



Committee: Committee on Judiciary and Labor  
Hearing Date/Time: Tuesday, February 14, 2012, 9:30 a.m.  
Place: Conference Room 016  
Re: Testimony of the ACLU of Hawaii in Support of S.B. 2777, SD1, Relating to Crime

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

The ACLU of Hawaii generally supports S.B. 2777, S.D.1 and the other proposals submitted as part of the Justice Reinvestment Initiative. The ACLU of Hawaii supports 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.

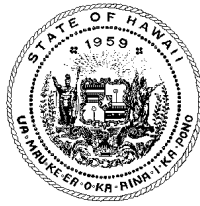
Thank you for this opportunity to testify.

Sincerely,

Laurie A. Temple  
Staff Attorney  
ACLU of Hawaii

American Civil Liberties Union of Hawaii  
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NEIL ABERCROMBIE  
GOVERNOR



STATE OF HAWAII  
**CRIME VICTIM COMPENSATION  
COMMISSION**

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**MARI McCAIG**  
Chair

**L. DEW KANESHIRO**  
Commissioner

**THOMAS T. WATTS**  
Commissioner

**PAMELA FERGUSON-BREY**  
Executive Director

TESTIMONY ON SENATE BILL 2777, SD1  
RELATING TO CRIME

by

Pamela Ferguson-Brey, Executive Director  
Crime Victim Compensation Commission

Senate Committee on Judiciary and Labor  
Senator Clayton Hee, Chair  
Senator Maile S.L. Shimabukuro

Tuesday, February 14, 2012; 9:30 AM  
State Capitol, Conference Room 016

Good morning Chair Hee, Vice Chair Shimabukuro, and Members of the Senate Committee on Judiciary and Labor. Thank you for providing the Crime Victim Compensation Commission (the "Commission") with the opportunity to testify in support of Senate Bill 2777, SD1 with the amendments adopted in House Bill 2515, HD1. Senate Bill 2777, SD1 provides judges with discretion to order probation for second time felony drug offenders, reduces certain Class B and C felony probation terms to three years, creates incentive time credits to reduce probation if the offender meets certain criteria – not including the full payment of restitution, and increases the threshold for Class C theft offenses from \$300 to \$750.

The Commission was established in 1967 to mitigate the suffering and financial impact experienced by victims of violent crime by providing compensation to pay un-reimbursed crime-related expenses. Many victims of violent crime could not afford to pay their medical bills, receive needed mental health or rehabilitative services, or bury a loved one if compensation were not available from the Commission.

Senate Bill 2776 and Senate Bill 2777, and a number of reinvestment funding recommendations, including \$2,000,000 for victim services, are a set of policy options developed by the Justice Reinvestment Working Group (JRI) with intensive technical assistance from the Council of State Governments Justice Center, in partnership with the Pew Center on the States. The purpose of the JRI Working Group is to improve and reform criminal justice and corrections practices in Hawai`i through the development of a comprehensive data-driven plan that would allow for the return of mainland prisoners to Hawai`i, and to redirect the cost savings to programs that hold offenders accountable, reduce recidivism, and ensure victim and public safety. JRI policy options and funding recommendations seek to assure that interventions, treatment programs, and intensive supervision are focused on individuals at the greatest risk to commit more crimes after release.

The JRI legislative package includes significant funding for a victim services component. Under this proposal, JRI Hawai`i will make Hawai`i the only state where funds are reinvested in victim services. JRI recommendations include funding for 13 new victim assistance staff in the several county prosecutors' offices, funding to continue the Statewide Automated Victim Notification Program (the "SAVIN Program"), funding to establish a Victim Services Unit in PSD, and funding for a restitution accountability program in the Commission.

The JRI reinvestment in victim services will improve restitution collections and ensure that victims receive advance notification through an automated system informing them of an offender's parole hearing and release dates. This advance notification will enable victims to exercise their right to be heard at the parole hearing. A victim services unit will also be created in PSD to staff the victim notification program, which will assist in addressing restitution shortfalls in PSD, coordinate with community victim service providers and victims to develop safety plans, and protect victims from intimidation by incarcerated offenders. Victim advocates will also be enabled to monitor and collect data on decisions made by the courts, probation, corrections, and parole.

