

SB 1253

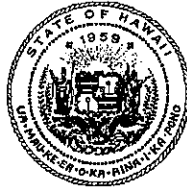
Report Title:

RELATING TO PUBLIC SAFETY

Description:

Permits eligible non-violent female offenders to be paroled into structured community placement programs monitored by private organizations.

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
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TESTIMONY ON SENATE BILL 1253
RELATING TO
PUBLIC SAFETY
by
Ted Sakai, Interim Director
Department of Public Safety

Senate Committee on Public Safety, Intergovernmental and Military Affairs
Senator Will Espero, Chair
Senator Rosalyn H. Baker, Vice Chair

Tuesday, February 12, 2013; 2:45 p.m.
State Capitol, Room 224

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

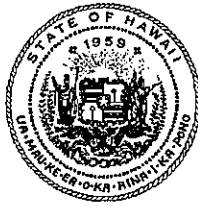
The Department of Public Safety (PSD) **supports the intent** of Senate Bill 1253, to authorize eligible non-violent females to be paroled into structured community placement programs monitored by private organizations that provide appropriate gender-responsive services.

PSD recognizes the need and the benefits of these programs for incarcerated women and have contracted such services for years to assist the transition of eligible women in the Women's Community Correctional Centers' furlough program.

This act is intended to reduce the recidivism rate of female offenders by appropriately addressing their high-risk needs in a community setting and may provide a means for the continuity of services from furlough to parole, if funding is available. However PSD is uncertain whether the suggested revisions to HRS 353-64 are necessary since the Hawaii Paroling Authority already has the implied authority to parole eligible female offenders into structured community placement programs when funding is available.

Thank you for the opportunity to present this testimony.

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
HAWAII PAROLING AUTHORITY
1177 Alakea Street, First Floor
Honolulu, Hawaii 96814

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ADMINISTRATOR

No. _____

TESTIMONY ON SENATE BILL 1253

RELATING TO PUBLIC SAFETY

BY

HAWAII PAROLING AUTHORITY
Bert Y. Matsuoka, Chairman

Senate Committee on Public Safety, Intergovernmental and Military Affairs

Senator Will Espero, Chair
Senator Roselyn H. Baker, Vice Chair

Tuesday, February 12, 2013; 2:45 p.m.
State Capitol, Conference Room 224

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

The Hawaii Paroling Authority (HPA) supports Senate Bill 1253 and is willing to work with community-based programs to assist with successful reintegration of all offenders.

Thank you for the opportunity to provide testimony.



SB1253
RELATING TO PUBLIC SAFETY

Senate Committee on Public Safety, Intergovernmental and Military Affairs

February 12, 2013

2:45 p.m.

Room 224

The Office of Hawaiian Affairs (OHA) offers the following **COMMENTS** on SB1253, which allows non-violent female pa'ahao (prisoners) to be paroled in structured community placement programs.

In 2010, OHA produced a comprehensive report detailing the disparate treatment of Native Hawaiians in the criminal justice system. Since then, OHA has administered the Native Hawaiian Justice Task Force (NHJTF), which was tasked by the Legislature to address this multi-faceted issue. A copy of the NHJTF 2012 legislative report and related materials are available at: www.oha.org/nativehawaiianjusticetaskforce

This bill furthers recommendation G.3. of the NHJTF report: "In order to reduce its reliance on incarceration, the state of Hawai'i should assist in the development of sufficient and appropriate community-based alternatives to incarceration for substance abuse, mental health treatment, and housing at all points within the criminal justice system."

The intent of SB1253 is well received. The NHJTF held summits across Ka Pae 'Āina and conducted site visits to correctional centers. Testimony at these events made it clear that gender responsive re-entry and rehabilitation programs are needed and appropriate. OHA offers the following comments regarding this bill:

- There is a need for **both** male and female gender-responsive re-entry and rehabilitation programs for pa'ahao. Regardless of gender, it makes sense to parole eligible offenders into gender-responsive community placement programs to enhance their ability to rehabilitate and re-enter society. OHA expresses support for these types of programs.
- It is not clear what a "structured community placement program monitored by private organizations" would include. In that light, OHA reiterates its support for culturally based programs re-entry and rehabilitation programs.
- It seems to be an unintended consequence that under this bill, otherwise eligible female pa'ahao, convicted of a domestic violence charge as part of their cycle of trauma, would not be eligible for care under this bill.

