

# **SB 77**

RELATING TO THE HAWAII PAROLING AUTHORITY.

Allows two members of the Hawaii paroling authority to constitute a quorum.

NEIL ABERCROMBIE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
919 Ala Moana Boulevard, 4th Floor  
Honolulu, Hawaii 96814

TED SAKAI  
INTERIM DIRECTOR

Martha Torney  
Deputy Director  
Administration

Deputy Director  
Corrections

Keith Kamita  
Deputy Director  
Law Enforcement

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

TESTIMONY ON SENATE BILL 77  
RELATING TO THE HAWAII PAROLING AUTHORITY

By

Ted Sakai, Interim Director  
Department of Public Safety

Senate Committee on Public Safety, Intergovernmental and Military Affairs  
Senator Will Espero, Chair  
Representative Rosalyn H. Baker, Vice Chair

Tuesday, January 29, 2013; 2:50 p.m.  
State Capitol, Conference Room 224

Chair Espero, Vice Chair Baker, and Members of the Committees:

The Department supports the intent of Senate Bill 77, relating to the Hawaii Paroling Authority (HPA), which establishes a quorum to effectuate board actions. We respectfully request that you consider the Administration's proposal to address this important issue, as found in Senate Bill 1178, relating to Public Safety.

Act 139, Session Laws of Hawaii 2012, enacted various aspects of the Justice Reinvestment Initiative, including increasing the members of the HPA to manage the growing number of actions required annually. Section 6 of Act 139 augments the members of the Hawaii Paroling Authority (HPA) from a chairperson and two part-time members to a chairperson and four part-time members. This section, as introduced by the Administration, was intended to allow part-time members to rotate duties, requiring three members be present to act on matters before the parole board.

As written, Act 139 does not clearly establish three as the number of HPA members necessary to conduct its work. Senate Bill 1178 proposes that a panel of three of its members be required to convene a hearing and action shall be by the majority of the panel members present.

Senate Bill 1178 also addresses the unusual circumstance when a sitting panel member may only become aware there is a potential conflict of interest concerning an inmate before them immediately preceding or during the course of a hearing. In such cases, the panel shall be allowed to continue with the remaining two members deciding the action.

In summary, we request that you hold this measure and use Senate Bill 1178 as the vehicle for this matter. Thank you for the opportunity to testify.

# COMMUNITY ALLIANCE ON PRISONS

76 North King Street, Honolulu, HI 96817

Phones/E-Mail: (808) 533-3454, (808) 927-1214 / [kat.caphi@gmail.com](mailto:kat.caphi@gmail.com)



## 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

## SUPPORT FOR SB 77 - HAWAII PAROLING AUTHORITY

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 77 allows two members of the Hawai'i paroling authority to constitute a quorum.

Community Alliance on Prisons supports this housekeeping measure that was inadvertently left out of the JRI bill that increased the members of the Hawai'i Paroling Authority from three (3) to five (5).

Mahalo for this opportunity to testify.