JRI Hawai`i is the only JRI initiative that includes reinvestment funds for victim services. The JRI victim service component will ensure that victim needs, community safety, and offender accountability are in the forefront of JRI implementation, and will work hand-in-hand with other JRI initiatives to increase public safety.

The Commission serves as a member of the JRI Working Group. Part of the Commission's role as a member of the JRI Working Group has been to engage crime victims, survivors, and victim service

providers and advocates in identifying key issues and concerns specific to the JRI initiative. A victim/survivor/advocate roundtable briefing and discussion was conducted in September 2011 by Anne Seymour, a consultant with the Pew Center and the Council of State Governments, and Robert Coombs from the Justice Reinvestment Team. A summary of the key priorities identified by the roundtable were presented at the September 2011 JRI Working Group meeting. The established key priorities are: 1) restitution collections shortfalls; 2) the sustainability of the SAVIN Program, which provides victim notification of changes in offender custody status and parole hearing notice; 3) the need to prioritize supervision and treatment based on offender risk and danger level; and 4) the need for information sharing with the victim services community.

### **Restitution Collection Shortfalls**

Restitution collection shortfalls have been a significant issue for crime victims in Hawai`i. Failure of the criminal justice system to collect and pay restitution leaves many crime victims without the ability to recover from the financial impacts they suffered as the result of the crime. All agencies involved in the enforcement of restitution collection must consistently provide the coordinated leadership and uniform commitment necessary to transform the Hawai`i criminal justice system so that the system successfully works for victims.

The Commission has conducted a pilot project to collect restitution from inmates and parolees (the "Restitution Project") since 2003. Since the Restitution Project was initiated, the Commission has opened over 3,200 restitution and compensation fee cases and collected over \$1,500,000. A collateral benefit of the Restitution Project was the identification by the Commission of a number of concerns impacting the procedures for the assessment and collection of restitution. When the Commission first began the Restitution Project, correctional facilities and parole officers were unable to accurately track an inmate's restitution payments making it difficult to enforce restitution orders. The county prosecutors and victim witness advocate programs did not have standardized restitution procedures, restitution was not being requested in all eligible cases and, when restitution was ordered, victim-identifying information was not always preserved, preventing the successful assessment and collection of restitution.

While many of these issues were successfully addressed, through a recent survey of restitution collection from inmates by PSD the Commission has now identified two additional areas of concern:

1. Restitution payments from inmate workline wage deductions are not being forwarded to the Commission by the correctional facilities for payment to victims on a timely basis;

2. Court-ordered restitution is not being deducted from inmate wages in all cases, as required by statute, because restitution accounts are not being opened by the correctional facilities for all inmates who have been ordered by the Court to pay restitution.

The Commission surveyed 224 inmate restitution cases to determine whether the correctional facilities were enforcing restitution orders as required by Hawai`i Revised Statutes (HRS).<sup>1</sup> HRS §353-22.6 provides that the PSD Director enforce restitution orders through a ten percent (10%) deduction from workline wages. Of the 224 restitution cases, 179 inmates with restitution orders worked, but there were no deductions from those inmates' workline wages for restitution and, in 65 of those cases, more than one correctional facility failed to identify that the inmate had been ordered to pay restitution. More than seven thousand dollars (\$7,000.00) in workline wage deductions were not collected because the correctional facilities failed to identify that the inmate owed restitution.

While there has been progress in addressing some of the issues that obstruct the ability of Hawai`i crime victims to recover their crime-related losses from court-ordered restitution, significant institutional barriers remain. Some of the barriers were highlighted in a recent series of articles published in the *Honolulu Star-Advertiser*. These barriers include, for offenders on probation, or otherwise supervised by the Judiciary, an inability to track how many offenders owe restitution, what they owe, and how much they have paid, and the Court's failure to enforce its own restitution orders. In response to these articles the Judiciary formed a Restitution Working Group to address these issues.

In a response to the editor, Rodney A. Maile, Administrative Director of the Courts, wrote, "...offenders' failure to fully pay court-ordered restitution is a difficult, complex and long-standing problem, but one that absolutely has to be addressed because of the hurtful impact it has on victims and because non-compliance with court orders undermines public trust and confidence in the justice system."

