



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

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Honolulu, Hawaii 96814

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Corrections

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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 Public Safety
Representative Henry J.C. Aquino, Chair
Representative Kaniela Ing, Vice Chair

Thursday, March 13, 2014; 10:00 a.m.
State Capitol, Conference Room 309

Chair Aquino, Vice Chair Ing, and Members of the Committee:

The Department of Public Safety (PSD) **supports** SB 2884, SD 2 Relating to Parole. This is an Administration bill that clarifies the responsibilities and duties of the Hawaii Paroling Authority, as they relate to three areas. First, this bill clarifies that HPA may provide gate money to offenders who are exiting the correctional system if there are appropriations. Second, this bill clarifies that certain offenders are not to be discharged from parole. This specifically includes those who are still serving any portion of a mandatory minimum, and those who have not yet fulfilled their restitution obligations.

Third, the current law may be read to require the HPA to consider for pardon, every person who has been on parole for five years. This bill would give the HPA discretion as to whether a pardon should be considered at that point.

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

NEIL ABERCROMBIE
GOVERNOR



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

BERT Y. MATSUOKA
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MEMBERS

TOMMY JOHNSON
ADMINISTRATOR

No. _____

SENATE BILL 2884, SD2
RELATING TO PAROLE

BY

HAWAII PAROLING AUTHORITY
Bert Y. Matsuoka, Chairman

House Committee on Public Safety

Representative Henry J.C. Aquino, Chair
Representative Kaniela Ing, Vice Chair

Thursday, March 13, 2014; 10:00 a.m.
State Capitol, Conference Room 309

Chair Aquino, Vice Chair Ing, 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 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, SD2.

LATE



SB2884 SD2
RELATING TO PAROLE
House Committee on Public Safety

March 13, 2014

10:00 a.m.

Room 309

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.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

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ARMINA A. CHING
FIRST DEPUTY PROSECUTING ATTORNEY



THE HONORABLE HENRY J.C. AQUINO, CHAIR
HOUSE COMMITTEE ON PUBLIC SAFETY
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawai'i

March 13, 2014

RE: S.B. 2884, S.D. 2; RELATING TO PAROLE.

Chair Aquino, Vice-Chair Ing, and members of the House Committee on Public Safety, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in **support** of Senate Bill 2884, S.D. 2.

S.B. 2884, S.D. 2, would clarify the Hawai'i Paroling Authority's ("HPA") ability to grant written discharge from further liability on a prisoner's sentence, to the extent that the prisoner is serving a court-ordered mandatory minimum, and/or continues to owe restitution payments to his or her victim(s). These are reasonable limitations, which recognize the authority of court-ordered mandatory minimums and protect the interests of crime victims. While the HPA is likely already adhering to these limitations currently, the express clarification of this statute is both helpful and appropriate.

For these reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu supports S.B. 2884, S.D. 2. Thank you for the opportunity to testify on this matter.

COMMUNITY ALLIANCE ON PRISONS

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

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



COMMITTEE ON PUBLIC SAFETY

Rep. Henry Aquino, Chair

Rep. Kaniela Ing, Vice Chair

Thursday, March 13, 2014

10:00 a.m.

Room 309

SUPPORT SB 2884 SD2 - PAROLE

Aloha Chair Aquino, Vice Chair Ing, 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 land.

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.

Mahalo for this opportunity to testify.

ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 10, 2014 9:08 PM
To: pbstestimony
Cc: sherrianwitt@aol.com
Subject: *Submitted testimony for SB2884 on Mar 13, 2014 10:00AM*

SB2884

Submitted on: 3/10/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
sherrian witt	Witt Counseling Service	Support	No

Comments:

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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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 11, 2014 8:09 AM
To: pbstestimony
Cc: juggler@aloha.net
Subject: *Submitted testimony for SB2884 on Mar 13, 2014 10:00AM*

SB2884

Submitted on: 3/11/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Graham Ellis	Individual	Support	No

Comments:

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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 11, 2014 7:55 AM
To: pbstestimony
Cc: rbkarasuda@hotmail.com
Subject: *Submitted testimony for SB2884 on Mar 13, 2014 10:00AM*

SB2884

Submitted on: 3/11/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
RaeDeen Karasuda	Individual	Support	No

Comments:

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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 11, 2014 7:54 AM
To: pbstestimony
Cc: paulakomarajr@yahoo.com
Subject: Submitted testimony for SB2884 on Mar 13, 2014 10:00AM

SB2884

Submitted on: 3/11/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Paul A. komara, Jr.	Individual	Support	No

Comments: I support SB 2884 to provide monies to inmates as they exit prison.

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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 10, 2014 10:22 PM
To: pbstestimony
Cc: aprilhawaii@hawaii.rr.com
Subject: Submitted testimony for SB2884 on Mar 13, 2014 10:00AM

SB2884

Submitted on: 3/10/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
A Kathleen Lee	Individual	Support	No

Comments: Aloha Honorable Hawai'i Senators, The deck is stacked against and inmate just released, if they cannot even feed themselves or find a bed for a few days. This \$200 is absolutely necessary for them upon release. Imagine yourself with a 'record' on the street completely broke...bet you can't. Let's be humane to these individuals that have served time and need some support upon re-entering the community. Mahalo nui for your heart and head for these inmates, A. Kathleen Lee

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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 10, 2014 10:09 PM
To: pbstestimony
Cc: koohanpaik@gmail.com
Subject: *Submitted testimony for SB2884 on Mar 13, 2014 10:00AM*

SB2884

Submitted on: 3/10/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Koohan Paik	Individual	Support	No

Comments:

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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 10, 2014 8:51 PM
To: pbstestimony
Cc: shannonkona@gmail.com
Subject: Submitted testimony for SB2884 on Mar 13, 2014 10:00AM

SB2884

Submitted on: 3/10/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

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

Comments: Support

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ing2-Travis

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To: pbstestimony
Cc: claudiarice25@gmail.com
Subject: *Submitted testimony for SB2884 on Mar 13, 2014 10:00AM*

SB2884

Submitted on: 3/10/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
claudia rice	Individual	Support	No

Comments:

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ing2-Travis

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 10, 2014 8:18 PM
To: pbstestimony
Cc: maukalani78@hotmail.com
Subject: Submitted testimony for SB2884 on Mar 13, 2014 10:00AM

SB2884

Submitted on: 3/10/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

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

Comments: COMMITTEE ON PUBLIC SAFETY Rep. Henry J.C. Aquino, Chair Rep. Kaniela Ing, Vice Chair Support HB2884 SD2 Dear Chair Aquino, Vice Chair Ing and Members of the Committee: I am writing for your consideration to please pass this bill so the exiting inmates will have a few dollars to buy some food and necessities as they exit into the community. I track a few of them after their release and they have a very difficult time making ends meet. These are inmates who don't have families so their expenses are minimal. It's a sad, sad situation because they want to succeed. Thank you for your consideration and the opportunity to submit my testimony. Aloha, E. Ileina Funakoshi

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To: pbstestimony
Cc: ltanoai@hawaii.rr.com
Subject: *Submitted testimony for SB2884 on Mar 13, 2014 10:00AM*

SB2884

Submitted on: 3/11/2014

Testimony for PBS on Mar 13, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Lanilynn Tanoai	Individual	Support	No

Comments:

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