

DAVID Y. IGE
GOVERNOR



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

NOLAN P. ESPINDA
DIRECTOR

Cathy Ross
Deputy Director
Administration

Jodie F. Maesaka-Hirata
Deputy Director
Corrections

Renee R. Sonobe Hong
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON HOUSE BILL 462, HOUSE DRAFT 1
RELATING TO CORRECTIONAL FACILITIES

by

Nolan P. Espinda, Director
Department of Public Safety

House Committee on Finance
Representative Sylvia Luke, Chair
Representative Ty J.K. Cullen, Vice Chair

Thursday, February 23, 2017; 11:00 a.m.
State Capitol, Conference Room 308

Chair Luke, Vice Chair Cullen, and Members of the Committee:

The Department of Public Safety (PSD) **supports** the passage of House Bill (HB) 462, House Draft (HD) 1, which would enable PSD to initiate development of a 3,000-bed correctional facility at the site of the Waiawa Correctional Facility (WCF). This plan would dovetail with the Department's efforts to replace the antiquated Oahu Community Correctional Center (OCCC), and which, together, would sufficiently increase PSD's housing capacity to relieve the long-standing problems of overcrowding and to finally return home all Hawaii inmates from mainland facilities.

At the same time, PSD would enhance reentry programming statewide in order to more effectively transition inmates from incarceration back to the community.

Additionally, PSD acknowledges that HD 1 clarifies the Legislature's direction on the ongoing CIP expenditures related to the relocation of OCCC and also allows for due diligence to be considered in relation to the findings of the HCR 85 Task Force currently studying ideas for effective incarceration policies for Hawaii's Correctional System.

Thank you for the opportunity to present this testimony.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-NINTH LEGISLATURE, 2017**

ON THE FOLLOWING MEASURE:

H.B. NO. 462, H.D. 1, RELATING TO CORRECTIONAL FACILITIES.

BEFORE THE:

HOUSE COMMITTEE ON FINANCE

DATE: Thursday, February 23, 2017 **TIME:** 11:00 a.m.

LOCATION: State Capitol, Room 308

TESTIFIER(S): Douglas S. Chin, Attorney General, or
Diane K. Taira, Deputy Attorney General

Chair Luke and Members of the Committee:

The Department of the Attorney General appreciates the intent of this bill, but believes that as currently written its provisions might be subject to challenge as violating article XI, section 5 of the Constitution of the State of Hawaii.

This bill directs the building of a new prison on land that is the current location of the Waiawa Correctional Facility, which accommodates approximately 330 inmates at the present time. The new facility would accommodate 3,000 beds. The Oahu Community Correctional Center is directed to then move to the current Halawa Correctional Facility site, whose prisoners will have been moved to the new facility built in Waiawa.

Because this bill is specific in nature, and is not capable of general application, it might be challenged as violating article XI, section 5 of the Constitution of the State of Hawaii, which states that, "The legislative power over the lands owned by or under the control of the State...shall be exercised only by general laws"

The department suggests the following to address this issue.

A. Amendments to section 353-1, Hawaii Revised Statutes (HRS):

§353-1 Definitions; director may delegate powers. As used in this chapter, unless the context otherwise requires:

"Committed person" means a person committed to the custody of the director of public safety for imprisonment pursuant to chapter 706, including a probationer serving a term of imprisonment pursuant to section

706-624(2)(a) and a misdemeanor or petty misdemeanor sentenced pursuant to section 706-663.

“Correctional facility” means any building used by the department for the housing of inmates or detainees. It includes prisons and jails.

"Department" means the department of public safety.

"Director" means the director of public safety; provided that the signing or approval of vouchers and other routine matters may be delegated by the director to any authorized subordinate.

“Jail” means any correctional facility primarily operated to accommodate pre-conviction detainees.

“Prison” means any correctional facility primarily operated to accommodate inmates, post conviction.

B. Amendment to section 353-16.35, HRS:

§353-16.35 Development or expansion of in-state correctional facilities. (a) Notwithstanding any other law to the contrary, the governor, with the assistance of the director, may negotiate with any person for the development or expansion of private in-state correctional facilities or public in-state turnkey correctional facilities to reduce prison overcrowding; provided that if an environmental assessment or environmental impact statement is required for a proposed site or for the expansion of an existing correctional facility under section 343-5, then notwithstanding the time periods specified for public review and comments under section 343-5, the governor shall accept public comments for a period of sixty days following public notification of either an environmental assessment or an environmental impact statement.

(b) Any development or expansion proposal shall address the construction of the facility separate from the operation of the facility and shall consider and include:

- (1) The percentage of low, medium, and high security inmates and the number of prison beds needed to incarcerate each of the foregoing classes of inmates;
- (2) The facility's impact on existing infrastructure, and an assessment of improvements and additions that will be necessary;
- (3) The facility's impact on available modes of transportation, including airports, roads, and highways; ~~and~~
- (4) A useful life costs analysis~~[-]~~; ~~and~~
- (5) Potential development sites [øf] as small as 4.5 acres, providing the reasons for adding or omitting such sites from consideration; and
- (6) An analysis of the recommendations existing prior to site selection, of any task force convened by the legislature and the corrections population management commission as they may pertain to the capacity and design of the proposed correctional facility.

(c) For the purposes of this section, "useful life costs" means an economic evaluation that compares alternate building and operating methods and provides information on the design, construction methods, and materials to be used with respect to efficiency in building maintenance and facilities operation.

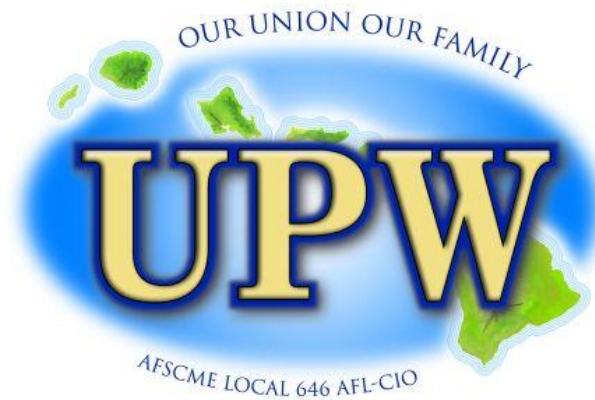
(d) Any new facility shall:

- (1) Be operated by public employees;
- (2) If a prison facility, be designed to accommodate a range of custody levels, including community custody, minimum-security and maximum security; and
- (3) Be designed to include program space for inmate counseling, vocational training and education.

