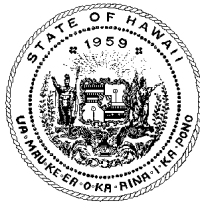


NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

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COMMENTS ON SENATE BILL (SB) 71, SENATE DRAFT (SD) 2
RELATING TO
MAKING AN APPROPRIATION FOR PUBLIC SAFETY PROGRAMS
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 21, 2013; 10:00 a.m.
State Capitol, Room 309

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

SB 71, SD 2, Making an Appropriation for Public Safety Programs, provides funding for community-based organization to offer rehabilitative programs and services to inmates under the control of the Department of Public Safety (PSD). PSD supports the goal of this measure to provide a greater range and capacity of services to both incarcerated and transitioning inmates.

Governor's Message (GM) 226 proposes changes to the FY 2013-2015 biennium budget, including funds to provide necessary programs and services that will enhance the successful implementation of the Justice Reinvestment Initiative. Corresponding offset will come from transitioning inmates back from non-state facilities (PSD 808). Many of the proposed programs and services found in SB 71, SD 2 are included in GM 226.

In support of the submittal of GM 226, we respectfully request that bills related to correctional programs and services funding be deferred.

Thank you for the opportunity to provide comments related to SB71, SD2.

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON PUBLIC SAFETY

Rep. Henry Aquino, Chair

Rep. Kaniela Ing, Vice Chair

Thursday, March 21, 2013

10:00 a.m.

Room 309

STRONG SUPPORT FOR SB 71 SD2 - PUBLIC SAFETY PROGRAMS

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, 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 71 SD2 makes an appropriation to the department of public safety to contract with community-based non-profit organizations to provide education, mentoring, restorative circles, farming, artisan skills, cognitive behavioral therapy, and cultural healing services to inmates and former inmates who are under the custody and control of the department of public safety or the Hawaii paroling authority.

Community Alliance on Prisons is in strong support of this measure.

The Urban Institute released a study in 2012 entitled, **The Practice and Promise of Prison Programming**¹

"Highlights

- In general, correctional programs can increase post release employment and reduce recidivism, provided the programs are well designed and implemented.
- A range of methodological limitations preclude any assessment of direct and unequivocal beneficial effects of prison programming.
- Promising programs in terms of post-release outcomes include general characteristics, what also might be called principles of effective intervention:
 - focusing on skills applicable to the job market
 - matching offenders' needs with program offerings
 - ensuring that participation is timed to be close to an offender's release date
 - providing programming for at least several months

¹ *The Practice and Promise of Prison Programming*, The Urban Institute, May 2002.

http://www.urban.org/UploadedPDF/410493_PrisonProgramming.pdf

- targeting offenders' needs that are changeable and may contribute to crime, such as attitudes and pro-social activities
- providing programs that cover each individual's needs and are well integrated with other prison programs to avoid potential redundancy or conflict across programs
- ensuring that prison programming is followed by treatment and services upon release from prison
- relying on effective program design, implementation, and monitoring
- involving researchers in programs as evaluators

It is well documented that the education level, work experience, and skills of prisoners are well below the averages for the general population (Andrews and Bonata 1994). The 1992 National Adult Literacy Survey (NALS) established that only 51 percent of all state and federal prisoners had their high school diploma (LoBuglio 2001). The national average for the general population is 76 percent. In this same study, 11 percent of inmates, compared with three percent of general population respondents, self-reported having a learning disability.

(...)

The work experience and skills of prisoners also typically are well below that of the general population (Travis, Solomon, and Waul 2001). The lack of work experience and skills, when combined with low education levels and difficulties in obtaining employment upon release, can contribute to a cycle of unemployment that increases the likelihood of further criminal behavior (Austin and Irwin 2001). Despite a long-standing historical emphasis in American corrections on education and employment training (Piel 1998; Gaes et al. 1999), and despite the importance of prison programming for improving a range of outcomes upon release, levels of program participation have declined. In 1991, 42 percent of soon-to-be-released prisoners (less than 12 months remaining) reported participating in education programs, compared with 35 percent in 1997 (figure 1). Participation in vocational programs declined from 31 percent to 27 percent during this same period (Lynch and Sabol 2001).

