



**STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

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March 11, 2013

To: The Honorable Clayton Hee, Chair,
The Honorable Maile Shimabukuro, Vice Chair, and
Members of the Senate Committee on Judiciary and Labor

Date: Wednesday, March 13, 2013
Time: 10:30 a.m.
Place: Conference Room 016, State Capitol

From: Dwight Y. Takamine, Director
Department of Labor and Industrial Relations (DLIR)

Re: H.B. No. 919 Relating to State Employment

I. OVERVIEW OF PROPOSED LEGISLATION

- H.B. No. 919 amends the Civil Service law, Chapter 76, Hawaii Revised Statutes (HRS), Section 76-16(b)(13), to clarify that participants in federally funded work experience training and temporary public service employment are included in exemptions from state civil service.
- The proposed legislation also amends the Public Service Law, Chapter 78, HRS, Section 78-2.6, to allow controlled substance abuse-related offenders to be hired in work experience training and temporary public service employment, provided reasonable safeguards are in place to protect employees and the public.

The department strongly supports this Administration measure.

II. CURRENT LAW

HRS Section 76-16(b)(13) sets forth that positions filled by inmates, kokuas, patients of state institutions, persons with severe physical or mental disabilities participating in the work experience training programs, and students and positions filled through federally funded programs that provide temporary public service employment such as the federal Comprehensive Employment and Training Act of 1973 are exempt from state civil service.

- The current prohibition precludes former inmates in the Big Island's Going Home project from participating in work experience training although the project has been a successful model to transition prisoners back into the community. The project was made possible through partnerships among the Department of Public Safety, Judiciary, substance abuse rehabilitation agencies, and other social service agencies.
- Although Hawaii data is not available, states with comprehensive reentry programs show a positive correlation between employment and reduced recidivism. For example, a 1992 study of Project RIO (Re-Integration of Offenders) operated by the Texas Workforce Commission to more than 15,000 parolees each year found the following:
 - In the year after release, 23% of RIO participants were re-incarcerated versus 38% of non-RIO parolees; and
 - One year after release, 69% of RIO participants secured employment versus 36% of non-participants.*
- Research in other states such as Illinois and Florida confirmed that participation in reentry programs resulted in social and economic benefits for the participants as well as the community and that ex-offenders are more likely to become taxpayers and not tax burdens through reentry programs.**
- This proposal will enable former substance abuse offenders to fill work-experience and public service employment positions provided reasonable safeguards are in place to protect the public and employees so that they can transition more effectively into the community where they live.

* *U.S. Department of Justice, Office of Justice Programs, Program Focus, NCJ 167575, June 1998.*

** *U.S. Department of Justice, Office of Justice Programs, Program Focus, NCJ 168637, June 1998; U.S. Department of Justice, Office of Justice Programs, Program Focus, NCJ 166820, December 1997.*

NEIL ABERCROMBIE
GOVERNOR



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Deputy Director
Law Enforcement

TESTIMONY ON HOUSE BILL (HB) 919
RELATING TO
STATE EMPLOYMENT
by
Ted Sakai, Director
Department of Public Safety

Senate Committee on Judiciary and Labor
Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair

Wednesday, March 13, 2013; 10:30 a.m.
State Capitol, Conference Room 16

Chair Hee, Vice Chair Shimabukuro, and Members of the Committee:

The Department of Public Safety (PSD) **supports** the passage of HB 919, Relating to State Employment, to enable the state to further implement the work experience training programs and temporary public service employment.

The proposed amendment will allow offenders who have been convicted of controlled substance abuse related offenses to participate in work experience training provided reasonable safeguards are in place to protect employees and the public. The passage of H.B. 919 will enhance PSD's efforts in successfully preparing imprisoned offenders, including those participating in the Going Home Project in County of Hawaii, for their transition into the community through participation in federally funded programs, such as, work experience training and temporary public service employment. The Going Home Project has been a successful model of partnerships with PSD and other private and public agencies committed to addressing the needs of transitioning offenders to minimize their risk of re-offending. Participants in work experience training will acquire good work habits and skills that will increase their ability to secure jobs after the completion of training.

Numerous studies have found that criminal offenders are less likely to return to prison, if they remain gainfully employed. PSD finds that HB 919 will enhance the opportunities for criminal offenders transitioning from prison for the development of job skills and the securing of gainful employment.

Thank you for the opportunity to present this testimony.

hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 10, 2013 12:09 PM
To: JDLTestimony
Cc: kat.caphi@gmail.com
Subject: *Submitted testimony for HB919 on Mar 13, 2013 10:30AM*

HB919

Submitted on: 3/10/2013

Testimony for JDL on Mar 13, 2013 10:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kat Brady	Community Alliance on Prisons	Support	Yes

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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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 10, 2013 10:52 AM
To: JDLTestimony
Cc: jory_watland@yahoo.com
Subject: *Submitted testimony for HB919 on Mar 13, 2013 10:30AM*

HB919

Submitted on: 3/10/2013

Testimony for JDL on Mar 13, 2013 10:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Jory Watland	Individual	Support	No

Comments:

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hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 10, 2013 9:55 AM
To: JDLTestimony
Cc: ssalmers@hawaii.rr.com
Subject: Submitted testimony for HB919 on Mar 13, 2013 10:30AM

HB919

Submitted on: 3/10/2013

Testimony for JDL on Mar 13, 2013 10:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Sandy Salmers	Individual	Support	No

Comments: I support HB 919 which would allow people with felony convictions for drugs to be eligible for state employment. Please support this bill. Thank you.

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hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 10, 2013 1:35 PM
To: JDLTestimony
Cc: harwood.lillian@gmail.com
Subject: *Submitted testimony for HB919 on Mar 13, 2013 10:30AM*

HB919

Submitted on: 3/10/2013

Testimony for JDL on Mar 13, 2013 10:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Lillian Harwood-Wakinekona	Individual	Support	No

Comments:

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hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 11, 2013 9:46 PM
To: JDLTestimony
Cc: shaglund@hotmail.com
Subject: *Submitted testimony for HB919 on Mar 13, 2013 10:30AM*

HB919

Submitted on: 3/11/2013

Testimony for JDL on Mar 13, 2013 10:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Sue Haglund	Individual	Support	No

Comments:

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