C. Other consistent amendments:

We also suggest making changes to the introductory and other sections of the bill consistent with the above suggestions and constitutional concern-- deleting certain references to Waiawa and inserting more general terminology. In this regard, we attach a copy of H.D. No. 462, H.D.1, with suggested edits, using Ramseyer format where appropriate.

The department appreciates the opportunity to testify on this bill.



THE HAWAII STATE HOUSE OF REPRESENTATIVES
The Twenty-Ninth Legislature
Regular Session of 2017

COMMITTEE ON FINANCE

The Honorable Representative Sylvia Luke, Chair
The Honorable Representative Ty J.K. Cullen, Vice Chair

DATE OF HEARING: Thursday, February 23, 2017
TIME OF HEARING: 11:00 a.m.
PLACE OF HEARING: State Capitol, Rm. 308
415 South Beretania Street

TESTIMONY ON HB 462 HD1 RELATING TO CORRECTIONAL FACILITIES

By DAYTON M. NAKANELUA,
State Director of the United Public Workers,
AFSCME Local 646, AFL-CIO ("UPW")

My name is Dayton M. Nakanelua, State Director of the United Public Workers, AFSCME, Local 646, AFL-CIO (UPW). The UPW is the exclusive bargaining representative for approximately 14,000 public employees, which include blue collar, non-supervisory employees in Bargaining Unit 01 and institutional, health and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. The UPW also represents about 1,500 members of the private sector.

HB462 HD1 requires the department of public safety to solicit proposals for a new correctional facility at Waiawa Correctional Facility. The bill requires the new facility to be operated by public employees and suspends the current EIS process for potential sites for the proposed Oahu Community Correctional Center.

The UPW strongly supports this measure and asks the committee to pass it out.

Thank you for the opportunity to submit this testimony.

COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/E-Mail: (808) 927-1214 / kat.caphi@gmail.com



COMMITTEE ON FINANCE

Rep. Sylvia Luke, Chair

Rep. Ty Cullen, Vice Chair

Thursday, February 23, 2017

11:00 am

Room 308

STRONG OPPOSITION TO HB 462 HD1 - BUILDING MORE "CORRECTIONAL" FACILITIES

Aloha Chair Luke, Vice Chair Cullen 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 in Hawai'i for two decades. This testimony is respectfully offered on behalf of the approximately 6,000 Hawai'i individuals living behind bars or under the "care and custody" of the Department of Public Safety on any given day. We are always mindful that approximately 1,700 of Hawai'i's imprisoned people 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.

Community Alliance on Prisons is in strong opposition to soliciting proposals for a HUGE 3,000 bed prison before any real analysis and due diligence is adequately completed. The HCR 85 Task Force has not completed its work and proposals like this foreclose opportunities for real reform that we see other states enjoying as they implement Justice Reinvestment and other strategies.

At the 2016 DPS Budget Briefing on January 18, 2016, the Director of Public Safety said, in answer to Rep. Cachola's question about replacing OCCC:

*I am proud to say **without letting too much out of the bag**, that we are going to be putting forward enabling legislation to allow us an **expedited process for replacing the O`ahu Community Correctional Center at the Halawa Correctional Facility**. Although I can't give you a specific answer **we are putting forward legislation that will allow for the fastest track you can imagine towards getting that done.***

This comment went unchallenged, despite the huge outlay of taxpayer money, the lack of analysis about who is actually in OCCC, and better alternatives for addressing low level offenses.

The HD1 of this bill was soft-peddled to the committee as the discussion during decisionmaking was focused on putting the OCCC EIS process on hold and instructing the consultants (Louis Berger Group, a firm that has paid millions of dollars in fines for overbilling and bribery¹) to find a smaller 4.5-acre site.

The decisionmaking on HB 462 HD1 mentioned the 3,000-bed prison at Waiawa and how it would be *“accommodating various security levels at this proposed facility from a range of community and minimum custody to maximum security and that the facility be designed to accommodate living facilities as well as programs to accommodate this range of security levels. Programs everywhere from vocational training to the current farm and rehabilitation programs.”*

The Chair went on to say, *“The second section that I am asking that we amend the bill deals with the current site selection committee for OCCC. Asking that the site selection group suspend its current EIS process and reopen the consideration of sites to smaller lot size that are as small as 4.5 acres. My concern is that they have not thoroughly considered all the appropriate places that OCCC could be located at and that this exposes the EIS to possible challenge from lack of consideration of alternative sites. I’m also asking that this OCCC site selection group consult with the task force that is ongoing on correctional reform as to the appropriate size and design of the proposed new OCCC.”*

It is very clear to the community that the OCCC replacement plan was conceived with little to no community, task force, or legislative engagement. How can the largest public works project in the state be contemplated with absolutely no consideration of other alternatives? When expending taxpayer dollars, ***the fastest track you can imagine*** is absolutely irresponsible.

And now, despite the disastrous lack of planning for OCCC, the same department is required to solicit proposals for a HUGE 3,000 bed prison at Waiawa!

All across the continental U.S. prison reform is being implemented with success. Much of the success is because these states have implemented Justice Reinvestment. Hawai`i has done the minimum with our Justice Reinvestment Initiative (JRI) and even initially said that OCCC was Justice Reinvestment! **The purpose of JRI is to reduce the incarcerated population.**

What is Hawai`i doing? I was flown to Washington DC several years ago, to meet with other JRI states. It was embarrassing to hear from states like Alabama and West Virginia who are embracing JRI and implementing strategies that promote community safety and justice. Something is very wrong here. **WE NEED HONESTY AND TRANSPARENCY** before the legislature commits our hard-earned taxpayer dollars to plans that lack real analysis.

