



SB3016 SD1
RELATING TO PUBLIC SAFETY
Senate Committee on Ways and Means

February 28, 2012

9:00 a.m.

Room 211

The Office of Hawaiian Affairs (OHA) offers the following comments on SB3016 SD1, which urges the Department of Public Safety to report on the possibility of using the former Kulani prison facility as a pu`uhonua or wellness center.

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 that include rehabilitation.

The closing of Kulani was a shock to the justice community. It was done on short notice, and it shut down one of the few effective sex offender treatment programs in the state. The closing of the facility needs to be explained in a public forum before further resources can be committed to this facility. Otherwise, the community will not be able to trust that this new center will be a reliable neighbor.

Section 2 of the bill indicates that Kulani is to be given "preference" as the site for the pu`uhonua. As written, the bill offers no factors or reasons that will be used to determine why Kulani should be chosen over other sites and how the "preference" will be qualified. OHA suggests using language such as "Kulani will be given preference as the site for the pu`uhonua, unless another site will provide greater possibility of success and the report explains why this decision was made."

Section 3(a) indicates that those inmates to be selected for the work program will "pose no threat to public safety..." Rather than dealing in absolutes, OHA suggests using a term like "low risk," or a similar term that the department of public safety uses for their off-site programs.

Mahalo for the opportunity to testify on this important measure.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: ja@malu-aina.org
Subject: Testimony for SB3016 on 2/28/2012 9:00:00 AM
Date: Saturday, February 25, 2012 10:42:24 PM

Testimony for WAM 2/28/2012 9:00:00 AM SB3016

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Jim Albertini
Organization: Malu 'Aina
E-mail: ja@malu-aina.org
Submitted on: 2/25/2012

Comments:

Aloha kakou Senators,

I urge you to support this import bill (SB 3016 SD1) for Pu'uhonua as an alternative to prison. The ancient wisdom of the Kanaka Maoli tradition of healing individuals, families and the community through ho'oponopono at places called Pu'uhonua needs to be put into modern practice. I have been working in support of the vision of Ohana Ho'opakele, Uncle Sam Kaleleiki and other kupuna for more than 10 years to help make this vision a reality for all of Hawaii's people. Pu'uhonua offers real hope in saving money, reducing recidivism, crime prevention and long-term positive change in people's lives. Please support this bill. Mahalo.

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON WAYS AND MEANS

Sen. David Ige, Chair

Sen. Michelle Kidani, Vice Chair

Tuesday, February 28, 2012

9:00 a.m.

Room 211

STRONG SUPPORT FOR SB 3016 SD1 - ESTABLISHING PU`UHONUA/WELLNESS CENTER

Aloha Chair Ige, Vice Chair Kidani 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 3016 SD1 requires the Department of Public Safety to plan for a model wellness center that employs native Hawaiian cultural practices on state land and to submit a report to the legislature prior to the 2013 legislative session. Creates a work release pilot program on the Big Island to allow certain incarcerated individuals on the Big Island to work on community projects on the Big Island that benefit the local community and the State. Repeals pilot program on 6/30/15.

Community Alliance on Prisons is in strong support of this bill. The majority of our incarcerated population is Native Hawaiian and establishing a Pu`uhonua/wellness center acknowledges that using traditional practices is a way that will resonate with and restore an individual.

Healing an individual is more effective than punishment and many misinterpret healing as not holding the individual accountable. This is not true. Ho`oponopono (to make right) is based on accepting responsibility and helping to rebuild and restore relationships. Using practices that connect individuals to the `aina, their `ohana, and the larger community is vital to what this session of the legislature strives for...strengthening families and reducing recidivism.

`Ohana Ho`opakele, led by Kupuna Sam Kaleleiki as well as other kupauna and other concerned community members has been working on developing Pu`uhonua/wellness centers for more than a decade. We applaud their perseverance and their commitment to heal the people and the land. Uncle Joe Tassel has also been a huge proponent for healing our people.

We are pleased to see this bill moving and we urge you, as policymakers, to encourage the department to work on real alternatives to incarceration and reentry that have been used and proven. Our host culture holds many answers to healing our community and it is about time we listen to their wisdom!

This bill is being watched by the world as the cites below indicate (and this is not all of them!).

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<http://www.huffingtonpost.com/huff-wires/20120215/hi-xgr-hawaiian-wellness/>

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We urge the committee to pass this important bill. We need to find alternative means to reintegrate our people who have lost their way. Establishing pu`uhonua is a wonderful way to rebuild our `ohana and communities.

Mahalo for this opportunity to share our thoughts on this important measure.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: ohanahoopakele@gmail.com
Subject: Testimony for SB3016 on 2/28/2012 9:00:00 AM
Date: Saturday, February 25, 2012 10:45:57 PM
Attachments: [Sam"s testimony on SB 3016 SD1.doc](#)

Testimony for WAM 2/28/2012 9:00:00 AM SB3016

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Samuel Kaleleiki, Jr.
Organization: Ohana Ho`opakele
E-mail: ohanahoopakele@gmail.com
Submitted on: 2/25/2012

Comments:
Mahalo for the opportunity to submit testimony!

