

SB 71

MAKING AN APPROPRIATION FOR PUBLIC SAFETY PROGRAMS.

Makes appropriation to the department of public safety to contract with community-based non-profit organizations to provide mentoring, restorative circles, farming, artisan skills, cognitive restructuring, and cultural healing services to inmates and former inmates.

NEIL ABERCROMBIE
GOVERNOR



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DEPARTMENT OF PUBLIC SAFETY
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TESTIMONY ON SENATE BILL 71
A BILL MAKING AN APPROPRIATION
FOR PUBLIC SAFETY PROGRAMS

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, January 29, 2013, 2:50 PM
State Capitol, Conference Room 224

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

The Department of Public Safety supports Senate Bill 71, Making An Appropriation For Public Safety Programs, to support community-based organizations with an interest in assisting incarcerated persons in successfully transitioning into the community. The purpose of this Act is to make an appropriation to the Department of Public Safety to contract with community-based, non-profit organizations to provide mentoring, restorative circles, farming, artisan skills, cognitive restructuring, and cultural healing services to inmates and former inmates.

We recommend a number of revisions for the purposes of clarity, including replacing the term "cognitive restructuring" with "cognitive behavioral therapy," adding "education" as a program offered, and defining the term "former inmate." These are as follows:

Section 1, page 1, line 14 to read, "... non-profit organizations to provide education, mentoring, restorative."

Section 1, page 1, line 15 to read, "... circles, farming, artisan skills, cognitive behavioral therapy, and..."

Section 1, page 1, line 16 to read, "...cultural healing services to inmates and former inmates who are under the custody and control of the department of public safety or the Hawai'i paroling authority."

Section 2, page 2, line 5 to read, "... to provide education, mentoring,"

Section 2, page 2, line 6 and 7, replace "cognitive restructuring" with "cognitive behavioral therapy."

Section 2, page 2, line 8 to read, "...former inmates who are under the custody and control of the department of public safety or the Hawai'i paroling authority."

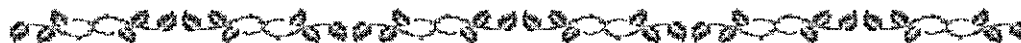
These recommended revisions will provide community-based organizations the opportunities to address the assessed needs of the offenders for successful reentry.

Thank you for this opportunity to testify.

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Sen. Will Espero, Chair

Sen. Rosalyn Baker, Vice Chair

Tuesday, January 29, 2013

2:50 p.m.

Room 224

STRONG SUPPORT FOR SB 71 - PUBLIC SAFETY PROGRAMS

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 71 appropriates funds to the department of public safety to contract with community-based non-profit organizations to provide mentoring, restorative circles, farming, artisan skills, cognitive restructuring, and cultural healing services to inmates and former inmates.

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

The Urban Institute released a study in 2022 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.

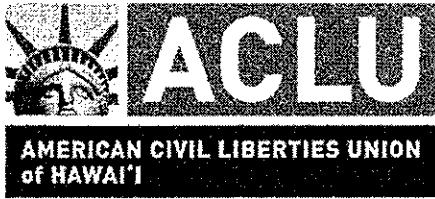
Yet, the BEST Program demonstrates particular success with this group as illustrated by significantly lower post-release arrest rates. Although we cannot know precisely which component of these comprehensive services is most responsible for this success, clearly a focus on the serious offender has benefits 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.



Committee: Committee on Public Safety, Intergovernmental and Military Affairs
Hearing Date/Time: Tuesday, January 29, 2013, 2:50 pm
Place: Conference Room 224
Re: Testimony of the ACLU of Hawaii in Support to S.B. 71, Making an Appropriation for Public Safety Programs

Dear Chair Espero and Members of the Committee on Public Safety, Intergovernmental and Military Affairs:

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in support to S.B. 71, which seeks to provide appropriations to the Department of Public Safety to contract with community-based non-profit organizations to provide mentoring, restorative circles, farming, artisan skills, cognitive restructuring, and cultural healing services to inmates and former inmates.

The ACLU of Hawaii supports every effort aimed at rehabilitating prisoners and alleviating Hawaii's overincarceration problem. Further, the ACLU of Hawaii supports the development of programs and policies that are more cost-efficient and more effective at reducing recidivism. Every effort should be made to provide Hawaii's inmates with the support and services they need to become productive and responsible community members.

Thank you for this opportunity to testify.

Sincerely,

Laurie A. Temple
Staff Attorney
ACLU of Hawai'i

The ACLU of Hawaii has been the state's guardian of liberty for 47 years, working daily in the courts, legislatures and communities to defend and preserve the individual rights and liberties equally guaranteed to all by the Constitutions and laws of the United States and Hawaii. The ACLU works to ensure that the government does not violate our constitutional rights, including, but not limited to, freedom of speech, association and assembly, freedom of the press, freedom of religion, fair and equal treatment, and privacy. The ACLU network of volunteers and staff works throughout the islands to defend these rights, often advocating on behalf of minority groups that

American Civil Liberties Union of Hawai'i
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Chair Espero and Members Thereof
January 23, 2013
Page 2 of 2

are the target of government discrimination. If the rights of society's most vulnerable members are denied, everyone's rights are imperiled.