Why are we rushing into building when the HCR 85 Task Force has not completed its work? Was that a sham to foster the false hope that Hawai`i is interested in reforming our broken system?

¹ Berger Group Pays \$69.3 Million for Iraq Overbilling, David Voreacos, November 5, 2010.

<http://www.bloomberg.com/news/articles/2010-11-05/louis-berger-group-charged-with-fraud-over-contracts-in-iraq-Afghanistan>

The 3,000 bed Waiawa proposal would eclipse OCCC as the largest public works project in the state. How would we pay for this? Well, corporate prison profiteers are circling Hawai`i like buzzards. Opening the door to these profiteers of misery (who are now enjoying an upsurge in profits since the 2016 election) would send Hawai`i into the abyss.

SECTION 3. of HB 462 HD1 reads, the department of public safety may enter into:

- (1) A public-private partnership to plan, design, and construct the new correctional facility at the site of the Waiawa correctional facility; and
- (2) A lease-option contract with any private owner of the new correctional facility at the site of the Waiawa correctional facility to rent the facility for a set amount of time before exercising the option to purchase the facility when or before the lease expires.

Community Alliance on Prisons was stunned that the state could even consider such a “deal” since there have been a plethora of reports from states that employed this strategy and are now realizing that they have a huge balloon payment due for a shoddily-built facility. Hawai`i has a dismal record of maintaining our facilities. Why then would we even consider entering into a lease-option with these for-profit corporations who build on the cheap and then skip town?

In 2013, Community Alliance on Prisons submitted a counter proposal to the department of public safety’s Request for Information. This proposal was not even acknowledged by the department.

I met with the Governor before he was a candidate and gave him a copy of this proposal. One excerpt from the proposal, in the section entitled: **“WHY CONTRACTING ANY FURTHER WITH CCA (CORRECTIONS CORPORATION OF AMERICA) IS A BAD INVESTMENT”** we wrote:

Shoddy Construction: Saguaro was built by CCA for Hawai`i’s people who are incarcerated for felony offenses. Within months of the facility’s opening, complaints were filed about dirty shower water running into the pods because the drains were not installed properly. Six months later the showers were closed for repairs because of the serious drainage problems.

(I met with the former Deputy Director of Corrections who promised to investigate. After their investigation, the department denied there was a problem.)

There are a host of other problems with CCA (now called “CoreCivic”) dealing with labor problems, ethical problems, lobbying against transparency, etc.

If a 3,000-bed prison is planned when we know that 74% of the individuals incarcerated are classified as Class C (the lowest felony) and below (misdemeanants, petty misdemeanants, parole and probation violators, who in for technical violations, NOT new crimes) that is a pretty clear message that there is NO intention to reform our broken system. Why then was the HCR 85 Task Force formed? It is actions like this that promote distrust in the government.

Why, when things are breaking down on the federal level, do we want people to lose faith in our own policymakers?

While it is good to suspend the EIS process for OCCC, this bill is a disastrous alternative. If the bill was limited to Section 5, Community Alliance on Prisons could support it.

SECTION 5. The department of public safety shall suspend the current environmental impact statement process for its short list of four potential sites for the proposed Oahu community correctional center until the department of public safety:

- (1) Considers alternative sites of 4.5 acres in size or larger and provides a list of alternative sites and the reasons for adding or omitting the alternative sites from consideration as potential sites for the proposed Oahu community correctional center;
- (2) Consults with the task force created by house concurrent resolution no. 85 (2016) and the corrections population management commission about the appropriate capacity and design of the proposed Oahu community correctional center in view of changes to the criminal justice system in areas of pre-trial diversion programs, expansion of Hawaii's Opportunity Probation with Enforcement (HOPE) program and other probation programs, expansion of work furlough, and the use of other alternatives to incarceration programs; and
- (3) Provides a report with respect to paragraphs (1) and (2) to the legislature no less than twenty days prior to the convening of the regular session of 2018.

However, in its present form, we must strongly oppose this ready, shoot, aim plan and we encourage our policymakers to look with a critical eye at any proposal that is done in a vacuum.

The taxpayers are not satisfied with getting the bill for such atrocious proposals that only promote criminality and will produce the same poor outcomes.

We need complete correctional reform BEFORE we consider new buildings! Our families live and work in prisons and jails. If we do not consider the values that our communities hold dear, we are seriously missing the mark and squandering our resources to promote an unsustainable and broken system.

I know this committee is full of smart people who care about Hawai'i and we implore you to consider better policies to reform our criminal justice system.

Mahalo for this opportunity to share our thoughts and decades of experience.

"As a society, our decision to heap shame and contempt upon those who struggle and fail in a system designed to keep them locked up and locked out says far more about ourselves than it does about them."

Michelle Alexander

The New Jim Crow: Mass Incarceration in the Age of Colorblindness

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 22, 2017 8:56 AM
To: FINTestimony
Cc: arbeit@hawaiiantel.net
Subject: Submitted testimony for HB462 on Feb 23, 2017 11:00AM

HB462

Submitted on: 2/22/2017

Testimony for FIN on Feb 23, 2017 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Wendy Arbeit	Individual	Oppose	No

Comments: Let the task force complete its report. Other methods must be used to address our offender population and prison overcrowding

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

I am a resident of Hamakua. I oppose allocating funds to study a new Correctional Facility before the task force has submitted its report. I know firsthand how destructive our current system is. My son was carted off by the police for a relatively minor incident, they charged him with a much more serious crime, and then he was put through a horrible system where he ended up plea bargaining in desperation to get out of jail . He is now hampered for life because of his plea bargain. Apart from the destruction of his life, and the lives of most others who are victimized by our criminal injustice system, what is it that we, as a society, think we are going to do with people who've been released from this system? They are no better integrated into society than they were when they went in. Instead, they are integrated into a criminal underclass which will cause our society unnecessary harm. We need to be looking very seriously at ways of allowing citizens who do not fit easily into the average range to still participate in rewarding ways in our society. More structure for some, mental health treatment for others, remedial education and skill training for still others. We are not only acting inhumanely, but we are acting against our own interests when we incarcerate any but the most dangerous criminals.

