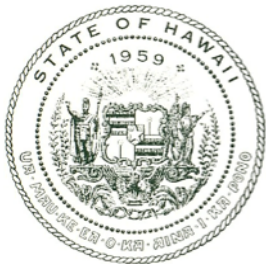


HAWAII
STATE
COMMISSION
ON THE
STATUS
OF
WOMEN



Chair
LESLIE WILKINS

COMMISSIONERS:

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Executive Director
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April 4, 2017

To: Representative Scott Nishimoto, Chair
Representative Joy San Buenaventura, Vice Chair
Members of the House Committee on Judiciary

From: Cathy Betts
Executive Director, Hawaii State Commission on the Status of Women

Re: Testimony in Support, HCR 158

Thank you for this opportunity to testify in strong support of HCR 158, which encourages the Department of Public Safety (DPS) to continue and expand its community-based work furlough programs to assist in transitioning formerly incarcerated female inmates back into the community.

An overview of incarcerated women in Hawaii shows that the majority of women are incarcerated for committing non-violent crimes, many are mothers, and this population is disproportionately Native Hawaiian. Studies indicate community-based work furlough programs are effective in addressing problems associated with reentry and high rates of recidivism.

This measure also recommends that DPS consider Ka Hale Ho ala Hou No Na Wahine, an Oahu-based program that emphasizes a gender-responsive, culturally-sensitive and trauma-informed framework, as a model for future community-based work furlough programs. As the only community-based work furlough program in the State, this program has extensive experience in successfully transitioning formerly incarcerated women.

The Commission strongly supports HCR 158. Thank you for this opportunity to provide testimony.



HCR158
**ENCOURAGING THE CONTINUATION AND EXPANSION OF COMMUNITY-BASED
WORK FURLOUGH PROGRAMS TO ASSIST FEMALE INMATES TRANSITION BACK
INTO SOCIETY.**

House Committee on Judiciary

April 4, 2017

2:15 p.m.

Room 325

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HCR158, which would urge the Department of Public Safety (PSD) to continue and grow its highly successful work furlough program for pa‘ahao women.

In 2010, OHA produced a comprehensive report detailing the overrepresentation and disparate treatment of Native Hawaiians in the criminal justice system. This report found that between 1977 and 2008, the number of people incarcerated in Hawai‘i has increased by more than 900%,¹ and by 1,400% between 1977 and the present. The Native Hawaiian community has been particularly impacted by this increase, making up 40% of our prison population today; moreover, Native Hawaiian women are penalized even more disproportionately, comprising 44% of our female inmate population.²

The 2012 Native Hawaiian Justice Task Force Report subsequently identified several factors exacerbating the disproportionate impact of the criminal justice system on Native Hawaiians. These include barriers to employment, housing, and reintegration into the community, which may lead to greater levels of recidivism by formerly incarcerated pa‘ahao.³ Community-based work furlough programs, such as Ka Hale Ho‘āla Hou No Nā Wāhine, may be critical to addressing these barriers. Such programs provide pa‘ahao with valuable opportunities to develop marketable skills, prosocial behaviors, and a positive work ethic, thereby increasing their ability to secure employment and find housing. Community-based reentry programs may also offer communal living

¹ See THE OFFICE OF HAWAIIAN AFFAIRS, THE DISPARATE TREATMENT OF NATIVE HAWAIIANS IN THE CRIMINAL JUSTICE SYSTEM 17 (2010), available at http://www.oha.org/sites/default/files/ir_final_web_rev.pdf.

² In contrast, Native Hawaiians only represent 24% of the general public in Hawai‘i. *Id.* at 36. OHA’s 2010 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.” *Id.* at 10. Moreover, controlling for many common factors including 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. *Id.* at 28-38.

³ See THE OFFICE OF HAWAIIAN AFFAIRS, NATIVE HAWAIIAN JUSTICE TASK FORCE REPORT 8, 20 (2012), available at http://lrhawaii.info/reports/legrpts/oha/2013/act170_slh11.pdf.

arrangements for a transitional period, enabling pa‘ahao to find stability and support each other as they prepare to reintegrate with their communities. By addressing such common barriers to reentry, PSD’s community-based work furlough programs may significantly reduce recidivism rates, and should be supported for the betterment of our pa‘ahao and communities.

Therefore, OHA respectfully urges the Committee to **PASS** HCR158. Mahalo for the opportunity to testify on this measure.

