

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

TED SAKAI
DIRECTOR

Martha Torney
Deputy Director
Administration

Max Otani
Deputy Director
Corrections

Shawn Tsuha
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON SENATE BILL (SB) 2884, SENATE DRAFT (SD) 2
A BILL RELATING TO PAROLE

by
Ted Sakai, Director
Department of Public Safety

House Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair
Representative Aaron Ling Johanson, Vice Chair

Thursday, March 27, 2014; 3:00 p.m.
State Capitol, Conference Room 308

Chair Luke, Vice Chairs Nishimoto and Johanson, and Members of the Committee:

The Department of Public Safety (PSD) **supports** SB 2884, SD 2 Relating to Parole. This bill clarifies the responsibilities and duties of the Hawaii Paroling Authority when granting funds to offenders who are exiting the correctional system, and are being discharged from parole. It is PSD's belief that it is the ex-offender's right to be considered for a pardon after five years under parole supervision. Section 353-72, Hawaii Revised Statutes, ensures that every pardon application would be investigated.

We thank you for this opportunity to testify on this bill.



SB2884 SD2
RELATING TO PAROLE
House Committee on Finance

March 27, 2014

3:00 p.m.

Room 308

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB2884 SD2, which allows the Legislature to specifically fund the disbursement of “gate money” to offenders who have fulfilled their debt to society, in order to facilitate their access to basic necessities critical for successful reintegration.

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.

The need for improved services and opportunities for pa‘ahao reintegrating into their communities was a central theme for the NHJTF.¹ During its seven public pae ‘āina community meetings, the NHJTF received much testimony regarding the immense challenges pa‘ahao face as they reenter society.² The testimony highlighted the critical need for programs and services to ensure that those reintegrating could acquire basic necessities, access mental health and medical services and enroll in transition programs. Accordingly, a small amount of “gate money” upon their release from prison may help reintegrating offenders obtain state identification and vital documents, use public transportation and attend health programs and career related services. By reviving the disbursement of “gate money”—which was formerly provided under a discontinued but much-needed program—to pa‘ahao who have fulfilled their debt to society, this bill will greatly facilitate their successful reintegration into the larger community.

Therefore, OHA urges the Committee to **PASS** SB2884 SD2. Mahalo for the opportunity to testify on this important measure.

¹ 2012 NATIVE HAWAIIAN JUSTICE TASK FORCE REP. at 35.

² *See Id.* at 40-43.

COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/email: (808) 927-1214 / kat.caphi@gmail.com



COMMITTEE ON FINANCE

Rep. Sylvia Luke, Chair

Rep. Scott Nishimoto, Vice Chair

Rep. Aaron Ling Johanson, Vice Chair

Thursday, March 27, 2014

3:00 p.m.

Room 308

SUPPORT SB 2884 SD2 - PAROLE

Aloha Chair Luke, Vice Chairs Nishimoto and Johanson and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, 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 2884 SD2 specifies that funds for discharged persons are subject to legislative appropriation and clarifies circumstances under which the paroling authority may grant early discharges. Provides discretion to the paroling authority with respect to initial pardon consideration as it relates to paroled prisoners. Effective 07/01/2050.

Community Alliance on Prisons supports this measure.

Hawai'i used to give 'gate money' to individuals just released on parole. This practice was discontinued and is no longer available. People exiting incarceration need a helping hand to reintegrate back to their communities. A few hundred dollars can make all the difference in someone's successful transition from institutional to community life.

Mahalo for this opportunity to testify.

finance1

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 26, 2014 12:22 PM
To: FINTestimony
Cc: shannonkona@gmail.com
Subject: Submitted testimony for SB2884 on Mar 27, 2014 15:00PM

SB2884

Submitted on: 3/26/2014

Testimony for FIN on Mar 27, 2014 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Support	No

Comments: Support.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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LATE

COMMITTEE ON FINANCE

Honorable Representative Sylvia Luke, Chairperson
Honorable Representatives Scott Nishimoto & Aaron Ling Johanson, Vice Chairpersons
Thursday, March 27, 2014
3:00 p.m.
Room 308

STRONG SUPPORT SB 2308 SD1- RELATING TO CHILDREN; SB 2315 SD1 MAKING AN APPROPRIATION FOR THE DEPARTMENT OF PUBLIC SAFETY TO PROVIDE SUBSTANCE ABUSE TREATMENT SERVICES; and SB 2884 SD2 RELATING TO PAROLE

Please vote yes to pass these three measures to improve our corrections strategies to make our community safer and healthier.