February 22, 2017

ON THE FOLLOWING MEASURE:
H.B. NO. 462, RELATING TO CORRECTIONAL FACILITIES

BEFORE THE:
House Committee on Finance

Date: Thursday, February 23, 2017

Time: 11:00 AM

Location: House Conference Room 308

Chair Sylvia Luke, Vice Chair Ty J.K. Cullen, and members of the House Committee on Finance:

Aloha. I am imploring all of you, as our legislators and members of the House Committee on Finance, to **STOP HB 462**. With 74% of the people incarcerated are categorized as Class C and below, these individuals would be better served in appropriate community-based programs, instead of building a 3,000-bed prison that would be outsourced to a corporate prison and has no rehabilitative impact. I **strongly oppose HB 462** for the following important contentions:

- The provisions under this bill violates Article XI, Section 5 of the Constitution of the State of Hawai'i, which specifies, "The legislative power over the lands owned by or under the control of the State...shall be exercised ONLY by general laws." The Attorney General's office has been on record detailing their strong concerns due to the fact that HB 462 is incapable of general application.
- A corporate prison in Hawai'i would expose the State to liabilities and potential lawsuits. The scope of services of private prisons has proven to be subpar in many states including Arizona, Washington, Mississippi, and many other States. In fact, The ACLU has investigated the Corrections Corporation of America (CCA) and their gross lack of regard for the incarcerated individual's well-being, safety, and health. CCA is the private prison operator that housed hundreds of Hawai'i prisoners at its facilities on the mainland. The ACLU has sued CCA for instances of abuse and death of inmates under CCA's so called "care." Moreover, the cost of private prisons are quite expensive and the first thing private prisons cut are rehabilitative programs that could help individuals transition back into the community.
- Not one privately owned Prison Management Company is locally based in Hawai'i. The majority of the profit will go to an out-of-state company. They might claim that local people will be hired, but the majority of the funds are funneled to outsiders. Is Hawai'i ready to face the "end of lease balloon payments" to these corporate prisons? This is not in the best interest of our State and the people of Hawai'i.
- Putting OCCC at Halawa, where public transportation is 2 miles from the gate would be difficult for families, particularly those who rely on public transportation, to visit their

loved ones. Support system is one of the most important factors in the rehabilitation process of an individual. This will be a deterrent in their path to improve their lives.

- Requiring DPS to solicit bids, when the current infrastructure requires intensive review and improvement, is indeed irresponsible and unconscionable. In fact, the current OCCC process has left the community and the HCR 85 Legislatively-Appointed Task Force out of the discussion of what we should do about overcrowded facilities.

There are numerous worthwhile programs that can benefit from our state budget, **building prisons is NOT one of them.** In fact, if we create a system that strives to unnecessarily criminalize our community members, this situation will create a detrimental ripple effect not only in this generation but future generations to come.

Thank you for taking the time to consider my testimony.

Sincerely,



Joy Lacanienta

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 21, 2017 9:49 PM
To: FINTestimony
Cc: foodsovereignty@gmail.com
Subject: *Submitted testimony for HB462 on Feb 23, 2017 11:00AM*

HB462

Submitted on: 2/21/2017

Testimony for FIN on Feb 23, 2017 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Mitsuko Hayakawa	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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 21, 2017 9:07 PM
To: FINTestimony
Cc: barbarapolk@hawaiiantel.net
Subject: Submitted testimony for HB462 on Feb 23, 2017 11:00AM
Attachments: HB 462 oppositionFIN.odt

HB462

Submitted on: 2/21/2017

Testimony for FIN on Feb 23, 2017 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Polk	Individual	Oppose	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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov



From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 23, 2017 10:41 AM
To: FINTestimony
Cc: joyamarshall0416@gmail.com
Subject: Submitted testimony for HB462 on Feb 23, 2017 11:00AM

HB462

Submitted on: 2/23/2017

Testimony for FIN on Feb 23, 2017 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Marshall	Individual	Oppose	No

Comments: There was no public hearing

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 22, 2017 3:58 PM
To: FINTestimony
Cc: kimcoco@kimcoco.com
Subject: Submitted testimony for HB462 on Feb 23, 2017 11:00AM



HB462

Submitted on: 2/22/2017

Testimony for FIN on Feb 23, 2017 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Kim Coco Iwamoto	Individual	Oppose	No

Comments: This testimony is written in STRONG OPPOSITION to HB462. Please stop using state resources to reinforce our most dystopian future: Build a larger prison and the prosecutor’s office will fill it (with mostly low-income and/or health-impaired citizens); and offer corporations an opportunity to make large profits on the imprisonment of these citizens. If the legislature wants to invest in infrastructure, and the construction unions want to put their crews to work, please build more schools. As you know the rail will shift the families closer to town and more schools will need to be built in these areas. The DOE just announced that it does not want to levy all the taxes on the families buying affordable housing near the rail line to pay for the schools — so the legislature will need to provide the funds. There are so many ways to reduce our day-to-day prison population so we do not have to build larger prisons. 1) Provide the judiciary sufficient resources so they can process criminal cases more expediently. 2) Stop jailing misdemeanor defendants just because they cannot afford bail; there are other ways of locating them when it is time for their court hearings. 3) Invest in support and training programs that will have the impact of reducing recidivism. It is really a concern that the incarceration strategy outlined in HB 462 moves Hawaii in the wrong direction compared to other states, even the reddest republican-run states. Other states are starting to realize that these prison corporations are making profits because of the terrible investments of short-sighted, morally-corrupt, CCA-funded legislators. Voters on both sides of the aisle are paying attention. Let's be smarter than those red states; we do not need to follow them down, and back up, this money pit.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov



LATE

HB462 HD1
RELATING TO CORRECTIONAL FACILITIES
House Committee on Finance

February 23, 2017

11:00 a.m.

