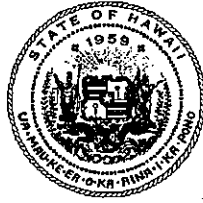


NEIL ABERCROMBIE
GOVERNOR



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 SB 2250 SD1
RELATING TO PAROLE**

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

House Committee on Labor and Public Employment
Representative Karl Rhoads, Chair
Representative Kyle T. Yamashita, Vice Chair

Thursday, March 15, 2012, 9:00 a.m.
State Capitol, Conference Room 309

Chairs Aquino and Rhoads, Vice Chairs Cullen and Yamashita, and Members
of the Committee:

The Department of Public Safety (PSD) would like to express our appreciation
for 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.

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 SENATE BILL 2250, SD1
RELATING TO PAROLE

BY

HAWAII PAROLING AUTHORITY
Bert Y. Matsuoka, Chairman

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

Thursday, March 15, 2012; 9:00a.m.
State Capitol, Conference Room 309

Chair Aquino, Vice Chair Cullen, 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 the court that sentences offenders to perform community service and determines the amount of hours required of the offenders. Further, it is the Juvenile and Adult Community Services Restitution Unit (JACSRU) of the Judiciary that determines the types of community service that is appropriate for the offender. Also, the JACSRU has the staff, procedures, and system in place to maintain records and files on the community service hours performed by offenders.

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. In addition, the HPA already uses a continuum of administrative sanctions in working with offenders in lieu of parole revocation, which is reserved for those offenders that do not respond positively to administrative sanctions or other tools designed to assist them.

With respect to the provision of SB 2250, 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. Thank you for this opportunity to provide testimony on this matter.

COMMUNITY ALLIANCE ON PRISONS

76 North King Street, Honolulu, HI 96817

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



COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Rep. Henry Aquino, Chair

Rep. Ty Cullen, Vice Chair

Thursday, March 15, 2012

9:00 a.m.

Room 309

STRONG SUPPORT SB 2250 SD1 - CONTINUUM OF SANCTIONS FOR PAROLEES

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.

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 Revocations¹:

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

¹ 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 15, 2012

To: Rep. Henry Aquino, Chair
Rep. Ty Cullen, Vice Chair and
Members of the Committee on Public Safety & Military Affairs

RE: SB 2250 SD1 Relating to Parole
Hearing: March 15, 2012, 9:00 a.m., Room 309

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.



HAWAII SUBSTANCE ABUSE COALITION

SB 2250 SD2 RELATING TO PAROLE parole to use a continuum of sanctions for parole violations.

- HOUSE COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS: Representative Henry Aquino, Chair; Representative Ty Cullen, Vice Chair
- HOUSE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT: Representative Karl Rhoads, Chair; Representative Kyle Yamashita, Vice Chair
- Thursday, March 15, 2012: 9:00 a.m.
- Conference Room 309

HSAC Supports SB2250:

Good Morning Chair Aquino, Chair Rhoads; Vice Chair Cullen, Vice Chair Rhoads; And Distinguished Committee Members. My name is Alan Johnson, Chair of the Hawaii Substance Abuse Coalition, a hui of about 20 treatment and prevention agencies across the State.

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

HSAC supports best practice research. Extensive research has demonstrated that our prison populations have grown substantially over the 25 years due primarily to mandatory sentencing that removes discretionary decision making from probation/parole who could previously release "reformed" offenders. Moreover, many non-violent drug addicts are better served with less cost when engaged with community treatment professionals. Also parole could remove numerous inefficiencies between agencies. Allowing more discretionary decision making with supervision that also connects with community professionals will reduce costs and improve recidivism.

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

PBMtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 13, 2012 9:19 PM
To: PBMtestimony
Cc: mattrifkin28@gmail.com
Subject: Testimony for SB2250 on 3/15/2012 9:00:00 AM

Testimony for PBM 3/15/2012 9:00:00 AM SB2250

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Matthew Rifkin
Organization: Individual
E-mail: mattrifkin28@gmail.com
Submitted on: 3/13/2012

Comments:

Aloha. I am a resident of Hawaii County.

Sending people back to prison for long periods because of parole violation can be overly harsh. By allowing Hawaii Paroling Authority more options and sanctions should be fairer, and more cost effective.