SB 2308 SD1 Relating to Children would give the department of public safety funding to assist the children of imprisoned parents and help with family reunification for imprisoned people. We have done research and written on the importance of assisting children and families deal with the effects of incarceration on their lives. A paper we wrote is forthcoming in a book being edited by law professors Tali Gal at Haifa University, Israel, and Benedetta Faedi Duramy at Golden Gate University, California, being published by the Oxford University Press. Also research on criminal desistance by Dr. Shadd Maruna, Queen's University, Ireland, discussed in his numerous publications including *Making Good: How Ex-Convicts Reform and Rebuild Their Lives* shows how vital it is for the rehabilitation of people in prison to make amends with family.

SB 2315 SD1 Making an Appropriation for the Department of Public Safety to Provide Substance Abuse Treatment Services would provide funding for drug and alcohol treatment at Halawa prison. It is common knowledge well supported by research that the motivation for many crimes is substance abuse. This appropriation is absolutely necessary for the protection of our community.

SB 2884 SD2 Relating to Parole makes clear that funds may be provided for people leaving incarceration and clarifies other parole matters. This measure is also in the best interests of our community.

All three measures are a step in making our corrections system more effective for rehabilitation, which makes our community safer and healthier. Please contact Lorenn Walker, JD, MPH (808) 218-3712 or lorenn@hawaii.edu if you have any questions about our work since our non-profit incorporation established to improve the justice system in Hawai'i since 1980.

Thank you for your time and efforts serving the public and our community.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 26, 2014 4:16 PM
To: FINTestimony
Cc: maukalani78@hotmail.com
Subject: Submitted testimony for SB2884 on Mar 27, 2014 15:00PM

SB2884

Submitted on: 3/26/2014

Testimony for FIN on Mar 27, 2014 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
E. Ileina Funakoshi	Individual	Support	No

Comments: SB 2884 SD2 support, FIN COMMITTEE Dear Chair Luke, Vice Chair Nishimoto and Committee Members: I stand on the testimony I sent to WAM on 2/11/14. Thank you for hearing this bill and I ask for your consideration in passing it. With warm Aloha, e. ileina funakoshi

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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STATE OF HAWAII
HAWAII PAROLING AUTHORITY
1177 Alakea Street, First Floor
Honolulu, Hawaii 96813

LATE

TESTIMONY ON SENATE BILL 2884, SD2
RELATING TO PAROLE

BY

HAWAII PAROLING AUTHORITY
Bert Y. Matsuoka, Chairman

House Committee on Finance

Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair
Representative Aaron Ling Johanson, Vice Chair

Thursday, March 27, 2014; 3:00 p.m.
State Capitol, Conference Room 308

BERT Y. MATSUOKA
CHAIR

JOYCE K. MATSUMORI-HOSHIJO
MICHAEL A. TOWN
ANNELLE C. AMARAL
FITUINA F. TUA
MEMBERS

TOMMY JOHNSON
ADMINISTRATOR

No. _____

Chair Luke, Vice Chair Nishimoto, Vice Chair, Johanson, and Members of the Committee:

The Hawaii Paroling Authority (HPA) **strongly supports** SB 2884, SD2 and urges the legislature to move this measure forward and amend the effective date from July 1, 2050, to July 1, 2014.

Senate Bill 2884, SD2 seeks to clarify several areas of the Hawaii Revised Statutes and provide consistency with respect to the HPA's Administrative Rules. This measure also seeks to eliminate the requirement for the HPA to conduct a pardon investigation for every offender on active parole supervision for at least five (5) consecutive years regardless of their adjustment to the community, current parole violation status, or outstanding restitution, court fees and/or fines that may be owed, and/or their criminal history. The HPA respectfully requests your support for this measure.

Thank you for the opportunity to provide testimony on Senate Bill 2884, SD 2.