One reason for these declines is the rapid and enormous growth in prisons."

MENTORING

Mentoring is a unique and valuable volunteer service in prisons. It can often be the foundation for fundamental, positive change. Mentoring is provided so that each inmate will have a positive influence in life and have a positive contact to assist the inmate upon release. Mentoring is intended to enhance personal growth through the sharing of experiences and wisdom and to offer a framework for teaching and modeling values and life skills. Mentoring topics will be geared towards personal growth in ethical behavior and interpersonal relationships.

Mentoring ideally will be a one-on-one relationship, with mentor and inmate of the same gender. It is a new challenge to extend a mentoring program opportunity to an entire prison population and we will work hard to build a sustained base of volunteer mentors and provide a one-on-one mentoring experience for every interested resident.²

² Wakulla CI Faith- and Character-Based Prison Mentoring <http://www.wakullacivolunteers.org/mentoring.htm>

The Department of Labor found that carefully structured mentoring programs, which allow for the development of trusting relationships with adult peers, can improve an ex-prisoner's academic record and behavior. Ex-prisoners paired with mentors are more likely than those without mentors to find work, remained employed longer and recidivate less.³

The U.S. Department of Labor⁴ published a Guide for mentoring which stated:

For more than ten years, research has demonstrated that carefully structured, well-run mentoring programs can positively affect social, behavioral and academic outcomes for at-risk young people. Research has also shown how mentoring works – through the development of a trusting relationship between the young person and an adult mentor who provides consistent, nonjudgmental support and guidance. Among the questions that Ready4Work was designed to explore was whether mentoring could similarly lead to positive outcomes for adult ex-prisoners.

Early findings from the evaluation of Ready4Work suggest that mentoring can have real benefits in strengthening outcomes in the context of a multifaceted reentry program. Across the 11 sites, about half of the participants in the reentry program became involved in mentoring. Those participants fared better, in terms of program retention and employment, than those who did not participate in the mentoring program.⁵

RESTORATIVE CIRCLES

Research clearly shows that restorative justice interventions are more effective at reducing repeat crime and reducing recidivism than our current mainstream justice systems (Sherman & Strang 2007) ⁶
http://www.smith-institute.org.uk/pdfs/RJ_full_report.pdf.

Prison without rehabilitation only creates more crime. Hawai'i's prison recidivism rates are consistent with the U.S. national average with about 50% of all the people being released from prison coming back within only two years of their release.

Aotearoa (New Zealand), which provides more rehabilitation in its prisons than Hawai'i, has almost a 15% lower rate with 37% of their incarcerated people back into prison within two years, but that is bad news for the Kiwis who would like to see even less recidivism.⁷

³ *Want a more educated workforce? Connect mentors to ex-inmates for new read on life*, Bangor Daily News, Editorial, Nov. 23, 2012. <https://bangordailynews.com/2012/11/23/opinion/editorials/want-a-more-educated-workforce-connect-mentors-to-ex-inmates-for-new-read-on-life/>

⁴ See McClanahan, Wendy. P/PV Preview: Mentoring Ex-Prisoners in the Ready4Work Reentry Initiative. March 2007. Philadelphia: Public/ Private Ventures. Available at www.ppv.org

⁵ Mentoring Ex-Prisoners: A Guide for Prisoner Reentry Programs, U.S. Department of Labor, November 2007. http://www.doleta.gov/pri/pdf/mentoring_ex_prisoners_a_guide.pdf

⁶ http://www.smith-institute.org.uk/pdfs/RJ_full_report.pdf

⁷ <http://www.scoop.co.nz/stories/PA0807/S00086.htm>

FARMING

With Hawai'i's state commitment to food security, training incarcerated persons to farm is a good way to meet that need while assisting incarcerated individuals to develop marketable job skills. There are already farms at the Women's Community Correctional Center and at Waiawa Correctional Facility. These program can and should be expanded and open to more individuals interested in farming. At WCCC, the facility is working with a community program to teach the women not only to grow vegetables, but techniques such as irrigation and other related skills. The goal is to provide more vegetables for the facility and to give the rest to senior programs in Waimanalo. What a fabulous idea!

