Chair Keith-Agaran, Vice Chair Rhoads, and Members of the Committee:

The Department of Public Safety (PSD) would like to express our appreciation for Senate Bill (SB) 2250 SD1 and its intent to allow the Hawaii Paroling Authority (HPA) to use a continuum of administrative sanctions when a parolee violates a term of condition of parole.

The PSD believes that these issues are partially covered under SB 2776 SD2, which accelerates correctional efficiencies and reduces recidivism.

Thank you for the opportunity to testify on this matter.

# COMMUNITY ALLIANCE ON PRISONS

76 North King Street, Honolulu, HI 96817

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## COMMITTEE ON JUDICIARY

Rep. Gil Keith-Agaran, Chair

Rep. Karl Rhoads, Vice Chair

Wednesday, March 21, 2012

2:15 p.m.

Room 325

## STRONG SUPPORT SB 2250 SD1 – CONTINUUM OF SANCTIONS FOR PAROLEES

Aloha Chair Keith-Agaran, Vice Chair Rhoads 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.

SB 2250 SD1 allows the Hawai'i paroling authority to use a continuum of administrative sanctions when a parolee violates a term or condition of parole.

Community Alliance on Prisons is in strong support of this measure in the hope that it provides a more supportive parole environment for those exiting incarceration. We know that it is important to help the formerly incarcerated navigate their way to successful reintegration and we urge the paroling authority to ensure that administrative sanctions are accompanied by enhanced support to ensure successful reentry for those coming home.

To illustrate the problems with parole, we respectfully include statistics from the Hawai'i Paroling Authority on parole revocations in 2008 showing that 244 individuals' parole was revoked for technical violations. These individuals were re-incarcerated for a total of 467 years! In dollar terms, the cost to the state is more than \$21 million for these technical violations.

### 2008 Parole Revocations<sup>1</sup>:

#### **Maui: 18 Parole Revocations (27y,6m)**

##### *Technical Violation:*

Use of alcohol	4
Use of drugs	22
Failure to complete treatment	4
Whereabouts unknown	4
Failure to report	7

<sup>1</sup> January 8, 2009 memo from Richard Yen, HPA to Sen. Will Espero re parole violations, length of time given – 1/08 – 12/08

Curfew	1
Travelling without permission	1
Failure to complete SOT condition	1
Failure to report police contact	3

*Length of time given per parolee:*

8 months	1
11 months	1
1 year	5
1 year, 1 month	1
1 year, 6 months	1
2 years	3
2 years, 6 months	1
3 years	2
4 years, 4 months	1
4 years, 6 months	1

**Hawai'i Island: 25 Parole Revocations (30y,6m)**

*Technical Violation:*

Use of drugs	14
Failure to complete treatment	16
Whereabouts unknown	7
Failure to report	4
Threatening	1
Failure to complete SOT condition	
Failure to report police contact	3
Employment	1
Leaving island w/o permission	1

*Length of time given per parolee:*

1 month	1
2 months	3
3 months	1
4 months	2
5 months	1
6 months	1
7 months	1
8 months	1
11 months	2
1 year	3
1 year, 1 month	1
1 year, 6 months	1
1 year, 9 months	1
2 years	1
2 years, 4 months	1
2 years, 6 months	1
2 years, 8 months	1
4 years	1
4 years, 2 months	1

**Kaua`i: 4 Parole Revocations (12y,4m)**

*Technical Violation:*

Use of drugs	6
Failure to complete treatment	3
Failure to report police contact	2
Employment	1

*Length of time given per parolee:*

3 months	1
1 year, 11 months	1
4 years, 6 months	1
5 years, 8 months	1

**O`ahu: 197 Parole Revocations (396y,11m)**

*Technical Violation:*

Use of alcohol	10
Use of drugs	195
Failure to complete treatment	115
Whereabouts unknown	50
Failure to report	104
Threatening	3
Failure to complete SOT condition	5
Curfew	17
Failure to report police contact	21
Employment	12
Failure to follow PO instructions, travelling w/o permission	2 1

*Length of time given per parolee:*

1 month	4
2 months	9
3 months	4
4 months	7
5 months	6
6 months	14
7 months	3
8 months	2
9 months	4
10 months	6
11 months	4
1 year	31
1 year, 3 months	7
1 year, 4 months	2
1 year, 5 months	3
1 year, 6 months	7
1 year, 8 months	2
1 year, 9 months	2
1 year, 11 months	3
2 years	24

2 years, 2 months	1
2 years, 5 months	1
2 years, 6 months	5
2 years, 7 months	1
3 years	18
3 years, 6 months	1
4 years	8
4 years, 6 months	2
5 years	6
6 years	1
7 years, 2 months	1
7 years, 3 months	1
7 years, 6 months	1
9 years	1
10 years	1
12 years	1
14 years	2
15 years	1

Surely the committee would agree that there are better, evidenced-based solutions for technical parole violators than re-incarceration. Creating a larger criminal underclass should not be our goal. Assisting individuals who have violated their parole with better and more community-based programming and support would go far in helping people rebuild their lives, restore their families, and revitalize our communities.