Room 308

The Office of Hawaiian Affairs (OHA) offers the following **COMMENTS** on HB462 HD1, which would require the Department of Public Safety to solicit proposals for a new correctional facility at Waiawa. As drafted HB462 HD1 would clarify that the state would operate any new facility, and not a private corporation, and directs the Department of Public Safety to suspend development planning until it consults with various government entities regarding changes to incarceration programs.

Proactive efforts to reduce the number of non-violent inmates, a disproportionate number of whom are Native Hawaiian,¹ should continue to be prioritized prior to and alongside planning for construction of any new facility to house the record-high and growing pa‘ahao population in Hawai‘i.² OHA appreciates the intent of this measure to alleviate the substandard conditions and overcrowding at the O‘ahu Community Correctional Center. We also recognize the efforts of the House Committee on Public Safety, in its incorporated amendments, to require consultation with the HCR 85 (Hawai‘i Session Laws, 2016) Task Force and the Corrections Population Management Commission about appropriate capacity and design. Pre-trial diversion programs, the expansion of the HOPE probation and work furlough programs, and other alternatives to incarceration are currently being considered by the HCR85 Task Force and Corrections Populations Management Commission, and have great potential to reduce our projected need for expanded prison and jail space. In light of these efforts to reduce the prison and jail populations, we appreciate the directive to first coordinate and consult with appropriate bodies, before continuing plans for the proposed facility.

However, we caution that consultation alone with these groups at this time may not be enough to warrant continuing planning. The programmatic changes mentioned are still merely under consideration, including some measures being concurrently considered by the Legislature this session. Moreover, the HCR 85 Task Force’s recent Interim Report suggests that

¹ A 2010 OHA study found that the disproportionate impact of the criminal justice system on Native Hawaiians accumulates at every stage, noting that Native Hawaiians made up “24 percent of the general population, but 27 percent of all arrests, 33 percent of people in pretrial detention, 29 percent of people sentenced to probation, 36 percent admitted to prison in 2009, [and] 39 percent of the incarcerated population.” Moreover, controlling for many common factors such as type of charge, the study revealed that Native Hawaiians were more likely to be found guilty, receive a prison sentence, and receive a longer prison sentence or probation term than most other ethnic groups. THE OFFICE OF HAWAIIAN AFFAIRS, THE DISPARATE TREATMENT OF NATIVE HAWAIIANS IN THE CRIMINAL JUSTICE SYSTEM 28-38 (2010), http://www.oha.org/wp-content/uploads/2014/12/ir_final_web_rev.pdf.

² The number of people incarcerated in Hawai‘i has increased by more than 900 percent between 1977 and 2008. *Id.* at 19. More recent figures indicate that our prison population has now increased by over 1,400 percent since 1977.

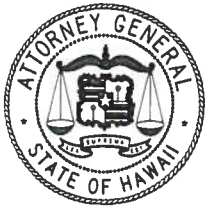
additional recommendations on sentencing reform and expanding early release opportunities will also be included in their Final Report, due in December 2017. These recommendations, if implemented, have even greater likelihood of reducing Hawai'i's incarcerated population.

Prudent planning requires the full exploration and execution of programs and policies that effectuate evidence-based alternatives to incarceration to improve public safety, effectively rehabilitate pa‘ahao, and save taxpayer dollars.³

OHA urges this Committee and the legislature to prioritize measures that would reduce the number of non-violent inmates, a disproportionate number of whom are Native Hawaiian, prior to planning for construction of any new facility.

Mahalo for the opportunity to testify on this measure.

³ In its 2012 report, the Native Hawaiian Justice Task Force recommended several options to address systemic issues resulting in the disproportionate overrepresentation of Native Hawaiians in the criminal justice system. These included reconsidering several proposals from the 2011 Justice Reinvestment Initiative legislation that were not originally passed or implemented, investing in early intervention programs, increasing public defender funding, expanding implicit bias training, strengthening supervised release programs, executing compassionate release consistently, supporting indigenous models of healing alternatives such as pu‘uhonua, and bolstering reintegration programs and services to better prevent recidivism. OFFICE OF HAWAIIAN AFFAIRS, NATIVE HAWAIIAN JUSTICE TASK FORCE REPORT (2012), http://www.oha.org/wp-content/uploads/2012NHJTF_REPORT_FINAL_0.pdf.



TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-NINTH LEGISLATURE, 2017

ON THE FOLLOWING MEASURE:

H.B. NO. 462, H.D. 1, RELATING TO CORRECTIONAL FACILITIES.

LATE

BEFORE THE:

HOUSE COMMITTEE ON FINANCE

DATE: Thursday, February 23, 2017 **TIME:** 11:00 a.m.

LOCATION: State Capitol, Room 308

TESTIFIER(S): Douglas S. Chin, Attorney General, or
Diane K. Taira, Deputy Attorney General

Chair Luke and Members of the Committee:

The Department of the Attorney General appreciates the intent of this bill, but believes that its provisions might be subject to challenge as violating article XI, section 5 of the Constitution of the State of Hawaii.

This bill directs the building of a new prison on land that is the current location of the Waiawa Correctional Facility, which accommodates approximately 330 inmates at the present time. The new facility would accommodate 3,000 beds. The Oahu Community Correctional Center is directed to then move to the current Halawa Correctional Facility site, whose prisoners will have been moved to the new facility built in Waiawa.

Because this bill is specific in nature, and is not capable of general application, it might be challenged as violating article XI, section 5 of the Constitution of the State of Hawaii, which states that, "The legislative power over the lands owned by or under the control of the State...shall be exercised only by general laws"

The department suggests the following to address this issue.

A. Amendments to section 353-1, Hawaii Revised Statutes (HRS):

§353-1 Definitions; director may delegate powers. As used in this chapter, unless the context otherwise requires:

"Committed person" means a person committed to the custody of the director of public safety for imprisonment pursuant to chapter 706, including a probationer serving a term of imprisonment pursuant to section

(c) For the purposes of this section, "useful life costs" means an economic evaluation that compares alternate building and operating methods and provides information on the design, construction methods, and materials to be used with respect to efficiency in building maintenance and facilities operation.