Community Alliance on Prisons has spoken to farmers who are ready and willing to help.

ARTISAN SKILLS

Community Alliance on Prison is very supportive of arts programs as discussed in SB 74, the sale of crafts made by incarcerated persons. It's a great way to keep people busy and exercising some right-brain activities!

CULTURAL PROGRAMMING

The success of cultural programming was clearly demonstrated by the MEO B.E.S.T. Reintegration Program on Maui that was de-funded during the Lingle administration. The BEST program was culturally-based and served not just Hawaiians, but all people. The program was originally funded by a SVORI (Serious and Violent Offender Reentry Initiative) grant. The BEST clientele, therefore, were high-risk individuals.

A 2006 report stated: "...we find that the BEST Program is cost beneficial, realizing savings of \$13,643 per client in terms of costs related to differential incarceration, criminal justice system processing costs, and costs related to criminal victimization. In other words, since BEST clients were arrested and convicted less often in comparison to controls, costs expended for services result in decreased projected costs associated with incarceration, criminal justice processing, and costs to victims.

(...)

BEST clients are enthusiastic about the services they are receiving from the program. This is critical because, while clients in the community may be encouraged by probation or parole officers to obtain services from BEST, participation is essentially voluntary. Therefore, it really matters how attractive and effective services are perceived to be by the clients on community status. And there are a number of areas where BEST clients appear to be doing very well. For instance, this population's health concerns are minimal and most have access to health insurance and medical care when needed. And, although patterns of employment tend to show some instability, this appears to be offset by changes they make that lead to increased incomes."⁸

A 2008 study of BEST stated: "The Serious and Violent Offender Reentry Initiative targets a population that is comprised of individuals at high-risk for reoffending. These individuals have served lengthy sentences and, in many cases, have extensive criminal histories. They may or may not have ever had

⁸ THE B.E.S.T. PROGRAM - A Report on Program Implementation and Preliminary Outcomes, AUGUST 30, 2006, Marilyn Brown, Ph.D.

fully-functioning ties to employment, school, or family. This group of former inmates is at high risk for recidivating, posing a serious threat to public safety.

Yet, the BEST Program demonstrates particular success with this group as illustrated by significantly lower post-release arrest rates. Although we cannot know precisely which component of these comprehensive services is most responsible for this success, clearly a focus on the serious offender has benefits in terms of improving public safety at reduced costs to the public. Therefore, Hawai'i reintegration policy might make great gains in these areas by specially targeting this group of higher-risk individuals. Although this group poses great challenges, the potential returns are also great.”⁹

Hawai'i needs to support more programs that speak to our population, such as the BEST program. Programs that involve culture, families and community work best.

More than 98% of our incarcerated population will return to the community. Programs like BEST, that start working with individuals while they are incarcerated, create a seamless approach to reintegration with wrap-around services that continue when an individual is released. The evidence is clear that this is what works.

Mahalo for this opportunity to share our research and thoughts on correctional programming.

⁹ Impact and Cost-Benefit Analysis of Hawaii's Serious and Violent Offender Reentry Initiative: The B.E.S.T. Program, Brown, Davidson, Allen, Tavares, 2008.

ing2-Brandon

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 19, 2013 10:19 AM
To: pbstestimony
Cc: ewelsh@metcalfconstruction.com
Subject: Submitted testimony for SB71 on Mar 21, 2013 10:00AM

SB71

Submitted on: 3/19/2013

Testimony for PBS on Mar 21, 2013 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Erin Welsh	Individual	Support	No

Comments: Please fund this bill. It will greatly help those returning from prison to stay out of prison, which benefits the entire community. Thank you.

