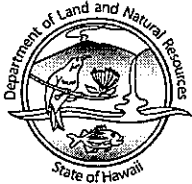


SB 3016

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAIHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the Senate Committees on
HAWAIIAN AFFAIRS
&
WATER, LAND, AND HOUSING
&
PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS**

**Friday, February 10, 2012
2:45 PM
State Capitol, Conference Room 224**

**In consideration of
SENATE BILL 3016
RELATING TO PUBLIC SAFETY**

Senate Bill 3016 requires the Department of Public Safety (PSD) to plan for a model wellness center that employs native Hawaiian cultural practices on State lands, giving preference to the site formerly used as the Kulani Correctional Facility. The Department of Land and Natural Resources (Department) offers comments on the proposal and defers to PSD on the feasibility and details of plans for such a model wellness center.

1. The Department notes that the former Kulani Correctional Facility is surrounded by lands currently in the Natural Areas Reserve System (NARS) and other forestry lands.
2. Approximately 279.76 acres, constituting the footprint of the former Kulani Correctional Facility, is currently being used by the Department of Defense, under a revocable permit, for the Hawaii Youth Challenge Academy (HYCA).
3. The Department enjoys an ongoing and productive association with HYCA and is working together to develop a natural resource management curriculum that may be incorporated into their program.
4. If HYCA elects to relocate their campus to another location, the Department prefers to develop the facilities at Kulani, including the existing structures of the former correctional facility, into a world class environmental, educational, and outdoor recreation center with guest accommodations for overnight or longer stays.

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

TESTIMONY ON SENATE BILL 3016
RELATING TO PUBLIC SAFETY

by

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

Senate Committee on Hawaiian Affairs
Senator Brickwood Galuteria, Chair
Senator Pohai Ryan, Vice Chair

Senate Committee on Water, Land, and Housing
Senator Donovan M. Dela Cruz, Chair
Senator Malama Solomon, Vice Chair

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

Friday, February 10, 2012; 2:45 P.M.
State Capitol, Conference Room 224

Chairs Galuteria, Dela Cruz, and Espero, Vice Chairs Ryan, Solomon, and Kidani, and Members of the Committee:

The Department of Public Safety (PSD) appreciates the intent of House Bill 2848 and believe we may have an opportunity to incorporate this program with the Justice Reinvestment Initiatives (JRI). The goal of JRI is to manage and allocate criminal justice populations and spending more cost-effectively, thereby generating cost-savings that can be reinvested through the development of alternative responses to crime without jeopardizing public safety.

The future of Kulani Correctional Facility has yet to be determined. PSD is in the process of developing its strategic plan, which will include the orderly development of statewide correctional facilities. It is through this progress that PSD will develop and

address the programmatic needs for Hawaii's offenders, which may include the Pu'uhonua concept. Programs relating to at-risk youth and families will be considered during program development; however, it is strongly recommended that these types of programs be referred to the subject matter experts in the Departments of Human Services and Health to be addressed, inclusive of early childhood development and substance abuse related programs.

Thank you for the opportunity to present this testimony.



SB3016

RELATING TO PUBLIC SAFETY

Senate Committee on Hawaiian Affairs

Senate Committee on Water, Land, and Housing

Senate Committee on Public Safety, Government Operations, and Military Affairs

February 10, 2012

2:45 p.m.

Room 224

The Office of Hawaiian Affairs (OHA) offers the following comments on SB3016, 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 indicates 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 with 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.

Mahalo for the opportunity to testify on this important measure.

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 HAWAIIAN AFFAIRS

Sen. Brickwood Galuteria, Chair

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Sen. Donovan Dela Cruz, Chair

Sen. Malama Solomon, Vice Chair

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS & MILITARY AFFAIRS

Sen. Will Espero, Chair

Sen. Michele Kidani, Vice Chair

Friday, February 10, 2012

2:45 p.m.

Room 224

STRONG SUPPORT FOR SB 3016 - CREATING A PU'UHONUA AT KULANI

Aloha Chairs Galuteria, Dela Cruz, and Espero 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 3016 requires PSD to plan for a model wellness center that employs Native Hawaiian practices on state land and to submit a report to the legislature prior to the 2013 legislative session.