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SB71

Submitted on: 1/28/2013

Testimony for PSM on Jan 29, 2013 14:50PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Kenneth Rowe	Going Home Consortium	Support	No

GOING HOME

Senator Will Espero, Chair
Senator Rosalyn Baker, Vice Chair
Committee on Public Safety, Government Operations, and Military Affairs
Testimony in Support of SB#71

Aloha Mai Kakou Chair Espero, Vice Chair Baker, and Fellow Committee Members:

I am Kenneth Rowe: Co-Chairperson for our Going Home Consortium Executive Committee, Co-Case Management, Vice-Chairperson for Former Incarcerated & Reentry Support Team (FIRST), Community Relations, and member of Employer Relations, and I am also the Reentry Coordinator for Dept. of Public Safety – Reentry Office, here on the Big Island of Hawai'i.

As an active member, supporter, and executive co-chair of our Going Home Consortium, we are asking for your support with the confirmation of Nominee, we are asking for your support with SB#71, for the following reasons:

1. As identified in Justice Reinvestment, and with other evidence-based practices, the key factors in reducing recidivism is allowing the appropriation of funds to community-based non-profit organizations to provide mentoring, restorative circles, farming, artisan skills, cognitive restructuring, and cultural healing services to inmates and former inmates by community based organization.
2. As a great number of offenders exiting incarceration, and transitioning back into our community, lack the necessary work experience and skills set needed to sustain a long-term work history. SB #71 will allow an offender to obtain training needed for them to be competitive in our labor market, by allowing Public Safety to contract the necessary services to non-profit agencies to work with offenders as they transition back into our community from the inside to the outside, as a true reentry program.
3. We understand that during these tough economic times we need to pull our resources by working together, organizing partnerships, collaborating with the people in our community, and most of all working with the different levels of our government – federal, state and county throughout the state, in maximizing our funding resources.

4. As reiterated in Justice Reinvestment, reentry begins from the inside, but it is nurtured, supported, and grown on the outside in our community. An offender must become a productive member of our community, and employment is a key factor for them. This will allow them to “pay restitution, pay fines, and most of all pay taxes.”
5. Our Going Home Consortium and all our partners would be a great resource, and mentor for our offender to gain valuable work experience, guidance, and training. Many of our members come from organizations that are “non-profit”, “faith based,” and “government agencies” and are more than willing to continue to support Public Safety with their reentry efforts.
6. SB#71 will be a valuable asset and funding resource to prevent offenders from committing new crimes. Thus will prevent new victims, reduce added strains on an already overburdened criminal justice system, and will avert hurt families and loved ones.

Supporting SB#71 will provide long-term social and economic benefits for the entire state of Hawai'i. Therefore, I humbly ask that this committee support SB#71.

E Ke Akua ame E Malama Pono

A hui hou,

A rectangular box containing a handwritten signature in black ink. The signature appears to be 'K M Rowe'.

Kenneth M. Rowe,
Going Home Consortium Executive Co-Chair
PSD: Reentry Office - Reentry Coordinator
933-3453

Cc:

- Committee Member on Public Safety, Government Operations, and Military Affairs
- Going Home Consortium Executive Committee



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

January 29, 2013

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

From: Jeanne Ohta, Executive Director

RE: SB 71 Department of Public Safety, Nonprofits
Hearing: Tuesday, January, 29 2013, 2:50 p.m., Room 224

Position: Support

The Drug Policy Forum of Hawai'i (DPFH) writes in support of this measure, which makes an appropriation to the Department of Public Safety to contract with community-based non-profit organizations to provide mentoring, restorative circles, farming, artisan skills, cognitive restructuring, and cultural healing services to inmates and former inmates.

DPFH supports community-based programs as a less costly yet effective manner to provide programs. Hawaii's prisons and jails need more diverse programming. To be effective, there needs to be a fit between the individual and the program, effective programs are not "one size fits all."

Community-based programs allow incarcerated people more interaction with the community, a start to begin to re-enter successfully with the community after release. Culturally-based programs, mentoring programs, and programs which teach skills can all improve the transition from prison to community.

Thank you for this opportunity to submit testimony.

SB71

Submitted on: 1/28/2013

Testimony for PSM on Jan 29, 2013 14:50PM in Conference Room 224

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

Comments: Dear Chair Espero, Vice Chair Baker and Committee Members: I don't want to submit a late testimony so may it suffice to say that I strongly support SB 71 and request that you approve this bill. Thanks you for this opportunity to submit my short testimony. Aloha, elaine funakoshi