



The Judiciary, State of Hawai'i

**Testimony to the Senate Committee on Public Safety,
Intergovernmental, and Military Affairs**

Senator Clarence K. Nishihara, Chair
Senator Glenn Wakai, Vice Chair

Friday, April 21, 2017 8:00 AM
State Capitol, Conference Room 312

By

Sidney Nakamoto
Probation Administrator, First Circuit

WRITTEN TESTIMONY ONLY

Resolution No. and Title: House Concurrent Resolution No. 157, House Draft 1, Requesting that the Correctional Justice Task Force Continue Its Study of Effective Incarceration Policies to Reduce the Detainee and Inmate Population While Preserving Public Safety, Lower Recidivism, and Improve Hawaii's Correctional System.

Judiciary's Position:

The Judiciary strongly supports HCR 157, HD 1, which would extend the life of the Task Force created by House Concurrent Resolution No. 85, S.D.1 (2016) until 2018 and thereby allow it to better fulfill its important mandate of identifying and recommending policies and practices that will significantly reduce the cost of incarceration and improve public safety.

The HCR 85 Task Force began its work in June 2016 when it met for the first time and created five subcommittees to provide community and professional expertise in key subject areas. The five subcommittees are: (1) the Native Hawaiian subcommittee; (2) the education subcommittee; (3) the program subcommittee; (4) the design subcommittee; and (5) the faith subcommittee. The subcommittees collected relevant data on Hawaii's correctional system, reviewed best practices in states and countries with the lowest recidivism rates, consulted with local and national correctional experts, and conducted public hearings to receive input from the community.



House Concurrent Resolution No. 157, H.D. 1
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In February 2017, the task force issued its preliminary report to the 2017 legislature outlining ideas on how Hawaii can transition to a correctional system that substantially reduces the cost of incarceration while significantly reducing the present level of recidivism. On February 23, 2017 the task force appeared before a joint hearing of the House and Senate to provide a briefing on the interim report. Link to the report: http://www.courts.state.hi.us/wp-content/uploads/2016/07/HCR_85_TASK_FORCE_INTERIM_REPORT.pdf

Four main priorities were identified: transition from a punitive to a rehabilitative correctional system through application of Hawaiian values of Aloha to all aspects of the correctional system; implementation of relevant treatment and diversion programs; establishment of an academy for training of executive branch and judiciary personnel involved in administration of incarcerated people; and the creation of a transitional coordinator to ensure implementation of the measures adopted by this legislature and the judiciary to reduce recidivism and lower the cost of incarceration.

Under the guidance and leadership of the chairs of the House and Senate public safety committees the HCR 85 Task Force has been extremely productive, yet much remains to be done, particularly in terms of projecting cost savings from our recommendations. The members of the HCR 85 Task Force welcome the opportunity to serve until 2018 and to provide a more comprehensive and complete final report in response to the important mandate the legislature has given us.

Thank you for the opportunity to testify on this measure.

DAVID Y. IGE
GOVERNOR



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TESTIMONY ON HOUSE CONCURRENT RESOLUTION 157,
HOUSE DRAFT 1
REQUESTING THE CORRECTIONAL JUSTICE TASK FORCE CONTINUE ITS
STUDY OF EFFECTIVE INCARCERATION POLICIES TO REDUCE THE
DETAINEE AND INMATE POPULATION WHILE PRESERVING PUBLIC
SAFETY, LOWER RECIDIVISM, AND IMPROVE
HAWAII'S CORRECTIONAL SYSTEM.

by

Nolan P. Espinda, Director
Department of Public Safety

Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Senator Clarence K. Nishihara, Chair
Senator Glenn Wakai, Vice Chair

Friday, April 21, 2017; 8:00 a.m.
State Capitol, Conference Room 312

Chair Nishihara, Vice Chair Wakai, and Members of the Committee:

The Department of Public Safety (PSD) **supports** House Concurrent Resolution (HCR) 157, House Draft (HD) 1, which requests the continuation of the work of the Correctional Justice Task Force to study effective incarceration policies in order to reduce the detainee and inmate population, lower recidivism, and improve Hawaii's correctional system.