(d) Any new facility shall:

- (1) Be operated by public employees;
- (2) If a prison facility, be designed to accommodate a range of custody levels, including community custody, minimum-security and maximum security; and
- (3) Be designed to include program space for inmate counseling, vocational training and education.

C. Other consistent amendments:

We also suggest making changes to the introductory and other sections of the bill consistent with the above suggestions and constitutional concern-- deleting certain references to Waiawa and inserting more general terminology. In this regard, we attach a copy of H.D. No. 462, H.D.1, with suggested edits, using Ramseyer format where appropriate.

The department appreciates the opportunity to testify on this bill.

A BILL FOR AN ACT

RELATING TO CORRECTIONAL FACILITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that most of the State's
2 correctional facilities are extremely old, are in need of
3 significant repair and maintenance, and lack the capacity to
4 accommodate current and projected detention needs.

5 The Waiawa correctional facility is a minimum-security
6 facility that houses about three hundred thirty adult male
7 sentenced felons who participate in educational programs and
8 community worklines.

9 The Halawa correctional facility consists of two separate
10 facilities. The special-needs facility houses about one hundred
11 maximum- and closed-custody inmates, inmates with severe or
12 chronic mental illness who cannot be placed in the general
13 population, and inmates who require protective custody. The
14 medium-security prison facility houses approximately one
15 thousand two hundred male sentenced felons.

16 To mitigate prison overcrowding, there are about one
17 thousand four hundred male inmates from Halawa correctional

1 facility who are housed in a contracted facility in Arizona at a
2 cost of more than \$40,000,000 annually.

3 The Oahu community correctional center is the largest jail
4 facility in the State, housing about one thousand two hundred
5 pre-trial detainees, short-term sentenced individuals, probation
6 and parole violators, and a pre-release work furlough center.

7 The legislature further finds that ~~the Waiawa correctional~~
8 ~~facility is located on one hundred ninety seven acres in central~~
9 ~~Oahu~~ there are correctional facilities that may be located on
10 sites with ample land area for a new, higher-capacity
11 correctional facility ~~that~~ could house additional inmates from
12 Halawa correctional facility and house Hawaii inmates from the
13 contracted facility in Arizona. This in turn would enable the
14 relocation of the ~~Oahu community~~ other correctional ~~center~~
15 facilities to other ~~a renovated Halawa~~ correctional ~~facility~~
16 sites.

17 The purpose of this Act is to:

18 (1) Require the department of public safety to solicit
19 proposals for the purchase or construction of a three
20 thousand-bed ~~correctional~~ prison facility at a
21 currently existing correctional facility site ~~the site~~

1 ~~of the Waiawa a correctional facility.~~ The new
2 facility shall be capable of housing the current
3 inmate population, both in-state and out-of-state. ~~of~~
4 ~~the Halawa correctional facility, Hawaii inmates now~~
5 ~~housed in Arizona, and the inmate population of~~
6 ~~existing Waiawa correctional facility; and~~

- 7 (2) ~~Upon completion of the new correctional facility at~~
8 ~~the site of the Waiawa correctional facility, relocate~~
9 ~~the operations of the Oahu community correctional~~
10 ~~center to the vacated site of the Halawa correctional~~
11 ~~facility.~~ Require assessment by the department of any
12 correctional facility site no longer used for its
13 original purpose, as a result of the building of a new
14 correctional facility, for movement of other
15 correctional facilities or portions of their programs.

16 SECTION 2. [Delete pursuant to our attached testimony.](a)

17 The department of public safety shall solicit proposals for the
18 purchase or construction of a three thousand-bed correctional
19 facility at the site of the Waiawa correctional facility that
20 would be capable of housing the current inmate populations of
21 the Halawa correctional facility, Hawaii inmates now housed in

1 Arizona, and the inmate population of the existing Waiawa
2 correctional facility.

3 (b) Upon completion of the new correctional facility at
4 the site of the Waiawa correctional facility, the department of
5 public safety shall relocate the operations of the Oahu
6 community correctional center to the vacated site of the Halawa
7 correctional facility.

8 (c) The new facility shall:

- 9 (1) Be operated by public employees;
- 10 (2) Provide a range of custody levels, including community
11 custody, minimum-security, and maximum-security;
- 12 (3) Be designed to appropriately house inmates in units
13 reflecting their custody levels; and
- 14 (4) Include opportunities for counseling, vocational
15 training, and education for inmates.

16 SECTION 3. [Delete pursuant to our attached testimony.]

17 The department of public safety may enter into:

- 18 (1) A public-private partnership to plan, design, and
19 construct the new correctional facility at the site of
20 the Waiawa correctional facility; and

1 (2) A lease-option contract with any private owner of the
2 new correctional facility at the site of the Waiawa
3 correctional facility to rent the facility for a set
4 amount of time before exercising the option to
5 purchase the facility when or before the lease
6 expires.

7 SECTION 4 2. The director of public safety shall submit a
8 report to the legislature at least twenty days prior to the
9 convening of the regular session of 2018, of the director's
10 findings and recommendations, including:

11 (1) A list of proposals with total costs for the purchase
12 or construction of a three-thousand-bed correctional
13 facility at the site of a currently existing ~~at the~~
14 ~~site of the Waiawa~~ correctional facility in accordance
15 with this Act;

16 (2) The feasibility of:

17 (A) Relocating the operations of the Oahu community
18 correctional center to the ~~vacated~~ site of the
19 Halawa correctional facility;

20 (B) Entering into a public-private partnership to
21 plan, design, and construct the new correctional

1 facility at a currently existing correctional
2 facility site ~~at the site of the Waiawa~~
3 ~~correctional facility~~; and

4 (C) Entering into a lease-option contract with any
5 private owner of ~~the~~ a new correctional facility
6 that may be built on the site of a currently
7 existing correctional facility, ~~at the site of~~
8 ~~the Waiawa correctional facility~~ to rent the
9 facility for a set amount of time before
10 exercising the option to purchase the facility
11 when or before the lease expires; and

12 (3) Any proposed legislation, any funding requests, and
13 any other relevant information that the director of
14 public safety deems necessary to implement this Act.