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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To: pbstestimony
Cc: maucrowe@gmail.com
Subject: Submitted testimony for SB71 on Mar 21, 2013 10:00AM

SB71

Submitted on: 3/19/2013

Testimony for PBS on Mar 21, 2013 10:00AM in Conference Room 309

Submitted By	Organization	Testflier Position	Present at Hearing
james crowe	Individual	Support	No

Comments: Public safety will be improved when former inmates have returned to the community with skills and cultural healing, ready to be dads and moms and productive members of the workforce.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 20, 2013 5:25 AM
To: pbstestimony
Cc: hokoanaj001@hawaii.rr.com
Subject: Submitted testimony for SB71 on Mar 21, 2013 10:00AM

SB71

Submitted on: 3/20/2013

Testimony for PBS on Mar 21, 2013 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Karin Hokoana	Individual	Support	No

Comments: It has been proven on a National scale that programs reduce the rate of recidivism. Punishment alone does not improve public safety, nor does it positively affect social interactions. Punitive plus restorative must work hand in hand. I STRONGLY support this bill as a mother of a repeat offender and a member of the community. These programs are LONG OVERDUE!

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 19, 2013 9:09 PM
To: pbstestimony
Cc: jamsha10@evergreen.edu
Subject: Submitted testimony for SB71 on Mar 21, 2013 10:00AM

SB71

Submitted on: 3/19/2013

Testimony for PBS on Mar 21, 2013 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Shawn James Leavey	Individual	Support	No

Comments: mahalo!

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LORENN WALKER, J.D., M.P.H.

COMMITTEE ON PUBLIC SAFETY

Honorable Representative Henry Aquino, Chair
Honorable Representative Kaniela Ing, Vice Chair

Thursday, March 21, 2013
10:00 a.m.
Conference Room 309

STRONG SUPPORT FOR SB 71 SD2 – PUBLIC SAFETY PROGRAMS

Please vote yes on this measure to fund rehabilitation programs for imprisoned people that will make our community safer.

The state department of public safety calls its prisons “correctional institutions” but without funding and support for correctional and rehabilitation programs, the facilities are really only prisons warehousing people for bad behavior with other people who also misbehaved.

Most people in prison come back into the community after serving their sentences, and even for those serving life sentences, we need rehabilitation programs.

Without rehabilitation there is a risk that people will learn worse behaviors in prison—this is dangerous for prison staff and for other incarcerated people. And for the majority of incarcerated people who will return to the community, they need programs that can help them improve their behavior.

This bill will fund rehabilitation programs including the restorative reentry planning circles we have been piloting for the last 8 years. Due to a lack of funding only about 30% of the imprisoned people who want circles ever get one. The circles are healing for both the incarcerated people and the people they have harmed in their families. Many times imprisoned people having circles also make plans for how they are going to reconcile and make things right for the community at large that their crimes and imprisonment harmed. The incarcerated people often say they will “follow prison rules” as one way to make things right and they usually also make plans to volunteer and “pay back” in other helpful ways to repair the harm. Almost incarcerated people having circles make plans to remain law abiding and substance free after incarceration.

Yesterday we provided a circle with an imprisoned person’s sibling who had participated in several of our first circles at Waiawa Correctional Facility 8 years ago. Today that person remains law abiding and drug free in part he attributes to what he learned from participating in the restorative reentry circles.

The circle program is being replicated in other states and we also receive requests for information about it regularly from other countries. Without support however it is unlikely we can continue providing the circles at all. We need the state’s support to provide the program and do a proper in depth evaluation of its outcomes. We have done some research, but more is needed to understand the full ramifications of family healing for criminal and substance abuse desistance.

The circles have been described in many articles and books. The reentry restorative circles are considered one of the most innovative approaches to prisoner transition. Currently, I am working on two new book chapters and I finished another chapter for a third book in February. For information on my experience with the justice system, and how it can be improved, including over 40 published papers and two books, please see www.lorennwalker.com.

Thank you for your time and efforts serving the public.

ing2-Brandon

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 20, 2013 10:15 AM
To: pbstestimony
Cc: maukalani78@hotmail.com
Subject: Submitted testimony for SB71 on Mar 21, 2013 10:00AM

SB71

Submitted on: 3/20/2013

Testimony for PBS on Mar 21, 2013 10:00AM In Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
elaine funakoshi	Individual	Support	No

Comments: I submitted written testimony previously in strong support of this measure. Thank you for hearing the bill and I ask for your approval.

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