

# **SB 74**

## RELATING TO CORRECTIONS.

Allows committed persons to create and place for sale approved products and crafts. Allocates proceeds to rehabilitation programs, the crime victim compensation special fund, and the committed person's account. Requires department of public safety to study other states' practices on the making and sale of arts and crafts by inmates. Requires a report to the 2014 legislature.

NEIL ABERCROMBIE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
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INTERIM DIRECTOR

**Martha Torney**  
Deputy Director  
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Deputy Director  
Corrections

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Deputy Director  
Law Enforcement

No. \_\_\_\_\_

**TESTIMONY ON SENATE BILL 74  
RELATING TO CORRECTIONS**

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

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

The Department of Public Safety (PSD) supports Senate Bill 74 and the recommendation that PSD conduct a study to ascertain the practices of correctional facilities in other States with regard to the making and sale of arts and crafts by inmates.

The measure provides committed persons an opportunity to create and place for sale approved products and crafts with a mandate that 25% of the proceeds fund rehabilitation programs and 25% be deposited into the crime victim compensation special fund established by section 351-62.5.

PSD is requesting to amend page 1, line 5 by replacing "shall" with "may."

Thank you for the opportunity to present this testimony.

NEIL ABERCROMBIE  
GOVERNOR



STATE OF HAWAII  
**CRIME VICTIM COMPENSATION  
COMMISSION**

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PAMELA FERGUSON-BREY  
Executive Director

TESTIMONY IN SUPPORT OF SENATE BILL 74  
A BILL FOR AN ACT RELATING TO CORRECTIONS

Pamela Ferguson-Brey, Executive Director  
Crime Victim Compensation Commission

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

Chair Espero, Vice Chair Baker, and Members of the Senate Committee on Public Safety,  
Intergovernmental and Military Affairs:

Thank you for providing the Crime Victim Compensation Commission ("Commission") with the opportunity to testify in support of Senate Bill 74 relating to allowing inmates to produce and sell products and crafts with proceeds allocated to the reentry programs, the Commission's special fund, and the inmate's account.

The Commission was established in 1967 to mitigate the suffering and financial impact experienced by victims of violent crime by providing compensation to pay un-reimbursed crime-related expenses. Many victims of violent crime could not afford to pay their medical bills, receive needed mental health or rehabilitative services, or bury a loved one, if compensation were not available. Since 2003, the Commission has operated without general funds. The Commission's special fund is funded in part by the collection of the compensation fee, inmates' wages, and restitution.

Senate Bill 74 provides for another source of revenue from which the Commission can provide compensation to the victims of violent crimes. Moreover, Senate Bill 74 allows inmates to learn entrepreneur skills.

The Commission urges you to pass SB74. Thank you for providing the Commission with an opportunity to testify in favor of this important measure.

# 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 74 - SALE OF CRAFTS

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 74 allows committed persons to create and place for sale approved products and crafts. Allocates proceeds to rehabilitation programs, the crime victim compensation special fund, and the committed person's account. Requires department of public safety to study other states' practices on the making and sale of arts and crafts by inmates. Requires a report to the 2014 legislature.

Community Alliance on Prisons is in strong support of this measure, which allows 25% of sales to go toward victim restitution; 25% of sales to go toward incarcerated person's reentry/reintegration; and 50% of sales go to incarcerated person's facility account.

Selling crafts would allow the individual to generate some funds to purchase needed items from the commissary without burdening their families for necessary items like clothing, toiletries and other needed hygiene products.

It is obvious that a busy incarcerated person is easier to manage. The sale of their handicrafts increases the self-esteem of the incarcerated and can enable transition back to the community with a marketable skill. Many prisons around the continent have craft programs that allow the incarcerated artist to earn some money and pay restitution to their victims.

A small sampling of programs around the continent include programs in Arizona, Washington state and New Hampshire.

## ARIZONA

### **Prison Outlet Store Sells Crafts Made by Inmates<sup>1</sup>**

The finished products are put up for sale in the Outlet Store in Florence, Ariz. -- sorry, no out-of-state sales -- and proceeds are divided between the inmate and a victims' rights group. The program also helps save the state millions of dollars because the rate in which participating felons return to prison drops 30 percent.

"Those inmates gain marketable job skills they can use in the real world," Rick Kahn, vice president and sales manager of Arizona Correctional Industries. "And they leave here with an understanding of the workforce because we treat them like co-workers."

## WASHINGTON STATE

### **Prison Inmates Free Their Minds With Arts And Crafts<sup>2</sup>**

WALLA WALLA - As Washington State Penitentiary inmates, they have plenty of time on their hands, and some choose to use their hands as they serve their time.

They are the jewelers, the leather craftsmen, the sketch artists who advanced from doodling in their cells to producing professional-looking works of art that are sold to staff members and the public.

"Instead of turning into a video idiot (in my cell), I braid these for a couple of hours," said John Breen, 34, displaying his leather-braid belts and other handiwork.

## NEW HAMPSHIRE

### **"Correction Creations" Offers NH-Made Crafts and Furniture<sup>3</sup>**

John Limoge, who has been the prison shop manager for about 13 years, said about 10% of the men incarcerated at the prison are enrolled in the program, and more have been put onto a waiting list.

"The inmates have their own artistic abilities and interests," John says. "They decide what they want to make, and then they price it before it is sent to Grevior Furniture." The prison shop also accepts custom orders, which can be placed through Grevior. John notes that the inmates pay for their own craft materials, and any proceeds from sales are shared between the inmates, the prison, and Grevior.

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<sup>1</sup> Nov 30th 2010 By Laura Leu

<http://www.asylum.com/2010/11/30/prison-outlet-store-arizona-correctional-industries/>

<sup>2</sup> By Terry Mcconn, Walla Walla Union-Bulletin. The Seattle Times, Sunday, January 27, 2013.

<http://community.seattletimes.nwsource.com/archive/?date=19950305&slug=2108400>

<sup>3</sup> Christine Randall - September 18, 2012.

<http://thelaker.com/correction-creations-offers-nh-made-crafts-and-furniture>

John explains how this unique "Corrections Creations" shop came about. "This is our first venture like this," he says. "We've had a state-of-the-art woodworking and craft shop at the state prison for over 25 years, but after the recent statewide budget cuts and staff reductions at the NHDOC, our store was reduced to the point that we weren't able to open. So we came up with the idea to find a local business interested in providing space and selling our crafts on consignment."

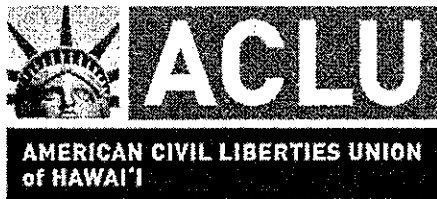
The NHDOC sent out a Request for Proposals to businesses throughout the state, with a positive response. "We had a lot of interest among smaller "Mom and Pop" stores and consignment stores," John says. "The interested businesses had to fill out applications and submit their proposals to the State, and then a selection committee reviewed these. The committee selected Grevior Furniture."

Community Alliance on Prisons encourages the Department of Public Safety to establish programs like this to develop marketable skills to prepare incarcerated persons for successful reentry into the community as well as to enhance prison management. The incarcerated persons at Kulani were making incredible wood products. I have a beautiful poi pounder that our men artfully crafted while incarcerated there.

And I have also received beautiful art work from our men in Arizona, although I don't believe that their work is offered for sale.

Mahalo for hearing this bill and for thinking about ways to enhance public safety, increase the safety of prison managers, and develop programs to assist reentry for those exiting incarceration.

Mahalo for this opportunity to testify.



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. 74, Relating to Corrections

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. 74, which seeks to allow committed persons to create and place for sale approved products and crafts, allocates proceeds to rehabilitation programs, the crime victim compensation special fund, and the commitment person's account, and requires the public safety to study other states' practices on the making and sale of arts and crafts by 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 Hawaii

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

American Civil Liberties Union of Hawaii  
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*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 74 PUBLIC SAFETY PROGRAMS  
Hearing: Tuesday, January, 29 2013, 2:50 p.m., Room 224

Position: Support

The Drug Policy Forum of Hawai'i writes in support of this measure.

The measure would allow incarcerated individuals to earn funds that will go toward victim restitution; toward the individual's reentry/reintegration; toward their facility account; and allow those who are without families or those whose families are struggling financially, to purchase necessary personal hygiene and toiletry items from these funds.

Many prisons have craft programs that allow the incarcerated artist to earn some money. This is one way that we can teach individuals to be more financially self-sufficient and it is a common-sense approach during tough economic times.

Thank you for this opportunity to submit testimony.

**SB74**

Submitted on: 1/28/2013

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
elaine funakoshi	Individual	Support	No

Comments: Dear Chair Espero, Vice Chair Baker, and Committee Members: I'm elaine funakoshi, an old-time residence of our beautiful State of Hawai`i, and writing in support of this bill. In the past, inmates were able to make and sell items they created. It would be beneficial for them and the State to be able to do that again. The bill states how the money would be divided; it will give the inmates pride in their accomplishments to show their families; it will keep them occupied to keep them out of trouble; and they could train each other in making items to build positive comradeship. Couple of inmates made hand-carved bracelets made out of wood with my name on it, and mailed it to me. Friends have asked me where they could purchase bracelets like them. Thank you for the opportunity to submit my testimoney. Please support this measure. Aloha, elaine funakoshi