15 SECTION 5. [Delete pursuant to our attached testimony.]The
16 department of public safety shall suspend the current
17 environmental impact statement process for its short list of
18 four potential sites for the proposed Oahu community
19 correctional center until the department of public safety:

20 (1) Considers alternative sites of 4.5 acres in size or
21 larger and provides a list of alternative sites and

1 the reasons for adding or omitting the alternative
2 sites from consideration as potential sites for the
3 proposed Oahu community correctional center;

4 (2) Consults with the task force created by house
5 concurrent resolution no. 85 (2016) and the
6 corrections population management commission about the
7 appropriate capacity and design of the proposed Oahu
8 community correctional center in view of changes to
9 the criminal justice system in areas of pre-trial
10 diversion programs, expansion of Hawaii's Opportunity
11 Probation with Enforcement (HOPE) program and other
12 probation programs, expansion of work furlough, and
13 the use of other alternatives to incarceration
14 programs; and

15 (3) Provides a report with respect to paragraphs (1) and
16 (2) to the legislature no less than twenty days prior
17 to the convening of the regular session of 2018.

18 SECTION 6 3. This Act shall take effect on July 1, 2019.

19

Report Title:

Waiawa Correctional Facility; Halawa Correctional Facility; Oahu
Community Correctional Center

Description:

Requires the Department of Public Safety to solicit proposals
for a new correctional facility at Waiawa Correctional Facility.
Requires new facility to be operated by public employees.
Suspends the current EIS process for potential sites for the
proposed Oahu Community Correctional Center.

*The summary description of legislation appearing on this page is for informational purposes only and is
not legislation or evidence of legislative intent.*

HB462 HD1 DRAFT 2-21-17 w dkt sugg edits revised

HB462 HD1 DRAFT 2-21-17 w dkt sugg edits revised

HB462 HD1 DRAFT 2-21-17 w dkt sugg edits revised



LATE

Committee: Committee on Finance
Hearing Date/Time: Thursday, February 23, 2017, 11:00 a.m.
Place: Conference Room 308
Re: Testimony of the ACLU of Hawaii with Comments Regarding H.B. 462, Relating to Correctional Facilities

Dear Chair Luke, Vice Chair Cullen, and Members of the Committee on Finance:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes with comments regarding H.B. 462, H.D. 1, which requires the Department of Public Safety (“DPS”) to solicit proposals for the purchase or construction of a three-thousand-bed correctional facility on the site of Waiawa.

As the Legislature is aware, many of Hawaii’s prisons are overcrowded, with seven out of Hawaii’s nine correction centers over capacity — at least three of those being 150% or more over capacity. However, to address this problem, the State must first look to long-term, comprehensive criminal justice reform prior to constructing any new correctional facility. Even with the best intentions of alleviating unconstitutional prison conditions, moving forward with plans to build a new prison without reform aimed at reducing the incarcerated population would be pulling the cart before the horse.

An Interim Report has been issued by the House Concurrent Resolution 85 Task Force on Effective Incarceration Policies and Improving Hawaii’s Correctional System. In its report, the Task Force details best practices — such as bail reform and Law Enforcement Assisted Diversion programs — from other countries and states for Hawaii to consider when improving the State’s criminal justice system and creating more humane and sustainable correctional facilities.¹

While the ACLU of Hawaii supports better facilities and efforts to bring Hawaii prisoners currently housed in Arizona back to the State, we cannot support this bill in its current form. This bill would authorize DPS to contract with the same private entity to both design the correctional facility and then lease it back to the State—a clear conflict of interest.² The ACLU

¹ The H.C.R. 85 Task Force is not unique in its recommendations for commonsense reform. See Barack Obama, *The President’s Role in Advancing Criminal Justice Reform*, 130 Harv. L. Rev. 811 (2017), available at <http://harvardlawreview.org/2017/01/the-presidents-role-in-advancing-criminal-justice-reform/>.

² This creates a clear incentive to design a facility that cuts corners by prioritizing creating the facility that it can lease for the highest amount, and not necessarily the facility that will provide humane conditions and effective rehabilitation programs.

recommends that H.B. 462, H.D. 1 be amended to provide that the entity that designs the facility **shall not** be the same entity that sells or leases the facility to the State.

Furthermore, by giving DPS sole discretion in the development and authorship of its report and recommendations to the legislature, this bill fails to provide any transparent process for meaningful community input. The measure should be amended to guarantee a transparent, community-driven process at every step. Future versions of this bill should designate a coalition of community members and criminal justice reform experts to co-authorize all recommendations or reports made by DPS regarding contracts with private entities for the design, planning, construction and/or purchase of a new facility. Section 4 should be amended to require the coalition to submit its own legislative recommendations based on best practices, such as those included in the HCR 85 Task Force's interim report. The number of beds should not, therefore, be prescribed by this bill but rather, this should be included in the coalition's recommendations and calculated based on the coalition's proposed reforms and projections of future need.

The ACLU of Hawaii is available to offer further recommendations.

Thank you for the opportunity to testify.

Sincerely,



Mandy Finlay
Advocacy Coordinator
ACLU of Hawaii

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for 50 years.



From: mailinglist@capitol.hawaii.gov
 Sent: Wednesday, February 22, 2017 10:22 PM
 To: FINTestimony
 Cc: karenmililani@yahoo.com
 Subject: Submitted testimony for HB462 on Feb 23, 2017 11:00AM

HB462

Submitted on: 2/22/2017

Testimony for FIN on Feb 23, 2017 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Loomis	Individual	Oppose	No

Comments: This bill appears to short circuit the work of the Task Force created by the Legislature to improve the correctional system, without any substantive analysis or consideration of alternatives preliminarily identified by the Task Force. Though there is reason to move deliberately, this bill is not the answer.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 547-7400 • FAX: (808) 547-7515



KEITH M. KANESHIRO
PROSECUTING ATTORNEY

CHRISTOPHER D.W. YOUNG
FIRST DEPUTY PROSECUTING ATTORNEY

THE HONORABLE SYLVIA LUKE, CHAIR
HOUSE COMMITTEE ON FINANCE
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawai`i

February 23, 2017

RE: H.B. 462, H.D. 1, RELATING TO CORRECTIONAL FACILITIES.