Community Alliance on Prisons is in strong support of this bill. The majority of our incarcerated population is Native Hawaiian and establishing a 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, an organization led by kupuna and other concerned community members has been working on pu`uhonua/wellness centers for more than a decade. We applaud their perseverance and their commitment to heal the people and the land.

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 communities.

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

galuteria1 - Davis

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 09, 2012 1:23 PM
To: HWN Testimony
Cc: hspoehr@papaolalokahi.org
Subject: Testimony for SB3016 on 2/10/2012 2:45:00 PM

Testimony for HWN/WLH/PGM 2/10/2012 2:45:00 PM SB3016

Conference room: 224
Testifier position: Support
Testifier will be present: No
Submitted by: Hardy Spoehr
Organization: Papa Ola Lokahi
E-mail: hspoehr@papaolalokahi.org
Submitted on: 2/9/2012

Comments:

Papa Ola Lokahi strongly supports this legislation as it will bring a new approach to addressing those who are of Native Hawaiian ancestry or of the Native Hawaiian persuasion in our corections system. It takes a culturally-based approach and applies it to one of our major on-going issues that we as an island society need to resolve.

Thank you for the opportunity to provide supportive testimony on this measure.



the
**Drug Policy
Forum**
of hawai'i

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

February 10, 2012

To: Committee on Hawaiian Affairs
Committee on Water, Land and Housing
Committee on Public Safety, Government Operations, and Military Affairs

From: Jeanne Y. Ohta

RE: SB 3016 Relating to Public Safety
Hearing: Friday, February 10, 2012, 2:455 p.m., Room 224

Position: Support

The Drug Policy Forum of Hawai'i writes in support of SB 3016 Relating to Public Safety which 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.

The majority of our incarcerated population is Native Hawaiian; culturally appropriate programs are effective in addressing issues of drug abuse and drug addiction. Establishing a wellness center also focuses on addiction as a health issue, using healing methods rather than pure incarceration. Treatment of addiction is more effective than incarceration; and also less expensive.

We urge the committee to pass this important bill that looks for more effective alternatives than we currently have in our criminal justice system. Establishing pu`uhonua will help rebuild individuals, families, and our communities.

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

galuteria1 - Davis

From: uncle joe [puuhonua2@gmail.com]
Sent: Wednesday, February 08, 2012 2:31 PM
To: galuteria1 - Davis
Subject: MY TESTIMONY

MY TESTIMONY

Aloha and good morning

Mr. Chairman and the members of the committee, My name is Renwick Valentine Ili'ilipuna Tassill also know as Uncle Joe and this is my wife Aunty June. We thank you for allowing us to sit in your presence and present our testimony. I, we are in favor of HB 2848 and the reestablishing of the Puuhonua System.

The re-establishment of the Hawaiian Cultural practice of the Puuhonua System, included, Pule, prayer, to instill the closeness of God to man, to remind one that all is possible with God. Hooponopono, to make right, to bring all facets and all levels together in order to heal feelings of hurt and injury bought on by a negative act of wrongdoing against another. Mihi, to ask for and receive forgiveness and in turn to give forgiveness. Aloha Aina, rMahi ai, to Love and care for the land, to nurture and cultivate the land, to care for that which you have cultivated, to harvest the fruit of your labor, to consume the fruit of your harvest, to nourish oneself with the fruit and to finely give thanks to the Creator. Laau Lapaau, to cultivate and care for herbal and medicinal plants in order to heal an individual physically.

Lomi Lomi, to apply healing hands on ones body in order to release hurt and pain that may be bought on by over work or physical injury to oneself. Aloha I Kekahi I Kekahi, to love one another, the love for fellow man. This may be just a few important parts that I know of however there may be other parts of that healing process I am unaware of. Let me now share with you a brief history, just a small part of my resent past.