The JRI initiative addresses some of these longstanding issues by providing funding for a restitution accountability program that tracks and reports restitution payments from PSD, parole, and the

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<sup>1</sup> The survey was not a random survey. Cases surveyed included, but are not limited to: 1) cases where Commission received a judgment ordering an offender to pay restitution, but no payment was ever received; 2) cases where restitution was previously paid, but there was a lack of payment activity for more than a year; and 3) recently opened cases with payments from the mainland branch or the paroling authority (cases where the paroling authority began collecting restitution, and restitution was not collected by the correctional facilities). Some offenders in the survey were already off status.

Judiciary<sup>2</sup> (in cases where restitution is ordered to repay the Commission). A second phase of JRI should include an initiative to address the issues identified by this part of the Restitution Project.

In addition, JRI initiative funding for victim advocates in the county prosecutors' offices ensures that victims are aware of their right to receive restitution and that restitution becomes a top priority. Additionally, increasing the amount of restitution payable by inmates from 10% of inmate wages, to 25% of all funds deposited into an inmate's account will ensure that offenders make prompt and meaningful restitution payments to crime victims.

### **Continuing the Statewide Automated Victim Notification System**

PSD currently houses the SAVIN Program that provides automated notification to crime victims by phone or victim notification of changes in offender custody status. Federal funding for SAVIN will expire in 2012. The JRI budget proposal increases community and victim safety by providing funding to continue the SAVIN Program's important function of providing information to crime victims and others about inmate custody status changes, such as the release date of offenders, if the offender has escaped, and the date of upcoming parole hearings. This information gives victims peace of mind and enables them to do safety planning. Advance notification to victims about upcoming parole hearings enables victims to exercise their right, under HRS, Section 801D, to speak at the hearing, and ensures that the paroling authority's decisions are informed by the concerns of crime victims.

### **Prioritize supervision and treatment by offender risk and danger level**

The JRI funding proposal includes funding for additional county-based victim advocates to ensure that victim and witness safety assessments are integrated into all offender custody decisions by providing timely victim and community safety information to prosecutors, Intake Services, Parole, and other related personnel in PSD. These additional staff are essential in order to ensure that the pretrial risk assessments are informed by victim input and community safety concerns.

Concerns surrounding supervision decisions and offender risk are addressed by requiring the parole board to use a validated risk assessment instrument to determine the offender's risk for reoffense and suitability for community supervision when making a parole decisions.

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<sup>2</sup> Restitution ordered pursuant to Section 706-646(2), Hawai'i Revised Statutes, which provides, in part, that "the court shall order restitution to be paid to the crime victim compensation commission in the event that the victim has been given an award for compensation under chapter 351."

Further, the new PSD Victim Service Unit will coordinate with victim services providers to ensure that victims receive timely notification of offender custody status, educate offenders about the impact of crime on victims, provide safety planning for victims where the offender is going to be released, and ensure that victims are protected from harassment by incarcerated offenders. Hawai`i is currently the only state without a corrections-based victim service program.

**Share information with the victim service community**

JRI funding for victim services will ensure that information about the implementation of the JRI program is shared with the victim community and, to the extent that there are issues that impact victim and community safety, that these issue are handled as a top priority.

**PROPOSED AMENDMENTS**

The Commission proposes that Senate Bill 2777, SD1 be amended to adopt the language in House Bill 2515, HD1. House Bill 2515, HD1 eliminates the incentive time credit provision, and excludes additional crime categories from the provision reducing probation terms for certain class B and class C felonies. Additional crime categories excluded from the provision reducing probation include: negligent homicide; felony domestic abuse; and certain human trafficking related offenses.

Thank you for providing the Commission with the opportunity to testify in support of Senate Bill 2777, SD1 with proposed amendments.