Chair Luke, Vice-Chair Cullen, and members of the House Committee on Finance, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”) submits the following testimony in support of H.B. 462, H.D. 1, specifically Sections 2 and 3(1), regarding building a new correctional facility to replace Oahu community correctional center (“OCCC”), and entering private-public partnerships to do so. The Department takes no position on other portions of the bill.

The Department greatly appreciates the Legislature’s recognition that Hawai’i is in urgent need of a new correctional facility(s), and also appreciates the Legislature’s willingness to provide the necessary support and resources. The Department agrees that public-private partnership is the ideal solution for accomplishing this endeavor—as touched upon in H.B. 462, H.D. 1—as this could provide the much-needed facility(s) at little or no cost to the State, for both construction and maintenance.

While the Department appreciates that the proposed facility would incorporate much-needed programs in-house, including counseling, vocational training and education, we strongly believe that a corresponding increase in community-based programs for substance abuse, mental health and other issues are also needed, to better prepare inmates for their return to the community, throughout parole and ultimately release. If an adequate network of support and resources can be provided to inmates and parolees, to assist in their transition from the correctional facility(s) to the outside community, this will ultimately help them to refrain from re-offending or re-entering the criminal justice system in the future. In the long-run, this would assist us in guarding the safety and welfare of the community and of future generations.

For these reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu supports the passage of H.B. 462, H.D. 1. Thank you for this opportunity to testify.



LATE

MILILANI/WAIPI'O/MELEMANU NEIGHBORHOOD BOARD NO. 25

NEIGHBORHOOD COMMISSION • 925 DILLINGHAM BOULEVARD, SUITE 160 • HONOLULU, HAWAII, 96817
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET <http://www.honolulu.gov/nco>

February 23, 2017

The Hawaii State House of Representatives
The Twenty-Ninth Legislature

The House Committee on Finance
The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair

Date of Hearing: February 23, 2017
Time of Hearing: 11:00 A.M.

Testimony on HB 462: Relating to Correctional Facilities

On behalf of the communities of Mililani Town, Waipi'o, and Melemanu, Neighborhood Board #25 opposes this measure.

Under this proposal, HB 462 would expand the Waiawa Correctional Facility, located in Central Oahu, from a minimum-security facility to become a higher-capacity, maximum-security correctional facility, by transferring the entire inmate population originally from the Halawa Correctional Facility.

This proposal has not yet come to Neighborhood Board #25 for community review or input. Furthermore, Neighborhood Board #25 has serious concerns over the bill's language which will suspend the environmental impact statement (EIS) process for the purposes of expanding the Waiawa Correctional Facility. The suspension of an EIS as proposed by this bill, will also suspend the requirement of soliciting community input and advice regarding this matter, thus allowing the State Department of Public Safety to plan, design, and construct this proposed expansion as well as enter into a lease contract of the Waiawa Correctional Facility area to a private owner, without community input from neighboring Central Oahu communities, including Mililani, Waipio, and Melemanu.

Neighborhood Board #25 recommends that HB 462 be held by this committee until such a time that the communities of Mililani, Waipio, and Melemanu are consulted regarding this large proposed expansion and transfer of higher-risk inmates to the Waiawa Correctional Facility in Central Oahu.

LATE

FINANCE COMMITTEE

Representative Sylvia Luke, Chair

Representative Ty Cullen, Vice Chair

Hearing: February 23, 2017

Time: 11:00 a.m.

Room: 308

HB 462

SUPPORT

Aloha Chair Luke, Vice Chair Cullen and Committee Members:

I'm e. ileina Funakoshi, a retiree, writing to inform you that I support HB 462.

Forgive me for this late testimony. I just saw the notice.

I believe that the prisoners in AZ needs to come back to Hawai'i so their loved ones can visit them. Families don't have the finance to transport their whole family to visit the people incarcerated.

However, I am opposed to any facility being built by any private corporation or operated by them.

I also ask for your consideration in incorporating the HCR 85 TASK FORCE recommendations.

Mahalo for the opportunity to submit my testimony.

Aloha,



e. ileina funakoshi

2/23/17

FINANCE COMMITTEE

Representative Sylvia Luke, Chair

Representative Ty Cullen, Vice Chair

Hearing: February 23, 2017

Time: 11:00 a.m.

Room: 308

HB 462

SUPPORT

Aloha Chair Luke, Vice Chair Cullen and Committee Members:

I'm e. ileina Funakoshi, a retiree, writing to inform you that I support HB 462.

Forgive me for this late testimony. I just saw the notice.

I believe that the prisoners in AZ needs to come back to Hawai`i so their loved ones can visit them. Families don't have the finance to transport their whole family to visit the people incarcerated.

However, I am opposed to any facility being built by any private corporation or operated by them.

I also ask for your consideration in incorporating the HCR 85 TASK FORCE recommendations.

Mahalo for the opportunity to submit my testimony.

Aloha,



e. ileina funakoshi

2/23/17



From: mailinglist@capitol.hawaii.gov
 Sent: Thursday, February 23, 2017 9:52 AM
 To: FINTestimony
 Cc: rietfors.m@gmail.com
 Subject: Submitted testimony for HB462 on Feb 23, 2017 11:00AM

HB462

Submitted on: 2/23/2017

Testimony for FIN on Feb 23, 2017 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Melissa Rietfors	Individual	Oppose	No

Comments: Why has there been no opportunity for public input. I vehemently object on many levels. EIS are vital, don't just glaze over that process like it's meaningless. Waiawa location was already found to be NOT an ideal location per previous legislative study. And this location is situated next to an already expanding community. Do not pass thus bill. Ask yourself why is this being rushed through? Whose got their hands in this pot? Also as a Hawaiian I am opposed to expanding prison services in general. Thank you.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov