

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
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Honolulu, Hawaii 96814

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Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 1039, SENATE DRAFT 1
RELATING TO PUBLIC SAFETY

By
Nolan P. Espinda, Director
Department of Public Safety

Senate Committee Judiciary and Labor
Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair

Senate Committee on Ways and Means
Senator Jill N. Tokuda, Chair
Senator Donovan M. Dela Cruz, Vice Chair

Tuesday, February 28, 2017; 9:50 a.m.
State Capitol, Conference Room 211

Chairs Keith-Agaran and Tokuda, Vice Chairs Rhoads and Dela Cruz, and Members of the Committee:

The Department of Public Safety (PSD) **supports** Senate Bill (SB) 1039, Senate Draft (SD) 1 and respectfully offers the following recommendations for further amendments.

On page 2, line 14, substituting "citizens of Hawaii" for "Hawaii-born";

On page 2, lines 16-17, inserting the underscored language, as follows:
"before the inmate's release on parole or upon expiration of the inmate's sentence...";

On page 3, line 20, substituting "Hawaii citizen inmates" for "Hawaii-born inmates".

Additionally, the Department again suggests that the State Department of Health (birth certificate) and County (State ID and Hawaii Driver's License)

entities be required to bring the services statutorily mandated in this measure to the applicable correctional facility. PSD also reiterates the need for funding resources in order to comply with the provisions of the enacted legislation.

Thank you for the opportunity to present this testimony.



SB1039 SD1
RELATING TO PUBLIC SAFETY
Senate Committee on Judiciary and Labor
Senate Committee on Ways and Means

February 28, 2017

9:50 a.m.

Room 211

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB1039 SD1, which would provide critical support for pa‘ahao seeking to reintegrate into society upon their release.

The Native Hawaiian Justice Task Force (NHJTF), in preparing its 2012 report, interviewed many pa‘ahao detained at Hālawā Correctional Facility. During these interviews, many pa‘ahao revealed that they did not know where their official state-issued identification could be found.¹ Notably, state-issued identification, and the vital documents needed to obtain such identification, may be necessary to support pa‘ahao in applying for employment, finding housing, complying with conditions of parole, and applying for other services for themselves and their families – important steps towards successful reintegration into the community upon release.

In its 2012 report, the NHJTF made several recommendations on how best to support incarcerated and reentering pa‘ahao in their rehabilitation and stable reintegration into society. These included a recommendation that “[t]he Department of Public Safety should ensure that prior to work furlough and/or release, all inmates obtain official state identification and if needed, a social security card.”² Accordingly, OHA supports this measure as a critical means to facilitate the successful reintegration of pa‘ahao.

Therefore, OHA respectfully urges the Committees to **PASS** SB1039 SD1. Mahalo for the opportunity to testify on this important measure.

¹ See The Office of Hawaiian Affairs, *Native Hawaiian Justice Task Force Report* 23 n. 28 (2012), available at http://www.oha.org/wp-content/uploads/2012NHJTF_REPORT_FINAL_0.pdf.

² *Id.* at 29.

DAVID Y. IGE
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STATE OF HAWAII
HAWAII PAROLING AUTHORITY
1177 Alakea Street, First Floor
Honolulu, Hawaii 96813

EDMUND "FRED" HYUN
INTERIM CHAIR

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MICHAEL A. TOWN
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FITUINA F. TUA
MEMBERS

TOMMY JOHNSON
ADMINISTRATOR

No. _____

TESTIMONY ON SB 1039, SD1 RELATING TO PUBLIC SAFETY

By
Edmund "Fred" Hyun, Interim Chair
Hawaii Paroling Authority

Senate Committee on Judiciary and Labor
Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair

Senate Committee on Ways and Means
Senator Jill N. Tokuda, Chair
Senator Donovan M. Dela Cruz, Vice Chair

Tuesday, February 28, 2017 – 9:20 a.m.
State Capitol, Conference Room 211

Chairs Keith-Agaran and Tokuda; Vice Chairs Rhoads and Dela Cruz; and Members of the Committee:

The Hawaii Paroling Authority (HPA) supports the intent of Senate Bill 1039, SD1 Relating to Public Safety. This bill will assist inmates in obtaining documents necessary for employment, housing, financial assistance, and parole and/or completion of sentence.

Thank you for the opportunity to provide testimony on SB 1039, SD1.

COMMUNITY ALLIANCE ON PRISONS

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

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



COMMITTEE ON JUDICIARY AND LABOR

Sen. Gil Keith-Agaran, Chair

Sen. Karl Rhoads, Vice Chair

COMMITTEE ON WAYS AND MEANS

Sen. Jill Tokuda, Chair

Sen. Donovan Dela Cruz, Vice Chair

Tuesday, February 28, 2017

9:45 am

Room 211

STRONG SUPPORT - SB 1039 - IDENTIFICATION

Aloha Chairs Keith-Agaran and Tokuda and Members of the Committees!