## FY2013-15 Implementation of Justice Reinvestment Initiative

	FY2013		FY2014		FY2015	
	July-Dec	Jan-June	July-Dec	Jan-June	July-Dec	Jan-June
<b>REINVESTMENT*</b>						
<b>Total</b>		<b>\$6,049,036</b>		<b>\$6,402,056</b>		<b>\$6,402,056</b>
Pre-Trial Assessments (PSD 410- ISC)		\$336,560		\$305,000		\$305,000
PSD Risk Assessment (PSD 900)		\$415,080		\$373,000		\$373,000
PSD Reentry Office & Program Training & Oversight (PSD 900)		\$405,820		\$369,000		\$369,000
PSD Community-Based Programs for Pre-Trial & Parolees		\$1,000,000		\$2,000,000		\$2,000,000
HPA Parole Board Members (PSD 611- HPA/D)		\$134,393		\$123,873		\$123,873
HPA Parole Officers (PSD 612- HPA/SC)		\$616,804		\$558,944		\$558,944
PSD Research & Planning (PSD 900)		\$452,080		\$410,000		\$410,000
JUD Probation Drug Treatment/CBT & Staff Training		\$827,060		\$659,980		\$659,980
PSD Victim Notification/Services/Safety Planning (PSD 900)		\$416,540		\$395,500		\$395,500
CVCC Restitution Accountability (PSD 613- CVCC)		\$629,700		\$465,400		\$465,400
Oahu Victim Assistance		\$365,250		\$333,690		\$333,690
Hawaii Victim Assistance		\$316,177		\$284,617		\$284,617
Maui Victim Assistance		\$133,572		\$123,052		\$123,052

### BED SAVINGS W/ REINVESTMENT/ADMINISTRATIVE IMPLEMENTATION

<b>SB2776 &amp; 2777 / HB2514 &amp; 2515</b>	<b>299</b>	<b>522</b>	<b>702</b>	<b>885</b>	<b>1013</b>	<b>1089</b>
<b>Projected Maximum Savings From Reduction in AZ Contract</b>	<b>\$9,828,380</b>		<b>\$19,506,848</b>		<b>\$26,490,403</b>	

### IMPACT ON PAROLE (Assuming Administrative Implementation Beyond Statute)

Estimated increase in parole population	84	244	404	565	673	727
Estimated additional parole officers required	2	5	8	11	13	15

### Breakdown of What Policies Contribute to Additional Parolees (Assumes Impact of Reinvestment)

A. Low-Risk @ Min (1 yr add'l parole LOS)	20	53	87	121	154	188
B. Parole Violator (1 yr add'l parole LOS)	54	162	270	380	435	438
C. High-Risk Mandatory (9 mos avg. parole LOS)	11	29	47	65	83	101

\*See attached reinvestment budget detail.



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\*See attached reinvestment budget detail.



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

February 14, 2012

To: Senator Clayton Hee, Chair  
Senator Maile Shimabukuro, Vice Chair and  
Members of the Committee on Judiciary

From: Jeanne Y. Ohta

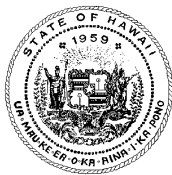
RE: SB 2777 SD1 Relating to Crime  
Hearing: Tuesday, February 14, 2012, 9:30 a.m., Room 016

Position: Strong Support

The Drug Policy Forum of Hawai'i writes in strong support of SB 2777 SD1 Relating to Crime which promulgates law effecting implementation of criminal justice system policies and practices that would address inefficiencies in processing pretrial defendants, improve the targeting and allocation of resources aimed at reducing recidivism, and strengthening accountability by offenders.

This measure takes a step in the right direction in improving how we address drug addiction in our criminal justice system; that addiction is a public health issue and that relapse is part of recovery. This measure includes second-time drug offenders as well as first-time drug offenders in the statute. That is a major policy step recommended by the Justice Reinvestment Initiative and supported by the data gathered by the researchers.

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



EXECUTIVE CHAMBERS

HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

Testimony SB 2777 SD1  
Relating to Crime

Governor Neil Abercrombie

SENATE COMMITTEE ON JUDICIARY AND LABOR  
Senator Clayton Hee, Chair  
Senator Maile Shimabukuro, Vice Chair

February 14, 2012  
9:30 am, Room 016

Chair Hee, Vice Chair Shimabukuro and committee members, thank you for hearing SB 2777 SD1 Relating to Crime. I respectfully request your support of this important measure.

I would also like to thank the Legislature for partnering with the administration and the Judiciary in a historic collaboration called the Justice Reinvestment Initiative. As you know, this is one of the priorities of my administration. We want to stop the practice of sending our prisoners out of state because it sends public dollars out of Hawaii instead of creating jobs and community service opportunities here at home.

In the last 8 months, the Justice Reinvestment Working Group has met with the Council on State Governments Justice Center consultants to analyze our criminal justice system and make policy recommendations to realize cost savings and reinvest those savings back into our system to reduce recidivism, decrease the prison population, and strengthen public safety.

I would like to defer to Robert Coombs, Senior Policy Analyst of the Justice Reinvestment Initiative, and Director Jodie Maesaka-Hirata of the Department of Public Safety, who will provide more details about the proposed legislation.

Thank you again for your consideration of this measure.

DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

ALII PLACE  
1060 RICHARDS STREET • HONOLULU, HAWAII 96813  
PHONE: (808) 547-7400 • FAX: (808) 547-7515

KEITH M. KANESHIRO  
PROSECUTING ATTORNEY

ARMINA A. CHING  
FIRST DEPUTY PROSECUTING ATTORNEY



**THE HONORABLE CLAYTON HEE, CHAIR**  
**SENATE COMMITTEE ON JUDICIARY AND LABOR**  
**Twenty-Sixth State Legislature**  
**Regular Session of 2012**  
**State of Hawai`i**

February 14, 2012

RE: S.B. 2777, S.D. 1; RELATING TO CRIME.

Chair Hee and Vice-Chair Shimabukuro, and members of the Senate Committee on Judiciary and Labor, the Department of the Prosecuting Attorney submits the following testimony expressing concerns regarding, and suggesting amendments to, S.B. 2777, S.D. 1.

While the Department understands the State's desire "to bring out-of-state prisoners back to Hawaii, reduce spending on corrections, and reinvest savings generated in strategies that would reduce recidivism and crime, and increase public safety," there appear to be several sections of this bill that would undercut the goal of ensuring public safety, in the interest of simply saving money or decreasing the prison populations.

In Section 3 (page 6, lines 19-21), we suggest adding the following class B or C felonies to those offenses slated for five-year probation, where probation is imposed:

- section 707-702.5, relating to negligent homicide in the first degree;
- section 707-731, relating to sexual assault in the second degree;
- section 707-732, relating to sexual assault in the third degree;
- section 707-751, relating to promoting child abuse in the second degree;
- section 707-752, relating to promoting child abuse in the third degree;
- section 707-757, relating to electronic enticement of a child in the second degree;
- section 707-782, relating to labor trafficking;
- section 709-903.6, relating to endangering the welfare of a child in the first degree;
- section 709-906, relating to abuse of family or household members;
- section 711-1106.4, relating to aggravated harassment by stalking;

- section 711-1110.9, relating to violation of privacy in the first degree;
- section 712-1203, relating to promoting prostitution in the second degree; and
- section 712-1208, promoting travel for prostitution

This is particularly important, given that many class B and C felony convictions are the result of plea agreements for crimes originally charged as class A felonies. The court would still retain discretion to impose a shorter period of probation if warranted, and all other class B or C felony convictions would be slated for three years probation.

To better protect the interests of crime victims, we also suggest that page 7, lines 8-12, be amended to prevent probation from being shortened further where a defendant has not fully paid his or her restitution, by stating:

The court, on application of a probation officer, on application of the defendant, or on its own motion may discharge the defendant at any time, provided that the defendant has fully satisfied any restitution ordered at sentencing.

While defendants should not be punished for being unable to pay restitution, neither should they be rewarded with shorter probation if they have not satisfied their restitution order, which is an important part of their sentence. The payment of restitution is integral to the rehabilitation of defendants as well as the victims of crime.

With regards to the "incentive time credit" proposed in Section 3 (page 8, lines 3-17), the Department feels this is inappropriate and unnecessary, as courts already have the ability to reduce--and do reduce--probation terms, upon review of a probationer's meritorious progress. To eliminate supervision of a large number of probationers, without any court review, would be contrary to the interests of public safety. For example, we note that this measure would reduce probation for habitual drunk drivers convicted of negligent homicide, kidnappers (class B offenders), and felony domestic violence offenders.

Finally, Section 6 of this bill (page 9, line 2) seeks to increase the threshold for class C felony theft from \$300 to \$750. While we understand the desire to adjust this amount for inflation, the proposed increase seems unduly high, as it more than doubles the current threshold. We would suggest a more tempered increase, to avoid tremendous strain on local small business owners, who already struggle with losses due to shoplifting. Retailers may be particularly distressed by repeat or 'professional' offenders who would undoubtedly adjust their methods to account for the drastic increase in dollar amount.