After the election of 2002 I retired from the Governors Office as the tour coordinator of the Hawaii State Capitol Tour program. I had been your tour coordinator for nearly twenty years. I have since then in the past nine years volunteered when called upon to help conduct and lead a tour. There are a number of regular tours that I lead every year. I have a deep love for this building and, like in the past, still enjoy myself when ever I have the opportunity.

I have been involved with a number of projects and programs over the years and now I welcome the task that is set before us today. With your legislative cooperation, the expertise of the different departments of our State Government, the many people that have worked hard with this problem over the many, many years and the wisdom of the Kupuna, I am sure collectively we are ready to meet this important challenge.

Let me share with you and you my inner most feeling of this serious problem we are faced with in our state. The problem is the high cost of incarceration. In the past three decades the numbers of individuals that are incarcerated has drastically increased, of which many of them are of Hawaiian ancestry. Along with this is the cost to the State and it's tax payers. This cost has increased to the tune of more then two hundred million dollars a year for past five or more years. Addressing this issue can and will improve the conditions of our State and it's people. We can not imagin how many lives we will touch, how many prayers will be answered, the hopes and dreams that will come true, when we address this problem.

With that said let me share with you and you why I got involved with this. About forty years ago, I along with a handful of other people, just to name a few of them, Richard Lyman, who was the Chairman of the Board of Trustees of The Kamehameha Schools / Bishop Estate, Jack Darvel, President of Kamehameha Schools for boys and girls and Fred Cachola, Extention

Education Director also from Kamehameha Schools, with four young men from the community started an alternative school in South Kona on the big island, at Hoonounou adjacent to Puuhonua O Hoonounou, the City of Refuge, called Hale o Hoonounou. The four men were fairly new residents to Kona were, Lincoln Ahlo, Robert Matthews both now deceased, Dixon Enos who still lives in Kona and myself. This was a concerted effort with Kamehameha Schools, Extension Education division, the State Department of Education, the State Juvenile Courts System and the Kona Community. Now the school was started to address the dropout problem a result of a change with the school schedule. Kona was a family coffee farming community at the time. When the coffee berries ripened in October, November and December the children would help harvest the coffee, as a result their vacation was during the harvesting season. The once coffee farming community was changing to a service oriented one. The school year schedule changed and a number of other changes took place as well, student scores went downhill and the dropout rate began to rise. A need to address the problem was necessary. This is why a few concerned residents stepped up to the plate and the Alternative school was started. Its purpose, to address and find a solution about the problems with dropouts, drunks, druggies and teenage pregnancies

The setting was a Community Based Education Center. It's goal was to give the students a hands on educational program with community assistance and tools so they could become an asset to the community in the capacity they chose. In some cases students were mainstreamed back into the school system, others earned and received a certificate of achievement. Then there were the few that did not complete the course but did enter the job market having learned a skill and later went on to earn their GED. Today many of them grandparents have made their positive contribution to the community. In many cases we did manage to brake the cycle.

Today we are faced with the issue of incarceration with little rehabilitation. When this issue is addressed and put behind us, we will more than likely improve the conditions in our state and our people. We will become the showcase of our nation and touch even more lives. This can and will be our contribution of healing a Nation. Yes we can address the heartache the burden and the misery by coming together and supporting this bill. We really don't need another prison, what we need is a Puuhonua.

Mahalo, for allowing me to share my mana'o, my inner most feelings, my compassionate feelings from my heart are there any questions.

HR 8 19 incar / rehab HCR 10
I am in favor of SB3016 Puuhonua
I am in favor of HB2848

Sent from my iPad

February 9, 2012

TESTIMONY IN SUPPORT OF SB 3016

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

Aloha Senators Galuteria and Ryan,

Mahalo for this opportunity to provide testimony in support of SB 3016. This is a measure that is long overdue. As a native Hawaiian, with several family members in the prison system, both past and present, I know this is a bill that will help our people. Please do all you can to see that the bill makes its way through the system and comes out on the other side intact.

Mahalo me ka pono,

Lynette Cruz

Kailua, Oahu 96734

Phone (808) 284-3460

Email: palolo@hawaii.rr.com

COMMITTEE ON HAWAIIAN AFFAIRS

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Senator Will Espero, Chair

Senator Michelle Kidani, Vice Chair

Friday, February 10, 2012; 2:45 PM; Room 224, State Capitol

SUPPORT SB 3016

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.

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 presently, this week, 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 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 are trained by Kupuna Sam Lono in the cultural and spiritual practices of the ancient Kanaka Maoli traditions.

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. This week, Mr. Kini Kaleilani Burke is leading 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 530 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. Again, congratulations for introducing this bill.

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!

galuteria1 - Davis

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 09, 2012 1:25 PM
To: HWN Testimony
Cc: nancyhedlund@yahoo.com
Subject: Testimony for SB3016 on 2/10/2012 2:45:00 PM

Testimony for HWN/WLH/PGM 2/10/2012 2:45:00 PM SB3016

Conference room: 224
Testifier position: Support
Testifier will be present: No
Submitted by: Nancy Hedlund, Ph.D.
Organization: Individual
E-mail: nancyhedlund@yahoo.com
Submitted on: 2/9/2012

Comments:
SUPPORT for SB 3016 - RELATING TO PUBLIC SAFETY

This bill 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.

I support this bill. And I believe a good example of a right idea for a wellness center is the model of Ohana Hoopakele, which is dedicated to rescuing our Hawai'i incarcerated brothers and sisters in prison. Their vision is to build a wellness center that heals rather than punishes. And they have a track record already established for outreach that carries this message of healing and well being. Their model for healing is founded in the culture in the values of ho'oponopono and aloha aina.

Please demonstrate your support for this focus on wellness that demonstrates how short-term and long-term healing are the ideals for all of us and for the future sustainability of Hawai'i. I have worked in education and health care my entire career and believe that we must invest in that future for it to flourish.

Respectfully submitted, Nancy Hedlund, Ph.D., Honolulu

galuteria1 - Davis

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 09, 2012 1:48 PM
To: HWN Testimony
Cc: gheeza@yahoo.com
Subject: Testimony for SB3016 on 2/10/2012 2:45:00 PM

Testimony for HWN/WLH/PGM 2/10/2012 2:45:00 PM SB3016

Conference room: 224
Testifier position: Support
Testifier will be present: No
Submitted by: Leonard McGhee
Organization: Individual
E-mail: gheeza@yahoo.com
Submitted on: 2/9/2012

Comments:
I support this legislation.

galuteria1 - Davis

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 09, 2012 2:29 PM
To: HWN Testimony
Cc: evernw@aol.com
Subject: Testimony for SB3016 on 2/10/2012 2:45:00 PM

Testimony for HWN/WLH/PGM 2/10/2012 2:45:00 PM SB3016

Conference room: 224
Testifier position: Support
Testifier will be present: No
Submitted by: Evern Williams
Organization: Individual
E-mail: evernw@aol.com
Submitted on: 2/9/2012

Comments:

We should do everything possible toward reducing recidivism. This would be one more way to do it.

galuteria1 - Davis

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 09, 2012 2:38 PM
To: HWN Testimony
Cc: kahiwal@cs.com
Subject: Testimony for SB3016 on 2/10/2012 2:45:00 PM

Testimony for HWN/WLH/PGM 2/10/2012 2:45:00 PM SB3016

Conference room: 224
Testifier position: Support
Testifier will be present: No
Submitted by: Clarence ku Ching
Organization: Individual
E-mail: kahiwal@cs.com
Submitted on: 2/9/2012

Comments:

I support this bill and agree whole-heartedly with principles expressed in the following mission statement:

“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.”

galuteria1 - Davis

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 09, 2012 2:58 PM
To: HWN Testimony
Cc: deetex123@aol.com
Subject: Testimony for SB3016 on 2/10/2012 2:45:00 PM

Testimony for HWN/WLH/PGM 2/10/2012 2:45:00 PM SB3016

Conference room: 224
Testifier position: Support
Testifier will be present: No
Submitted by: Diane Texidor
Organization: Individual
E-mail: deetex123@aol.com
Submitted on: 2/9/2012

Comments: