

# SB 2252

## **RELATING TO CORRECTIONAL FACILITIES**

*Description:*

Requires all correctional facility staff to undergo the same drug screening as visitors to the facility.

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 2252  
RELATING TO CORRECTIONAL FACILITIES**

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

Senate Committee on Public Safety, Government Operations, and Military Affairs  
Senator Will Espero, Chair  
Senator Michelle N. Kidani, Vice Chair

Tuesday, January 31, 2012, 3:15 p.m.  
State Capitol, Conference Room 224

Chair Espero, Vice Chair Kidani, and Members of the Committee:

The Department of Public Safety (PSD) appreciates the intent of Senate Bill (SB) 2252 that amends Section 353H, Hawaii Revised Statutes (HRS), to require all correctional staff to undergo the same drug screenings procedures as visitors, when entering correctional facilities.

PSD agrees there is a need for a proper mechanism to allow the appropriate screening of staff and visitors when entering a correctional facility. PSD continues to strengthen our entry procedures, but recognizes a stark difference between the procedures for staff and visitors. PSD trains and expects our staff to comply with our standards by upholding the law. Staff are aware that any involvement with the illegal possession of a controlled substance and other types of contraband may result in criminal prosecution.

In order to strengthen our entry procedures, PSD proposes the purchase of walk through metal detectors and x-ray machines so all personal bags may be screened. In order to fully execute this proposed procedure at our facilities, PSD will require an additional twenty-one (21) full-time Adult Corrections Officers and the necessary equipment. The cost for the first year of implementation is estimated at \$1,481,482. PSD would require additional funding of \$1,157,000 in the following years for staffing cost and maintenance of the system.

In conclusion, PSD appreciates the intent of SB 2252, and recommends modifications to this measure as stated above to improve safety and security measures at the correctional facilities.

Thank you for the opportunity to testify 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](mailto:kat.caphi@gmail.com)



## COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS & MILITARY AFFAIRS

Senator Will Espero, Chair

Senator Michelle Kidani, Vice Chair

Tuesday, January 31, 2012

3:15 p.m.

Room 224

## COMMENT on SB 2252 - DRUG TESTING OF CORRECTIONAL FACILITY STAFF

Aloha Chairs Espero and Hee, Vice Chairs Kidani and Shimabukuro, and Members of the Committees!

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 2252 requires all correctional facility staff to undergo the same drug screening as visitors to the facility.

While we understand the intent of this measure, Community Alliance on Prisons believes this to be a collective bargaining issue.

Mahalo for the opportunity to comment.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, January 30, 2012 8:02 AM  
**To:** PGM Testimony  
**Cc:** [REDACTED]  
**Subject:** Testimony for SB2252 on 1/31/2012 3:15:00 PM

Testimony for PGM 1/31/2012 3:15:00 PM SB2252

Conference room: 224  
Testifier position: Support  
Testifier will be present: No  
Submitted by: elaine funakoshi  
Organization: Individual  
E-mail: [REDACTED]  
Submitted on: 1/30/2012

Comments:

Chair Espero and Vice Chair Kidani and members:

I'm sorry - don't know how to upload testimony.

I support this measure because it will confirm that everyone in the facility is drug free.

Thank you for the opportunity to submit this testimony.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, January 30, 2012 12:16 PM  
**To:** PGM Testimony  
**Cc:** [REDACTED]  
**Subject:** Testimony for SB2252 on 1/31/2012 3:15:00 PM

Testimony for PGM 1/31/2012 3:15:00 PM SB2252

Conference room: 224  
Testifier position: Support  
Testifier will be present: Yes  
Submitted by: Tony Simoneau  
Organization: Individual  
E-mail: [REDACTED]  
Submitted on: 1/30/2012

**Comments:**

I appreciate your time in my being heard on what I believe to be a very important topic in which you are unaware. This piece of legislation is on the market and has my support with the exception of one piece of language. Just screening for drags does not solve the problem, however screening for all contraband as its recognized in the policies and procedures manual at PSD correctional facilities would. Correcting a systemic problem taking place at Hawaii Correctional Facilities. Embarrassingly, having been a detainee at the OCCC facility as a first time offender I have personal knowledge and have witnessed very disturbing things that this legislation touches upon. I am a bit perplexed that there are not mechanisms already in place for all correctional personnel to be screened mechanically and physically. Visitors are! They are screened for all facility recognize contraband. I can personally testify to witnessing contraband items in an inmates possession ranging from candy, tobacco, marijuana, cell phones, and even meth. More troubling, is personally witnessing the transfer taking place of such items on separate occasions. How did such contraband find its way into a secure state correctional institution and into an inmates possession? Regretably, I'm here to testify that it was distributed to inmates by corrections officers in recreational yards and in module housing units for financial gains. Let me be clear, these occasions were few, but few is to many. Not all guards partake in these endeavors. In fact, most officers aspire to facility and inmate safety. However, for the few that do practice thid etiology, they are undermining the facilities integrity and preying on societies most codependent individuals. Significant taxpayer funds were ask for by and appropriated to PSD Corrections for modernizing scanning equipment. But these are only being implemented on visitors, during visitation days, or not at all. Correctional Facility Employees do not currently fall under the same scrutiny when entering the Correctional Facility. They are allowed free access. Thus, I am reporting to this committee I know first hand hawaii correctional facility OCCC is not contraband free. I further give testimony that while having to go to OCCC on a weekly basis for the better part of a month, not once did I witness a corrections employee being screened, lunch box or bag checked. Instead they were waved into the facility with impunity. My bag was searched, pockets emptied on each occasion, and only then was I allowed access. It's a systemic double standard! Having witnessed what I have, I overwhelming support this bill if language is changed to reflect a true form needed. I feel all in corrections should aspire to a higher standard or least to the same standard as visitors entering into a correctional facility. All forms of contraband that is recognized by the facilities policies and procedures should be screened for upon trying to gain access to a state correctional facility by all persons. Just screening for drugs leaves a major loophole for individuals to circumvent the system. This will insure Hawaii's correctional institutions are in compliance with present PSD correctional policies and procedures when it comes to the definition of contraband, making it safe and secure for all within the confines.