

# **SB 47**

## **RELATING TO CORRECTIONS.**

Requires the department of public safety to establish a pilot program on Oahu that electronically monitors committed persons who are permitted to live and work in the community, in lieu of continued incarceration.

Appropriates funds.

NEIL ABERCROMBIE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
919 Ala Moana Boulevard, 4th Floor  
Honolulu, Hawaii 96814

**JODIE MAESAKA-HIRATA**  
INTERIM DIRECTOR

Deputy Director  
Administration

Deputy Director  
Corrections

Deputy Director  
Law Enforcement

No. \_\_\_\_\_

**TESTIMONY ON SENATE BILL 47  
RELATING TO PUBLIC SAFETY**

by

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

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

Thursday, January 27, 2011, 2:45 PM  
State Capitol, Conference Room 224

Senator Espero, Senator Kidani, and Members of the Committee:

The Department of Public Safety, (PSD) strongly opposes Senate Bill 47. This measure calls for the implementation of a new program that would require additional staffing and resources for an unnecessary function. The intent of this measure is already performed by PSD on a regular basis. PSD is currently considering the expansion of community custody eligibility for offenders from twenty-four (24) months to thirty-six (36) months, prior to their tentative parole date. PSD's furlough program evaluates offenders through a number of assessment tools to determine the inmate's ability and probability for success when reentering the community.

Due to the success of the assessment tools and community programs, the use of electronic bracelets for community supervision would be unnecessary. These bracelets utilized for electronic monitoring will only report the location of the inmate; however, the implementation of this program will require a considerable amount of funding which

Senate Bill 47  
January 26, 2011  
Page 2

could be utilized to expand the present furlough programs that are in place. Based on the reasons listed, PSD strongly opposes this measure.

Thank you for the opportunity to testify on this measure.

# COMMUNITY ALLIANCE ON PRISONS

76 North King Street, Honolulu, HI 96817

Phone/E-Mail: (808) 533-3454/[kat.caphi@gmail.com](mailto:kat.caphi@gmail.com)



## COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Sen. Will Espero, Chair

Sen. Michelle Kidani, Vice Chair

Thursday, January 27, 2011

2:45 PM

Room 224

SB 47 - Electronic Monitoring

**SUPPORT INTENT with Suggestions**

[PGMTestimony@capitol.hawaii.gov](mailto:PGMTestimony@capitol.hawaii.gov)

Aloha Chair Espero, Vice Chair Kidani and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative working to improve conditions of confinement for our incarcerated individuals, enhance the quality of justice, and promote public safety by supporting smart justice policies. We come today to speak for the 6,000 individuals whose voices have been silenced by incarceration, always mindful that almost 2,000 of those individuals are serving their sentences abroad, thousands of miles from their homes and loved ones.

SB 47 requires the department of public safety to establish a pilot program on O`ahu that electronically monitors committed persons who are permitted to live and work in the community, in lieu of continued incarceration and appropriates funds for this purpose.

Community Alliance on Prisons supports the intent of this legislation. Reducing the prison population, especially the population of non-violent lawbreakers, is crucial so jail and prison beds can be reserved for those individuals who pose a threat to the community.

Our concerns are:

- 1) that this bill is silent on instruments such as the LSIR (Level of Service Inventory) developed by the Interagency Council on Intermediate Sanctions (ICIS) to assess an individual's risk for committing crime.
- 2) that the department has electronic monitoring devices, therefore, it is important to determine
  - how many electronic monitoring devices the department has,
  - how many are in currently in use and for what risk level individual they are used, and
  - the type of electronic monitoring device used by the department

Community Alliance on Prisons respectfully suggests that the committee consider these questions before any appropriation is allocated for this purpose and to consider using funds for Justice Reinvestment, a program now in the Department of Justice.

The Justice Reinvestment Initiative provides technical assistance to qualifying jurisdictions to

- 1) analyze the prison population and spending in communities to which people in prison often return
- 2) provide policymakers with options to generate savings and increase public safety
- 3) quantify savings and reinvest in select high-stakes communities and
- 4) measure the impact and enhance accountability

Investing in data-driven policies and directing some of those savings into those communities in strategies would make those communities safer and stronger.

Community Alliance on Prisons has asked the Governor to consider applying for this grant from the Department of Justice so that Hawai'i can realize the savings experienced by states such as Texas, Kansas, Michigan, and many others.

The deadline for the Department of Justice application process is Tuesday, February 1<sup>st</sup> and we urge the committee to contact the Governor urging him to sign the letter submitted to him for this purpose.

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

**From:** Mary K. Dias [mailto:diasohana1@hawaiiantel.net]  
**Sent:** Wednesday, January 26, 2011 4:21 PM  
**To:** PGM Testimony  
**Subject:** SB 47

COMMITTEE ON PUBLIC SAFETY, GOVERNMENT  
OPERATIONS, AND MILITARY AFFAIRS

Senator Will Espero, Chair

Thursday, January 27, 2011

2:45 p.m.

Conference Room 224

State Capitol

415 South Beretania Street

SB 47

This Bill requires the department of public safety to establish a pilot program on Oahu that electronically monitors committed persons who are permitted to live and work in the community, in lieu of continued incarceration and appropriates funds for the program.

Like SB 46, this is another step forward in getting the non violent inmates back into the community as functioning members of society. It is money well spent.

We support it and ask that you do the same.

Mahalo,

Mary K. Dias and Ohana

National Association of Reformed Criminals  
(NARC)

**COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS**

Sen. Will Espero, Chair

Sen. Michelle Kidani, Vice Chair

Thursday, January 27, 2011

2:45 PM

Room 224

**SB 47 – RELATING TO CORRECTIONS – ELECTRONIC MONITORING;  
PILOT PROGRAM**

**STRONG SUPPORT**

NARC supports any and all avenues of community reintegration as opposed to warehousing for profit. This method of custody could also be self-sufficient if a percentage of the offender's earnings are garnished in the same manner as the Federal Bureau of Prisons half-way houses.

Mahalo,

Andy Botts