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
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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 CONCURRENT RESOLUTION 158
ENCOURAGING THE CONTINUATION AND EXPANSION OF THE
COMMUNITY-BASED WORK FURLOUGH PROGRAMS TO ASSIST FEMALE
INMATES TRANSITION BACK INTO SOCIETY.

by

Nolan P. Espinda, Director
Department of Public Safety

House Committee on Judiciary
Representative Scott Y. Nishimoto, Chair
Representative Joy A. San Buenaventura, Vice Chair

Tuesday, April 4, 2017; 2:15 p.m.
State Capitol, Conference Room 325

Chair Nishimoto, Vice Chair San Buenaventura, and Members of the Committee:

The Department of Public Safety (PSD) **supports** House Concurrent Resolution (HCR) 158, which encourages the continuation and expansion of community-based work furlough programs to aid in the transition of female inmates back to the community. PSD has long recognized the importance of furlough programs for women and continues to apply its resources to the expansion of these programs.

Thank you for the opportunity to present this testimony.

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON JUDICIARY

Rep. Scott Nishimoto, Chair

Rep. Joy San Buenaventura, Vice Chair

Tuesday, April 4, 2017

2:15 pm

Room 325

STRONG SUPPORT - HCR 158 - WOMEN'S WORK FURLOUGH

Aloha Chair Nishimoto, Vice Chair San Buenaventura 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. Most of the women imprisoned in Hawai'i are non-violent and the majority are mothers.

On a macro-level, relying on incarceration to reduce disorder can undermine the development of more informal means of social control, which are important to the long-term prevention of crime.¹

Work furlough and extended work furlough are important strategies to help women with reentry and we urge the committee to support this resolution.

¹ INCARCERATION, SOCIAL CAPITAL, AND CRIME: IMPLICATIONS FOR SOCIAL DISORGANIZATION THEORY (1998)
<http://onlinelibrary.wiley.com/doi/10.1111/j.1745-9125.1998.tb01255.x/abstract>

The highlights from a report² by the Vera Institute of Justice read,

Women often become involved with the justice system as a result of efforts to cope with life challenges such as poverty, unemployment, and significant physical or behavioral health struggles. Most are jailed for low-level, nonviolent offenses.

Once incarcerated, women must grapple with systems designed primarily for men. As a result, many leave jail with diminished prospects for physical and behavioral health recovery, as well as greater parental stress and financial instability.

Michelle Alexander, author of The New Jim Crow: Mass Incarceration in the Age of Colorblindness, moderated a panel discussion titled “*Invisible Woman: The Experience of Women and Girls in the Era of Mass Incarceration*” at Union Theological Seminary, where she is now a visiting professor and encouraged the community to help bring women to the forefront of the justice movement by recognizing their unique and often invisible struggles. For example, one problem facing women is how incarcerated mothers experience stigma differently than fathers. Incarcerated mothers are thought to be careless and negligent, and this affects society’s perception of their families. Earlier this year, Attorney General Loretta E. Lynch said, “*We know that when we incarcerate a woman we often are truly incarcerating a family, in terms of the far reaching effect on her children, her community and her entire family network.*”³

Community Alliance on Prisons has received many letters from women and their families asking about work furlough as a way to help ease their reentry back to society and to facilitate the reintegration with their families once again.

Intergenerational imprisonment is a huge issue in Hawai`i. And it is an issue that can be addressed when we decide that rehabilitation works better than punishment in building safe, healthy and just communities.

We, therefore, urge the committee to support more work furlough programs for women.

Mahalo for this opportunity to testify.

² Overlooked: Women and Jails in an Era of Reform, Vera Institute of Justice, August 2016. <https://www.vera.org/publications/overlooked-women-and-jails-report>

³ Understanding the Needs of Women in the Justice System, Kristi DiLallo Intern, Communications, December 2, 2016. <https://www.vera.org/blog/understanding-the-needs-of-women-in-the-justice-system>

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To: The Honorable Scott Nishimoto, Chair
The Honorable Joy San Buenaventura, Vice Chair
House Committee on Judiciary

Re: HCR 158 – Encouraging the Department of Public Safety to Continue and Expand its
Community-based Work Furlough programs to Assist Formerly Incarcerated Female Inmates
Transition Back into Society - SUPPORT
Tuesday, April 4, 2017, 2:15PM -- Hawaii State Capitol, Rm. 325

Good morning Chair Takayama, Vice Chair LoPresti, and members of the committee:

Thank you for the opportunity to share our testimony in **strong support of HCR 158**, which aims to reduce recidivism and ensure safer communities through the expansion of successful community-based work furlough programs for female offenders.