Although the Department supports the goals of increasing public safety and increasing the efficiency and effectiveness of our criminal justice system, the proposals raised by S.B. 2777, S.D. 1 require further revisions before they can purport to achieve those goals. For these reasons, the Department of the Prosecuting Attorney continues to have concerns about, and suggests amendments to, S.B. 2777, S.D. 1. Thank you for this opportunity to testify on this bill.

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:** [joy.m.windham@hawaii.gov](mailto:joy.m.windham@hawaii.gov)  
**Subject:** Testimony for SB2777 on 2/14/2012 9:30:00 AM  
**Date:** Monday, February 13, 2012 9:54:47 AM  
**Attachments:** [JRI BUDGET.xls](#)

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Testimony for JDL 2/14/2012 9:30:00 AM SB2777

Conference room: 016  
Testifier position: Support  
Testifier will be present: Yes  
Submitted by: Joy Windham  
Organization: Department of Public Safety  
E-mail: [joy.m.windham@hawaii.gov](mailto:joy.m.windham@hawaii.gov)  
Submitted on: 2/13/2012

Comments:

This should be attached to the testimony that was previously submitted by PSD for SB2777 this morning.

Thanks,  
jw

If you have any questions, please contact me @ 587-3479.

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:** [maukalani78@hotmail.com](mailto:maukalani78@hotmail.com)  
**Subject:** Testimony for SB2777 on 2/14/2012 9:30:00 AM  
**Date:** Monday, February 13, 2012 1:42:14 PM

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Testimony for JDL 2/14/2012 9:30:00 AM SB2777

Conference room: 016  
Testifier position: Support  
Testifier will be present: No  
Submitted by: elaine funakoshi  
Organization: Individual  
E-mail: [maukalani78@hotmail.com](mailto:maukalani78@hotmail.com)  
Submitted on: 2/13/2012

Comments:

Chair Hee, Vice Chair Shimabukuro, and Committee Members:

I support SB2777 for the following reasons:

- . Enhances Victim Services, Notification & Restitution Collection
- Increases Prison, Reentry and Community Based Treatment Programs
- Reforms Probation and Parole Supervision
- Urges more Research and Planning]

Overall, it makes our justice system more efficient and provides the help and support individuals need.

There are sections of the bill I don't agree with but overall, I support it.

Thank you for your consideration of my input.



**SB2777 SD1**  
**RELATING TO CRIME**  
SENATE COMMITTEE ON JUDICIARY AND LABOR

February 14, 2012

9:30 a.m.

Room 016

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The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB2777 SD1. This bill would implement the changes suggested by the Justice Reinvestment Initiative.

OHA's 2010 report, "The Disparate Treatment of Native Hawaiians in the Criminal Justice System," and the recently completed study by the Justice Reinvestment Initiative indicate that there is a clear need for smart justice solutions, such as those that are part of this bill. These changes bring the criminal justice system current with the realities of law enforcement and low level drug offenses and related crimes.

OHA urges the committee to PASS SB2777 SD1. Mahalo for the opportunity to testify on this important measure.



National Association of Reformed Criminals  
Andy Botts & Franklin Jackson  
1765 Ala Moana Blvd. #1388  
Honolulu, Hawaii, 96815  
February 14, 2012

**COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS**

Senator Clayton Hee, Chair

Senator Maile S.L. Shimabukuro, Vice Chair

Tuesday February 14, 2012

9:30 AM

Room 016

**SB 2777 SD1- RELATING TO CRIME**

**SUPPORT**

NARC strongly supports all aspects of this bill. The 'get tough' on crime and drug offenders over the past few decades has compounded the problem, and filled prisons across the nation to the highest level in history. A 2nd chance of probation for a drug offender is not a slap on the wrist. Probation, whether it's 3 or 5 years, is followed by up to a year in jail, prior to entering a drug rehabilitation program. This is not a chance, it's an opportunity. Should the offender fail, they return to court to face the maximum sentence.

Mahalo,

A handwritten signature in black ink, appearing to read 'Andy Botts', with a long horizontal flourish extending to the right.

Andy Botts