PSD appreciates that the Task Force is working towards the same important goals and objectives embraced by the Department and looks forward to receiving its report with recommendations to assist in improving Hawaii's correctional system.

Thank you for the opportunity to present this testimony.



Committee: Committee on Public Safety, Intergovernmental, and Military Affairs
Hearing Date/Time: Friday, April 21, 2017, 8:00 a.m.
Place: Room 312
Re: Testimony of the ACLU of Hawaii in Support of H.C.R. 157, H.D. 1, Requesting that the Correctional Justice Task Force Continue its Study of Effective Incarceration Policies to Reduce the Detainee and Inmate Population While Preserving Public Safety, Lower Recidivism, and Improve Hawaii's Correctional System

Dear Chair Nishihara, Vice Chair Wakai, and Committee Members:

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in strong support of H.C.R. 157, H.D. 1, which would allow the Correctional Justice Task Force to continue its work rather than dissolving in 2017. Given Hawaii's astronomical incarceration rate, true criminal justice reform will require extending the life of the Task Force.

Thank you for this opportunity to testify.

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.

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COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Sen. Clarence Nishihara, Chair

Sen. Glenn Wakai, Vice Chair

Friday, April 21, 2017

8:00 am

Room 312

STRONG SUPPORT - HCR 157 HD1 - Extending the HCR 85 Task Force

Aloha Chair Nishihara, Vice Chair Wakai 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 almost 6,000 Hawai'i individuals living behind bars or under the "care and custody" of the Department of Public Safety. We are always mindful that more than 1,600 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 support of this measure. The HD1 added "detainees" to the title. We support this amendment as 51% of OCCC's population is pre-trial detainees.

Tackling the huge task of reforming our correctional system should not be limited by time. The decisions made by the task force will shape corrections for the next century and should be done thoughtful, data-driven, and evidence-based.

The Interim Report of the Task Force presented to the Public Safety committees on February 1st was terrific and clearly demonstrated that there is still much work to be done. The Task Force has been connecting with people around the world to determine "what works" and the best options for holding our lawbreakers accountable while reducing the tremendous and lasting harms caused by imprisonment.

We, therefore, respectfully ask the committee to pass this resolution.

Mahalo for this opportunity to testify.

ROBERT K. MERCE
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April 20, 2017

Senator Clarence K. Nishihara, Chair
Senator Glenn Wakai, Vice Chair
Senate Committee on Public Safety, Intergovernmental, and Military Affairs
State Capitol
415 South Beritania Street
Honolulu, Hawaii 96813

Hearing: HCR 157 HD 1
Friday, April 21, 2017
Conference Room 312, 8:00 a.m.

STRONG SUPPORT

Dear Chair Nishihara and Vice Chair Wakai,

I strongly support HCR 157 HD 1 which would essentially allow the Correctional Task Force created by the legislature last year under HCR 85 (2016) to continue the important work it has been doing for an additional year. Task Force members have given freely of their time and expertise and are deeply committed to identifying and recommending policies and practices that will reduce our jail and prison populations, bring down our high recidivism rate (over 50%), rein in long term costs, and make our communities safer.

The key to successful correctional reform is to engage a broad segment of the community in collaborative reform process. The members of the HCR 85 represent diverse interests and have been working together in a collegial and productive manner for the past nine months. The Task Force has produced an interim report that outlines broad areas where reform should take place, but it needs additional time to more fully develop its preliminary proposals and create a final report that will provide the state with a realistic and meaningful roadmap to reform.

I strongly urge you to pass HCR 157 HD 1.

Thank you for allowing me to testify.

Bob Merce
HCR 85 Task Force Member

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, April 20, 2017 1:02 PM
To: PSMTestimony
Cc: maukalani78@hotmail.com
Subject: Submitted testimony for HCR157 on Apr 21, 2017 08:00AM

HCR157

Submitted on: 4/20/2017

Testimony for PSM on Apr 21, 2017 08:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
E. Ileina Funakoshi	Individual	Support	No

Comments: Aloha, Chair Senator Nishihara, Vice Chair Senator Wakai and Committee Members: Please extend HCR85 Task Force study for another year. Their study is very comprehensive and important toward improving our correctional system. Mahalo for opportunity to submit my support for HCR 157. Aloha, e. ileina funakoshi

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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