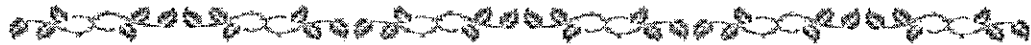
In general, there is a need for better re-entry and reintegration programs for pa'ahao.

Mahalo for the opportunity to testify on this important measure.

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL & MILITARY AFFAIRS

Sen. Will Espero, Chair

Sen. Roz Baker, Vice Chair

Tuesday, February 12, 2013

2:45 p.m.

Room 224

STRONG SUPPORT FOR SB 1253 - COMMUNITY PLACEMENT FOR NONVIOLENT WOMEN

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

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies for more than a decade. This testimony is respectfully offered on behalf of the 5,800 Hawai'i individuals living behind bars, always mindful that approximately 1,500 Hawai'i individuals are serving their sentences abroad, thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Native Hawaiians, far from their ancestral lands.

SB 1253 permits eligible non-violent female offenders to be paroled into structured community placement programs monitored by private organizations.

As of December 31, 2012, there were 690 women under the care and custody of the Department of Public Safety, 20% who are probation or parole violators¹.

A study commissioned by the Department of Public Safety in 2007² revealed that Hawai'i has been over-classifying our incarcerated population and failing to use tools that allow for community supervision, rather than imprisonment. The majority - 84% - of Hawai'i's incarcerated female population are nonviolent.

NON-VIOLENT SENTENCED FEMALE JAIL & PRISON INMATES BY CUSTODY

<u>Custody Level</u>	<u>Female/Jail Inmates</u>		<u>Female/Prison Inmates</u>	
	Current	Projected	Current	Projected
Maximum	1.5%	1.5%	3.2%	1.9%
Medium	36.1%	24.8%	30.3%	29.4%
Minimum	62.4%	20.3%	27.6%	18.7%
Community	NA	53.4%	38.9%	50.0%

¹ Department of Public Safety Weekly Population Report, December 31, 2012

² Validation and Re-Design of the Hawaii Department of Public Safety Jail and Prison Classifications System Report, Patricia L. Hardyman, PhD, September 5, 2007.

A Community Placement program, such as the one in the proposed legislation, helps facilitate a more seamless and successful reintegration process for women transitioning from prison. It is an in-between step where women receive support and supervision as they transition from more to less structure. Women typically parole to the community facing many unforeseen challenges; even more pronounced when paroling directly from the prison environment directly to the community.

Community Placement affords women the opportunity to live in the residence they plan to parole to and "test the waters" with supervision and support as part of a structured and gradual re-integration process. This critical program addresses a gap in services for women in their re-integration process and insures a greater likelihood of success as they re-enter the community. Community Placement services for women are cost effective in that they impact the social fabric of our community by decreasing recidivism and stopping the revolving door, thus preempting the intergenerational cycle of abuse, addiction, crime and incarceration.

Research has clearly shown that successful re-entry programs lead to less recidivism, less crime, fewer victims, and increased public safety. Community Placement and helping restore these women's lives makes for good public safety.

Hawai'i had a community placement program for women that was sadly defunded. The women in that program accessed the services/programs from a nonprofit organization that specializes in a broad range of gender responsive services.

The cost of incarceration is \$127/day, the cost for a residential program is approximately \$100/day and the cost of structured community placement is \$50/day. This is a tremendous cost savings while affording the women, most of whom are the primary caregivers of their children, the opportunity to reconnect with their families, seek employment, and successfully transition to the community.

We all benefit from safer communities and structured community placement is an important step in this direction.

Mahalo for this opportunity to testify.

TJ MAHONEY & ASSOCIATES
Ka Hale Ho`āla Hou No Nā Wāhine

The Home of Reawakening for Women

524 Kaaahi St. Honolulu, HI 96817 Ph. 748-4300 Fax 748-4343 www.reawakeningforwomen.org

Committee on Public Safety, Intergovernmental and Military Affairs
Senator Will Espero Chair; Rosalyn H. Baker Vice Chair
Date, Time Tuesday, February 12, 2013, 2:45 P.M.
Place Hawaii State Capitol, Conference Room 224

Strong Support for SB 1253 Relating to Public Safety

Aloha Chair Espero, Vice Chair Baker, and members of the Committee. My name is Lorraine Robinson. I am the Executive Director for TJ Mahoney & Associates, Ka Hale Ho`āla Hou No Nā Wāhine (the Home of Reawakening for Women). I've served in this capacity for over seventeen years. Prior to this position, I worked as a social worker at the Women's Community Correctional Center. I am in strong support of SB 1253.

TJ Mahoney is a leader in community corrections with over 35 years experience assisting offenders with community re-entry. We have contracted with the Department of Public Safety since 1992 and have received national recognition for our work with women offenders. We are the only program of our kind in Hawaii and utilize leading edge, best practice gender responsive programming. Our services are comprehensive in scope and address the complex and multiple needs of the population we serve. 81% of our residents have remained out of prison for 2 years after completion of our program.

Through many years of experience in working with women exiting prison, I have come to the clear conclusion that releasing a woman from prison without transitional support is a serious disservice to her, her family, and to our communities. In order to end up in prison, a woman has made a series of self-destructive and anti-social choices that have caused damage to her and to others. The typical female offender comes from a background of poverty, low educational achievement, family history of addiction and incarceration, physical, emotional, or sexual abuse (unresolved trauma), and few resources to address any of these risk factors. Protective factors are typically lacking which leads these individuals to seek out self-medication through drugs, creating addiction, and leading to a lifestyle of criminality and incarceration. In order for a woman to succeed in the community after release from prison, she must change not only her behaviors, but her beliefs about herself and what she is capable of accomplishing. This type of change does not happen in a vacuum. It is a process that takes time and practice. We would be remiss to assume that women who have lived the lifestyle that led them to incarceration, when released from prison and left to their own devices, will be able to set in motion and sustain the changes necessary to build a pro-social, responsible and productive life. In the vast majority of instances, it simply cannot be done without assistance and sustained support.

Female offenders are typically non-violent and do not pose a risk to public safety. The majority of them will be released to the community and need skills and tools to assist them in navigating the obstacles they face in reconstructing a meaningful and satisfying life. There is no better place for this to occur than in a structured and monitored community setting where they are held accountable for their actions and attitudes while gradually increasing their skills, practicing them daily while interacting in the community at large through employment, attending school, and fostering their sense of self-efficacy. Reentry services for women are cost effective in that they impact the social fabric of our community by decreasing recidivism and contributing to stopping the revolving door, thus preempting the intergenerational cycle of abuse, addiction, crime and incarceration. Research has clearly shown that successful re-entry programs lead to less recidivism, less crime, fewer victims, and increased public safety. Restoring people's lives makes for good public safety. I strongly support SB 1253. We all benefit from safer communities. Please support this most important piece of legislation.



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

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

February 12, 2013

To: Senator Will Espero, Chair
Senator Rosalyn Baker, Vice Chair and
Members of the Committee on Public Safety

From: Jeanne Ohta, Executive Director

RE: SB 1253 Relating to Public Safety
Hearing: Tuesday, February 12, 2013, 2:45 p.m., Room 224

Position: Support

The Drug Policy Forum of Hawai'i (DPFH) writes in support of this measure, which permits eligible non-violent female offenders to be paroled into structured community placement programs monitored by private organizations.

The vast majority of women are convicted for non-violent drug or drug-related offenses. We believe that their needs would be better served by community-based programs rather than incarceration. Community-based programs are less expensive than incarceration and provide an opportunity for offenders to address their pathways to crime and drug use. These programs also allow more successful transitions back into the community.

The Justice Policy Institute released a briefing paper in 2008, "Substance Abuse Treatment and Public Safety." The report finds that "community-based drug treatment programs have been shown to reduce the chance that a person will become involved in the criminal justice system after release from prison." Community-based programs reduce incarceration rates, reduce incarceration costs, and improve public safety by reducing crime.

These types of programs have the potential to provide women with adequate housing, community supervision, medical care, drug treatment, reintegration programs, employment training and transitional services. In addition, they will help establish much needed community beds for treatment; will help reduce recidivism; and will facilitate and improve family relationships.

DPFH supports programs that reduce recidivism, that improve successful reentry into the community, and thus improve public safety. We respectfully request that the committee pass this measure. Thank you for this opportunity to submit testimony.