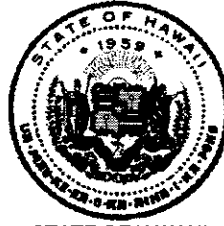


NEIL ABERCROMBIE
GOVERNOR



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LATE

No. _____

TESTIMONY ON HOUSE CONCURRENT RESOLUTION (HCR) 173 AND
HOUSE RESOLUTION (HR) 140
REQUESTING THE STATE TO DEVELOP A PLAN TO IMPLEMENT AN
EARNED-TIME PROGRAM TO ALLOW INMATES UNDER THE JURISDICTION
OF THE DEPARTMENT OF PUBLIC SAFETY TO EARN CREDIT TOWARD
REDUCING THEIR MINIMUM TERM OF IMPRISONMENT

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 28, 2013, 11:00 a.m.
State Capitol, Room 309

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

The Department of Public Safety (PSD) supports HCR 172, requesting that the Hawaii Paroling Authority develop a plan to implement an earned-time credit program that will reduce their minimum term of imprisonment. This resolution proposes written guidelines which will require PSD and the Hawaii Paroling Authority (HPA) to provide a purpose and incentives for qualified inmates to earn the opportunity to be released prior the expiration of their minimum sentence. Furthermore, it supports PSD's Justice Reinvestment Initiative (JRI) to reduce the use of prison beds for low risk offenders.

While PSD there are a number of issues that must be addressed in order for an earned time program to be successful, we are prepared to work closely with the HPA to insure that this program can be implemented as effectively as possible. These issues, which can be addressed, include:

LATE

- 1) There needs to be provisions to establish criteria for those ineligible for early parole, taking into consideration, but not limited to: the severity to the offense, a lengthy criminal history, mandatory minimum sentences, consecutive sentences, and life without/with parole. Additionally, those offenders that engage in serious institutional violations and activities that jeopardize the safety of the institution shall be ineligible for earning such earned credit for a prescribed period of time.
- 2) HPA needs to coordinate with the Prosecutor's Office, as under HRS 706-699, the prosecuting attorney has a right to appear or submit a written statement at the time of setting the minimum term or incarceration. This right has been extended to reduction of minimum sentences.
- 3) PSD is in the process of developing and implementing an Offender Management Database that will provide pertinent offender information regarding program needs and other information pertinent to community reintegration. PSD will also require the resources to implement a full spectrum of programs, treatment, and activities that will facilitate timely and early release.
- 4) PSD will work closely with the Attorney General and the HPA to develop structured guidelines in such a way that we do not create a right to early parole. This will clearly establish that offender's do have the opportunity to early parole, but not necessarily a right. PSD needs to minimize litigation by inmates who disagree with the PSD's allocation of earned time credit being given to them.

Thank you for the opportunity to testify on this matter.

ing2-Brandon

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 27, 2013 8:00 PM
To: pbstestimony
Cc: marybarter@me.com
Subject: *Submitted testimony for HCR172 on Mar 28, 2013 11:00AM*



HCR172

Submitted on: 3/27/2013

Testimony for PBS on Mar 28, 2013 11:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Mary M. Barter	Individual	Support	No

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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