COMMITTEE ON WAYS AND MEANS

Senator David Ige, Chair

Senator Michelle Kidani, Vice Chair

Tuesday, February 28, 2012; 9:00 AM; Room 211, State Capitol

SUPPORT SB 3016, SD1

RELATING TO PUBLIC SAFETY

Requires the Department of Public Safety to plan for a model wellness center that employs native Hawaiian cultural practices on state land and to submit a report to the legislature prior to the 2013 legislative session. Creates a work release pilot program on the Big Island to allow certain incarcerated individuals on the Big Island to work on community projects on the Big Island that benefit the local community and the State. Repeals pilot program on 6/30/15. (SD1)

Aloha Senators! My name is Samuel Kaleleiki, Jr., President of Ohana Hoopakele, an organization dedicated to rescuing our *pa`ahao* or incarcerated brothers and sisters in prison. Our vision is to build a *Pu`uhonua* or a Wellness Center that heals rather than punishes. We have been sending spiritual advisors to lead our *pa`ahao* in the Makahiki ceremonies in the past at Diamondback prison in Watonga, Oklahoma and three weeks ago, at Saguaro prison in Eloy, Arizona and at FCI Safford in Safford, Arizona.

We first want to commend Senator Brickwood Galuteria for introducing this bill to this session of the State legislature. Our members began by opposing the building of new prisons on Hawai`i Island because it was incarcerating mainly Kanaka Maoli. However, we realized that we couldn't just be opposed to something but had to find the solutions. After research on what would heal our Kanaka Maoli, we realized that the solution lay in what the Kanaka Maoli did a long time ago. The model for healing was the *Pu`uhonua* or wellness center where *ho`oponopono* and *aloha aina* were the principal values. Our research led to some funding from the Office of Hawaiian Affairs which has resulted in a Feasibility Study of a *Pu`uhonua* written by consultant Ms. Chelle Shand Pahinui. We also completed with the help of funding from the Office of Hawaiian Affairs, a complete needs assessment complete with a survey conducted among our *pa`ahao*, ex-*pa`ahao*, families of *pa`ahao*, cultural practitioners and the general public. It is time to test this model. It cannot be done without the support of the Department of Public Safety of the State of Hawaii. Even within the State of Hawaii Public Prosecutors office, there has been a long-time task force on restorative justice. A prison system built upon the philosophy of punishment is NOT a long-term solution.

The premises at Kulani Correctional Facility are almost perfect for a *Pu`uhonua* or a wellness center. There is adequate land there for a model *Pu`uhonua* even while continuing a correctional facility. The infrastructure is more than adequate. The staff has been involved in healing for many years. Notable among this was the program initiated by Warden Peter McDonald modeled after the Life Stand program of Neal Wagatsuma at the Kauai Correctional Center. ACOs like Mr. Ikaika Dombriguez were trained by Kupuna Sam Lono in the cultural and spiritual

practices of the ancient Kanaka Maoli traditions.

If the Kulani site is not available, Field 33 located just above the Hilo zoo on Stainback Highway and under the jurisdiction of the Department of Public Safety would also offer another ideal location. It is almost 500 acres and is not in use at present. A work release program can begin clearing the area immediately.

Our organization has been developing the curriculum for the Pu`uhonua by sending spiritual leaders to lead our pa`ahao in the opening and closing Makahiki ceremonies every year since 2004 at Diamondback Correctional Facility in Watonga, OK and continuing to the present when the men were transferred to Saguaro Correctional Facility in Eloy, AZ. Three weeks ago, Mr. Kini Kaleilani Burke helped lead a Makahiki Closing Ceremony at both Saguaro Correctional Facility at Eloy, AZ and for the first time at FCI Safford at Safford, AZ.

If you would take the time to visit our website at www.ohanahoopakele.org, you will see a Kahea (Call) to Support Pu`uhonua as an Alternative to Prison. The Kahea reads, "We support the mission of `Ohana Ho`opakele (To Rescue the Family) in establishing Pu`uhonua (Decentralized Wellness Centers – residential and non-residential) on all islands as an alternative to building more prisons. Pu`uhonua are places open to all, not just Kanaka Maoli, where the traditional ho`oponopono process of making right will be used to help heal individuals, families, and communities. We believe Pu`uhonua centers are for the good of all Hawai`i's people and can provide real hope in saving money, reducing recidivism, crime prevention, and long-term positive change." There are presently 535 people who have signed on to this Kahea. They include Kanaka Maoli leaders, cultural practitioners, university professors, social workers, religious leaders, lawyers, one county councilman and even two pa`ahao leaders in Saguaro Correctional Facility.

With the assistance of Kumu Richard and Lynette Paglinawan Ohana Ho`opakele has continued to conduct ho`oponopono training sessions and have recently met with leadership at Hale Nani Correctional Facility in East Hawai`i to begin the process of conducting ho`oponopono sessions with pa`ahao and family members on a voluntary basis even before their release from incarceration. This is a specific step in working together with the Department of Public Safety to work toward wellness employing Kanaka Maoli cultural practices.

Our Governor has promised to bring back the 1,700 or so pa`ahao from Arizona. This is an opportune time to plan for a model Pu`uhonua that employs Kanaka Maoli cultural practices.

Thank you for this opportunity to testify on behalf of our members of Ohana Hoopakele and on behalf of our *pa`ahao* who have been and are presently incarcerated both here in Hawaii and in Arizona. You can contact me by my cell at 808-937-7193. I would be glad to fly over to Honolulu to meet the members of your committees to answer questions. Mahalo!

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: evernw@aol.com
Subject: Testimony for SB3016 on 2/28/2012 9:00:00 AM
Date: Monday, February 27, 2012 2:20:13 AM

Testimony for WAM 2/28/2012 9:00:00 AM SB3016

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Evern Williams
Organization: Individual
E-mail: evernw@aol.com
Submitted on: 2/27/2012

Comments:

I support this bill because it will promote the healing necessary toward keeping Hawaiians out of prison. It offers a solution that will cost less money to the state in the long run.

We keep throwing money to add prisons with no success. We need to invest in a cultural system that has proven to be successful and that will reduce our prison population. Please support this much needed legislation.