Mahalo for this opportunity to testify in support of this measure.



the  
**Drug Policy  
Forum**  
of hawaii

*Dedicated to safe, responsible, humane and effective drug policies since 1993*

March 21, 2012

To: Rep. Gilbert Keith-Agaran, Chair  
Rep. Karl Rhoads, Vice Chair and  
Members of the Committee on Judiciary

From: Jeanne Ohta, Executive Director

RE: SB 2250 SD1 Relating to Parole  
Hearing: March 21, 2012, 2:15 p.m., Room 325

Position: Support

The Drug Policy Forum of Hawai'i writes in support of SB 2250 SD1 Relating to Parole which allows the Hawaii paroling authority to use a continuum of administrative sanctions when a parolee violates a term or condition of parole.

Data from the Justice Reinvestment Initiative show that Hawai'i's parole options were too limited and individuals were sent back to prison for inappropriately long sentences with no benefit to them or public safety. These long sentences are an inefficient use of taxpayer money and punish taxpayers by not improving public safety while using funds that could be better used elsewhere in the state budget.

This measure provides the Hawai'i Paroling Authority a broad range of appropriate alternatives to revocation of parole. They will have the ability to modify or add to the terms and conditions of parole as well as to impose a broad range of sanctions. Among the sanctions that would be available are reimprisonment, community service, house arrest or home detention, electronic surveillance or monitoring, and treatment and counseling services.

We urge the committee to pass this measure. Thank you for this opportunity to provide testimony on this important matter.





Committee: Committee on Judiciary  
Hearing Date/Time: Wednesday, March 21, 2012, 2:15 p.m.  
Place: Conference Room 325  
Re: Testimony of the ACLU of Hawaii in Support of S.B. 2250, SD1, Relating to Parole

Dear Chair Keith-Agaran and Members of the Committee on Judiciary:

The ACLU of Hawaii supports S.B. 2250, SD1 and every effort to develop programs and policies that are more cost-efficient and more effective at reducing recidivism than incarceration. Every effort should be made to provide Hawaii's inmates with the support and services they need to become productive and responsible community members.

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 A. Temple  
Staff Attorney  
ACLU of Hawaii

American Civil Liberties Union of Hawaii  
P.O. Box 3410  
Honolulu, Hawaii 96801  
T: 808.522-5900  
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**COMMITTEE ON JUDICIARY**

Rep. Gil Keith-Agaran, Chair

Rep. Karl Rhoads, Vice Chair

Wednesday, March 21, 2012

2:15 p.m.

Room 325

**STRONG SUPPORT SB 2250 SD1 - CONTINUUM OF SANCTIONS FOR PAROLEES**

Aloha Chair Keith-Agaran, Vice Chair Rhoads and Members of the Committee,

I am writing as a concerned citizen with an interest in wise criminal justice policies that enhance public safety, are cost effective, and assist those leaving prison to successfully integrate into and become contributing members of society.

SB 2250 SD1 allows the Hawai'i paroling authority to use a continuum of administrative sanctions when a parolee violates a term or condition of parole.

The current practice of dealing with technical parole violations is punitive beyond proportion to the technical violation, and as a result, is unnecessarily costly, and does nothing to help the parolee integrate into the community. Reincarceration for minor technical parole violations should be a last resort, not the first.

Please support SB 2250 SD1 to add a more effective and commonsense approach to Hawaii's parole policies.

Mahalo,

Diana Bethel

Testimony for SB2250 on 3/21/2012 2:15:00 PM

**Testimony for SB2250 on 3/21/2012 2:15:00 PM**

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

**Sent:** Tuesday, March 20, 2012 7:42 AM

**To:** JUDtestimony

**Cc:** jorywatland@att.net

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Testimony for JUD 3/21/2012 2:15:00 PM SB2250

Conference room: 325  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Jory Watland  
Organization: Individual  
E-mail: jorywatland@att.net  
Submitted on: 3/20/2012

**Comments:**

Chair Keith-Agaran and members of the committee:

I urge your support for SB 2250. Treating incarcerated individuals as people of worth is an essential value of a humane society. Hawaii values require us to respect each person.

Pastor Jory Watland