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 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 support of this important bill. Hawai'i is the only state that

The lack of identification has been a huge barrier for our people transitioning from incarceration back to their communities. Hawai'i has been releasing people with no identification, no money, and virtually no hope since identification is required in order to

- Find housing
- Employment
- Open a bank account
- Cash a check
- Register to vote
- Get a library card

Currently, Hawai'i is the only state that does not have a Memorandum of Understanding (MOU) with the Social Security Administration.

Without proper identification, the barriers to reentry are HUGE. In a House hearing on a similar bill, formerly incarcerated women testified that it has taken months and even a full year for these documents to be secured. This sets back their reintegration and causes unnecessary hardship for a person working hard to get his/her life started after incarceration.

The Department of Justice acknowledged identification as an important reentry practice and recommended the Federal Bureau of Prisons reduce barriers that interfere with a person's ability to secure valid government-issued identification upon release.

The lack of proper identification can lead people to illegal activities because they cannot secure employment and can lead to houselessness since identification is required to secure safe housing.

In short, the community pays dearly when we release people without proper identification. This only leads to recidivism and another drain on our already over-taxed residents.

The legislature, Community Alliance on Prisons, and our community was promised in 2008 by a prior administration that the department would ensure that all released inmates would receive proper identification before release. This never happened.

We also support helping those not born in Hawai'i to obtain their birth certificates.

We support (h) requiring the department of public safety to report on the number of inmates released without social security cards, identification or driver's licenses, and birth certificates and asking the department to identify the impediments to implementation and provide recommendations to improve the process.

We urge the committees to pass this important bill.

Mahalo for this opportunity to testify.

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: blawaiianlvr@icloud.com
Subject: Submitted testimony for SB1039 on Feb 28, 2017 09:50AM
Date: Monday, February 27, 2017 4:00:06 PM

SB1039

Submitted on: 2/27/2017

Testimony for JDL/WAM on Feb 28, 2017 09:50AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
De MONT R. D. CONNER	Ho'omana Pono, LLC.	Support	Yes

Comments: We continue to STRONGLY SUPPORT this bill.

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eliminating racism
empowering women

ywca

O'ahu

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1566 Wilder Avenue
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Kokokahi YWCA
45-035 Kāne'ōhe Bay Drive
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1040 Richards Street
Honolulu, Hawai'i 96813
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ywcaohu.org

February 27, 2017

To: Hawaii State Senate Committee on Judiciary and Labor
Hawaii State Senate Committee on Ways and Means
Hearing Date/Time: February 28, 2017, 9:50AM
Place: Hawaii State Capitol, Rm. 211

Subject: Please Support SB 1039, assisting inmates in obtaining civil identification

Chair Keith-Agaran, Chair Tokuda, Vice Chair Rhoads, Vice Chair Dela Cruz and members of the committees,

I am writing in support of SB 1039. Giving civil identification cards to people transitioning from prison into the community is a common sense policy. It will allow people to more quickly access essential services and support, and removes significant barriers to successful reentry.

Many people returning to the community from incarceration are doing so without an ID. Without an ID, people are not able to apply for employment or housing; they cannot secure an address through a PO Box, cash a check, open a bank account, or even obtain a library card. However, gathering the necessary documents for obtaining an ID can be prolonged and cumbersome. It can take weeks or months before you have your birth certificate and social security card and are able to apply for identification. This process is especially difficult for those who have been incarcerated for longer periods of time. Senate bill 1039 would simplify the process by issuing an ID card prior to a person's release.

Employment and housing are vital to successful reentry and reduced recidivism rates. Without an ID, people returning to the community may have no legal means to support themselves or their families. Providing an ID upon transition gives a person the opportunity to be a financially stable, independent contributing member of our community.

Issuing identification prior to transition into the community is a successful reentry strategy. This bill supports people who are ready to start the next chapter of their lives by removing a small, but significant, barrier.

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



Noriko Namiki
Chief Executive Officer
YWCA O'ahu

YWCA IS ON A MISSION

To: Hawaii State Senate Committee on Judiciary and Labor
Committee on Ways & Means

Hearing Date/Time: Tuesday, February 28, 2017, 9:50AM

Place: Hawaii State Capitol, Rm. 211

Position Statement in Support of Senate Bill 1039 SD1

Good afternoon Chair Keith-Agaran, Chair Tokuda, Vice Chair Rhoads, Vice Chair Cullen and members of the committees. On behalf of YWCA O'ahu we thank you for the opportunity to share our testimony in **strong support of Senate Bill 1039**.

The YWCA O'ahu supports the intent of Senate Bill 1039, which would require the Department of Public Safety to assist inmates with obtaining identification. Identification is an important piece for people leaving prison and transitioning into the community. The YWCA manages the state's only community based women's work furlough program and we have witnessed the negative impact lack of identification can have. Without an ID, a person cannot accept employment or secure housing-two vital pieces for successful reentry. Requiring inmates have identification prior to their release is a common-sense policy that benefits the individual, community, and state.

The Department of Justice and former Attorney General Loretta Lynch acknowledged identification as necessary for successful reentry. Across the country, several states have passed similar legislation addressing identification and reentry. In Hawaii, many working within the criminal justice system have noted how lacking an ID is problematic. Senate bill 1039 is an opportunity to solve this problem. Passing this bill would make jobs, housing, bank accounts, cashing a check, and the library accessible for a large group of people. A person could begin their road to self-sufficiency on day one of their release, not weeks or months later when they finally receive their ID.

I have the privilege of working with women in the work furlough program. I have heard the same story too many times to count. The story goes: a woman transitions from the correctional center with a check. She does not have her ID so she cannot cash or deposit her check. She does not have the money to pay for the ID or necessary paperwork because she cannot cash her check. She is unable to cash her check without an ID and without cashing her check she cannot obtain an ID.

Issuing identification prior to transition into the community is a successful reentry strategy. This bill supports people who are ready to start the next chapter of their lives by removing a small, but significant, barrier. For these reasons, the YWCA O'ahu respectfully requests that this committee report the bill with amendment favorably on Senate bill 1039. Thank you for the opportunity to testify and for your consideration on this matter.

Kathleen Algire
Advocacy Coordinator

To: Hawaii State Senate Committee of Judiciary and Labor
Hawaii State Senate Committee of Ways and Means
Hearing Date/Time: Tuesday, February 28, 2017, 9:50AM
Place: Hawaii State Capitol, Rm. 211

Subject: Please Support SB1039, assisting inmates in obtaining civil identification

My name is Kelcie Watson. I am a case manager at the YWCA Oahu, working with women in the work furlough program, Ka Hale Ho'ala Hou No Na Wahine. I have been working with this population for approximately four years, both as an intern and as an employee. I am writing in support of SB 1039, which addresses just one barrier amongst many, but it is one that can ultimately affect the quality of life and successful transition from prison into the community. HB 845 will allow people the ability to access essential services and support in a timely manner, and removes significant barriers to successful reentry.

I also request that the SB1039 be amended to include a provision for those exiting prison prior to the completion of their sentence; this would include those released to work furlough, extended furlough, or community placement. The bill should include language which would require the State to assist those released to work furlough, extended furlough, or community placement with obtaining identification. This process should be initiated 90 days prior to them being released on those statuses. As the bill is currently written, only those exiting prison upon completion of their full prison sentence will benefit from this bill.

Obtaining identification can be an extensive, costly, and extremely stressful process for a lot of people being released from prison. Most times, people come out of prison without any type of identification because it was either lost, thrown away, or expired while they were incarcerated. Not having any type of documentation creates a major barrier for an individual. The entire process is what people would call a "catch-22." In order to obtain a social security card, you must have an ID. In order to obtain an ID, you must have a social security card and it seems that the process continues to get more complicated as the years pass.

The time gap between their release from prison and obtaining identification can be the very thing that sends an individual back to prison as they may resort to illegal activities to get their basic needs met (i.e. steal food, sell drugs, etc.).

Issuing identification prior to transition into the community is a successful reentry strategy. This bill (with the proposed amendment) supports people in gaining stability and improving quality of life.

Thank you,
Kelcie Watson, MSW
Case Manager

COMMITTEE ON JUDICIARY AND LABOR
Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair

COMMITTEE ON WAYS AND MEANS
Senator Jill N. Tokuda, Chair
Senator Donovan M. Dela Cruz, Vice Chair

DATE: Tuesday, February 28, 2017
TIME: 9:50 a.m.
PLACE: Conference Room 211
State Capitol
415 South Beretania Street

Subject: Strong support (with an amendment) for SB 1039

Good morning Chairs Keith-Agaran and Tokuda and Vice Chairs Rhoads and Dela Cruz, and members of the Committees.

My name is Lorraine Robinson. I am a consultant for the YWCA of Oahu work furlough program for women exiting prison. For over 20 years, I served as Executive Director of TJ Mahoney & Associates (previous contractor for the women's work furlough contract). Having worked with women exiting prison for over two decades, I am certain this bill will help enhance the odds for successful reentry. Therefore, I strongly urge you to support **SB 1039**.