This resolution highlights the importance of gender-specific, work furlough programs that are integrated in the community, and identifies the need to address the various factors that contribute to and perpetuate female incarceration in our state.

Expanding community-based work furlough programs is an investment in safer communities.

Nationally, 50-60% of women offenders who complete community-based work furlough programs stay out of prison for two years. Studies on recidivism show that former offenders who are not re-incarcerated for at least two years after being released from their sentence are unlikely to recommit crimes.

Our state is at a crossroads in regards to incarceration policies. Currently, House Concurrent Resolution Taskforce 85 is investigating effective incarceration policies. The interim report issued by the taskforce gave several recommendations but the first is “the State should begin to transition from a punitive correctional system to a rehabilitative, restorative, and therapeutic system.” Work furlough programs for women, like *Ka Hale Ho'āla Hou No Nā Wāhine* (The Home of Reawakening for Women), support this recommendation and several others made the taskforce.

Structured, community-based work furlough programs are necessary to **give women offenders the resources and skills to face the challenge of building a successful life after incarceration**. These programs provide women with the support necessary to sustain employment and advance in their careers. Participants in work furlough programs are also more likely to find and retain employment 3-6 months post-release. Community-based work furlough programs also serve to reduce the potential for delinquency among children of program graduates through targeted skill building for their mothers. As many women offenders are mothers, reducing recidivism in this group is critical to preventing an intergenerational cycle of crime.

The criminal justice system has traditionally focused on male offenders, the rate of female incarceration has grown rapidly in the past few decades. To address this issue, criminal justice professionals and decision makers should consider the need for gender specific policy in reducing recidivism in female offenders. Women become involved in criminal behavior for different reasons than men do, and the treatment of women offenders must be differentiated from treatment of male offenders.

An overview of female offenders in our State shows that the vast **majority are victims of trauma and violence, many are mothers or grandmothers, and disproportionately Native Hawaiian**. Studies also show that women's most common pathways to crime are based on experiences of physical abuse, poverty and substance abuse. To respond to these variables, our program is modeled to specifically serve women offenders in Hawaii and is trauma-informed, gender-responsive, and culturally-sensitive. In comparison to the national statistic, our program is significantly more effective in reducing recidivism.

Community-based work furlough programs for women offenders can be **efficient and cost-effective in the long-term**. A Washington-based study found their work furlough program saw a \$3.82 benefit per dollar of cost. A decrease in recidivism and re-incarceration will reduce the high cost of keeping offenders behind bars. It also reduces the financial and social costs the cycle of crime has on offenders' families and communities.

As a formerly incarcerated population rejoins the greater community, the State faces an increased challenge and responsibility of promoting offender success as a means of achieving greater public safety. We urge the committee to support this measure to continue and expand the efforts of the Department of Public Safety and effective programs like *Ka Hale Ho`āla Hou No Nā Wāhine* on empowering women to successfully transition from prison into the community.

Thank you for your consideration and for the opportunity to provide testimony on this matter.

Kathleen Algire
YWCA O'ahu Advocacy Coordinator

Maxine Anderson
1703 S. Beretania
Honolulu HI 96826

Re: Testimony in SUPPORT of HCR 158

Aloha House Judiciary Committee,

I am writing today in **support** of HCR 158. I am a recent MSW graduate from UH Manoa, and completed my concentration year practicum with the Offender Services Administration at Women's Community Correctional Center from Fall 2015-Spring 2016. During my time at WCCC, I saw that these furlough programs, while important and necessary, do not go far enough with their services. Further, they don't have the capacity to serve all the transitioning women who need their support.

While I ultimately support the intent of this bill, frankly, it does not go far enough. The text of the bill itself recognizes the importance of community based alternatives to incarceration, yet the resolution only deals with women who are already incarcerated. Ka Hale Ho ala Hou No Na Wahine is an excellent program which provides a great model for services; the Bridge program should investigate whether its service model and delivery aligns with that program's. Further, both of these programs should be expanded and made accessible to every incarcerated woman. In addition, all programs relating to incarcerated women should include some component regarding trauma recovery. Most of the women currently incarcerated at WCCC have some form of trauma history which impact recidivism and incarceration rates. Specific trauma treatment and recovery are necessary steps in any transition back to the community. The text of the resolution alludes to these facts by encouraging "Trauma-informed" services, yet doesn't go far enough in mandating treatment for that trauma.

Mahalo for the opportunity to provide testimony,

Maxine Anderson

From: mailinglist@capitol.hawaii.gov
Sent: Monday, April 3, 2017 10:12 AM
To: JUDtestimony
Cc: breaking-the-silence@hotmail.com
Subject: Submitted testimony for HCR158 on Apr 4, 2017 14:15PM

HCR158

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dara Carlin, M.A.	Individual	Support	No

Comments: Good afternoon and thank you for this opportunity to provide comments. As a former contracted educator at WCCC, I learned that the majority of the incarcerated women there either experienced or were experiencing domestic violence or some form of abuse which led them to crimes involving substance abuse. Incarceration is not the answer for this kind of problem - rehabilitation, counseling and support is - especially when you consider the children left motherless by incarceration. Work furloughs and transitional services are critical; they should be fully supported to achieve transformative success stories for all. I urge you all to support this measure. 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.

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From: mailinglist@capitol.hawaii.gov
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Cc: annie@projectvisionhawaii.org
Subject: *Submitted testimony for HCR158 on Apr 4, 2017 14:15PM*

HCR158

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
ELIZABETH "ANNIE" VALENTIN	Individual	Support	No

Comments:

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HCR158

Submitted on: 4/3/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Cu Ri	Individual	Support	No

Comments:

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LATE

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mailinglist@capitol.hawaii.gov

Tue 4/4/2017 8:38 AM

To:JUDtestimony <judtestimony@capitol.hawaii.gov>;

Cc:jeannine808@gmail.com <jeannine808@gmail.com>;

HCR158

Submitted on: 4/4/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jeannine Souki	Individual	Support	No

Comments: As a board member of the YWCA of Oahu, I am writing in strong support of this concurrent resolution. In Hawaii, the majority of female offenders are incarcerated for committing non-violent crimes. Many of them are mothers and are disproportionately Native Hawaiian. Successful transition into society is crucial to reduce the cycle of crime among women offenders. Community-based work furlough programs are effective in reducing problems associated with reentry. HCR 158 recommends the Department of Public Safety to continue and expand programs like the YWCA of Oahu's Ka Hale Ho ala Hou No Na Wahine program at its Fernhurst facility, which is integrated in a metropolitan community in Honolulu with multiple bus routes so women can easily commute to work and get access to services. This program serves women throughout the state and currently, is the only community-based work furlough program in Hawaii. The only other work-furlough program available to women is housed in the Women's Community Correctional Center in Kailua. Re-entry programs like Ka Hale Ho ala Hou No Na Wahine offer a nurturing and supportive setting for women to reintegrate into society and better prepare them for life outside of prison. Please support this resolution with your vote. Mahalo!

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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To: JUDtestimony
Cc: kcoleman@ywcaoahu.org
Subject: Submitted testimony for HCR158 on Apr 4, 2017 14:15PM

HCR158

Submitted on: 4/4/2017

Testimony for JUD on Apr 4, 2017 14:15PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
kehaulani coleman	Individual	Comments Only	No

Comments: To: Hawaii State Senate Committee on Judiciary and Labor Hawaii State Senate Committee on Ways and Means Hearing Date/Time: Tuesday, April 4, 2017, 1:30PM Place: Hawaii State Capitol, Rm. 211 Position Statement Supporting Senate Concurrent Resolution 117 Subject: Please Support SCR 117 Aloha Chair Keith-Agaran, Chair Tokuda, Vice Chair Rhoads, Vice Chair Dela Cruz and members of the Committee, I am writing to urge you to move forward on SCR 117, to encourage the Department of Public Safety to continue and expand community-based work furlough programs for female offenders in Hawaii. An overview of female offenders in Hawaii shows: • Most are incarcerated for committing non-violent crimes • The majority are victims of trauma and violence • The population is disproportionately Native Hawaiian. For many women, their involvement with the justice system is the result of efforts to cope with life challenges like poverty and unemployment. Women who have experienced trauma are also more likely to be involved in the criminal justice system. Studies show that community-based work furlough programs are successful at reducing the cycle of substance abuse, crime, and incarceration. Many female offenders also return to crime if their recovery is not support during their transition into society. A trauma-informed, gender-responsive, culturally sensitive program model is effective in promoting recovery and successful reentry. We need to promote the successful reentry of female offenders through effective community-based work furlough programs. Please support this measure to reduce recidivism and the financial and social costs of the cycle of crime and incarceration. Vote YES to ensure safer communities for all Hawaii's people. Mahalo for your consideration.

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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