I also request that the Bill be amended to include a provision for those exiting prison **prior to the completion of their sentence**; this would include those released to **work furlough, extended furlough, or community placement**. The bill should include language which would require the State to assist those released to work furlough, extended furlough, or community placement with obtaining identification. This process should **be initiated 90 days prior to them being released on those statuses**. As the bill is currently written, only those exiting prison **upon completion of their full prison sentence** will benefit from this bill.

Even with proper ID, reentry from prison to the community is a daunting endeavor. Presently the majority of women in our program arrive without proper ID and can spend an inordinate amount of time obtaining identification. If ID was procured prior to their arrival at the program, it would expedite their being able successfully navigate the myriad tasks of reestablishing themselves as productive and contributing community members, most especially including securing employment.

Issuing identification prior to transition into the community is a successful reentry strategy. This bill (with the proposed amendment) supports people in reclaiming their lives and contributing to the community in meaningful ways. Successful community reentry for offenders means safer communities for all.

Thank you for the opportunity to testify; please support this most important piece of legislation with the above referenced amendment.

Testimony SB 1039

I am a resident of Makiki within walking distance of Fernhurst where YWCA Oahu runs a work furlough program (Ka Hale Ho'āla Hou No Nā Wāhine) for women. I have served on the YWCA board of directors for more than a decade. This program is among our strongest, helping women transitioning successfully into our society.

There is a challenge these women face that is significant. It has been a problem for a long time. Identification cards are vital piece for reentry. Without an ID card, a person cannot apply for employment or housing. Currently, a person faces significant barriers to receiving and ID card after they have transitioned out of prison. For some, it can take months to finally receive a state ID card.

I am testifying in support of a requirement for the Department of Public Safety to work with other county and state agencies to issue a civil ID card and would assist inmates in obtaining their birth certificate, social security card and other relevant identification necessary for a successful reentry.

Barbra Pleadwell
808-292-3031
1702 Kewalo Street, PH2
Honolulu, HI 96822

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: annie@projectvisionhawaii.org
Subject: *Submitted testimony for SB1039 on Feb 28, 2017 09:50AM*
Date: Monday, February 27, 2017 12:48:35 PM

SB1039

Submitted on: 2/27/2017

Testimony for JDL/WAM on Feb 28, 2017 09:50AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
ELIZABETH A HILLER VALENTIN	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: jeannine808@gmail.com
Subject: Submitted testimony for SB1039 on Feb 28, 2017 09:50AM
Date: Monday, February 27, 2017 9:55:53 AM

SB1039

Submitted on: 2/27/2017

Testimony for JDL/WAM on Feb 28, 2017 09:50AM in Conference Room 211

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

Comments: Aloha senators, Your support of this bill is important to serving women and men coming out of incarceration and can help homeless individuals get services to get on their feet again. Identification cards are vital piece for reentry. Without an ID card, a person cannot apply for employment or housing. Currently, a person faces significant barriers to receiving and ID card after they have transitioned out of prison. For some, it can take months to finally receive a state ID card. SB1039 would require the Department of Public Safety to work with other county and state agencies to issue a civil ID card and would assist inmates in obtaining their birth certificate, social security card, and other relevant identification necessary for a successful reentry. Please support this bill with your vote to pass it.

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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Chair Gilbert S.C. Keith-Agaran, Vice Chair Karl Rhoads
Judiciary and Labor
Chair Jill N. Tokuda, Vice Chair Donovan M. Dela Cruz
Way and Means

Matthew Toynton
Myron B Thomas school of social work, University of Hawaii at Manoa
808-285-1479

2/28/2017

In support for S.B. No. 1039 S.D. 1 Relating to Public Safety

I am Matthew Toynton, a student studying social work at the University of Hawaii at Manoa. Have you ever lost or damaged an important document? How about a personal document? How long did it take you to replace these documents?

How do I get a social security card if I don't have proof of citizenship (U.S. Birth certificate or U.S. passport), or proof of identity (U.S. Driver's license, State-issued ID card or U.S. passport)? How many jobs can I get without two of these forms of documents? If prisoners have served their sentence, are released from prison, how are they expected to function and contribute to society without one of these documents?

I work at the Hawaii State Hospital. I am also doing my practicum for social work at the Windward Community Health Clinic. Patients who are fed and housed at the Hawaii state hospital, require documentation to be enrolled in SSI and receive other benefits. Replacing these documents can be extremely difficult for a patient with a mental illness. The same is true for prisoners being released from Halawa Correctional Facility, or Oahu Community Correctional Center

For these reasons, I am in favor of S.B. No.1039 S.D. 1. I urge you to do the same.