

LATE

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS

Sen. Clarence Nishihara, Chair

Sen. Glenn Wakai, Vice Chair

Tuesday, January 30, 2018

1:15 pm

Room 229

STRONG SUPPORT SB 2861 - DATA

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 more than two decades. This testimony is respectfully offered on behalf of the approximately 5,500 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 1,600 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 Kanaka Maoli, far, far from their ancestral lands.

SB2861 requires DPS to establish performance indicators, quarterly reports of the established performance indicators, criminal offender treatment programs, and programs established pursuant to the community safety act.

Community Alliance on Prisons is in strong support of this measure. Data collection is vital for analysis of ways to reform our broken correctional system.

There is an ongoing project to evaluate all DPS programs currently at the University of Hawai'i. This project is in its third year and yet NO DATA HAS BEEN MADE AVAILABLE TO THE PUBLIC to date. It is sad that this publicly-funded information has been hidden from the public. This kind of secrecy is what fuels distrust in government.

We urge the committee to pass this important bill in the interest of fairness and open government.

"Anxiety concerning public safety should not become a canard for creating an exemption. To require the public to obtain information on a piecemeal basis does nothing to promote the legislative concerns that have been mandated to our Freedom of Information statute. Open government is not promoted when the public is required to sift through the voluminous documents in various departments and a municipality can counter this by pushbutton automation."

Stephen Whitaker



Committee: Committee on Public Safety, Intergovernmental, and Military Affairs
Hearing Date/Time: Tuesday, January 30, 1:15 p.m.
Place: Conference Room 229

Re: Testimony of the ACLU of Hawai'i in support of S.B. 2861 and S.B. 2858, Relating to Establishing Key Performance Indicators

Dear Chair Nishihara, Vice Chair Wakai, and Members of the Committee on Public Safety, Intergovernmental, and Military Affairs:

The American Civil Liberties Union of Hawai'i writes in **strong support** of S.B. 2861 and S.B. 2858, which require the Department of Public Safety ("**DPS**") to, among other things, develop performance measures to track progress in improving recidivism rates, decreasing prisoner assaults, reducing staff turnover, and improving efficiencies. We support these measures, because clear performance metrics are important not only to public safety but also to transparency, efficiency, and accountability.

S.B. 2861 and S.B. 2858 also require that DPS develop key performance indicators, including various data points relating to intakes, offender demographics, length of stay, etc. One of the barriers to meaningful and evidence-based criminal and correctional reform in Hawai'i is lack of relevant data. Therefore, we respectfully request that your Committee amend both bills to clearly require DPS to publish all data for all performance measures and all key performance indicators on at least a quarterly basis. We also request that your Committee amend both bills to require DPS to include the following key performance indicators concerning pretrial detention:

(1) number of pretrial detainees by type of crime, bail amount, risk assessed, gender, race, and age, (2) number of pretrial detainees admitted each month by type of crime, bail amount, risk assessed, gender, race, and age, (3) number of pretrial detainees released or discharged each month and reason for release or discharge by type of crime, bail amount, risk assessed, gender, race, and age, (4) average length of stay for pretrial detainees by reason for release/discharge, type of crime, amount, risk assessed, gender, race, and age, (5) number of pretrial detainees held on cash bail by type of crime, bail amount, risk assessed, gender, race, and age, (6) average length of time for completing and verifying pretrial risk assessment by type of crime, amount, risk assessed, gender, race, and age, and (7) number of pretrial detainees readmitted by reason for release, reason for readmission, type of crime, bail amount, risk assessed, gender, race, and age. This data will allow DPS, the Legislature, the Judiciary, and the public to better assess Hawai'i's pretrial detention system as we all weigh important decisions about the future of pretrial

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detention in Hawai'i and the Oahu Community Correctional Center, which currently holds about 559 pretrial detainees, including 74 detainees accused only of a misdemeanor.

Thank you for the opportunity to testify.

Sincerely,



Mateo Caballero
Legal Director
ACLU of Hawai'i

The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i 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 Hawai'i has been serving Hawai'i for over 50 years.

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SB-2861

Submitted on: 1/30/2018 11:10:01 AM

Testimony for PSM on 1/30/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carrie Ann Shirota		Support	No

Comments:

Hawai'i Justice Coalition supports this bill as it would increase two important oversight goals: increasing transparency and accountability within the Department of Public Safety - by requiring PSD to develop performance measures to track process in decreasing prisoner assaults, reducing staff turnover, improving recidivism rates, and other indicators important to comprehensive criminal justice reform.

Submitted on behalf of: Hawai'i Justice Coalition

SB-2861

Submitted on: 1/29/2018 10:18:16 PM

Testimony for PSM on 1/30/2018 1:15:00 PM

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Submitted By	Organization	Testifier Position	Present at Hearing
Raelyn Reyno Yeomans		Support	No

Comments:

My name is Raelyn Reyno Yeomans and I am writing in support of SB 2861 requiring DPS to establish performance indicators and quarterly reports as defined. This bill is necessary as it provides necessary DATA so that it can be determined if our jails and prisons are functioning as they should. Without this information, there is a lack of transparency and no way to efficiently improve our state's jails and prisons so as to reduce recidivism and rehabilitate and repair lives.

It is important that these indicators and report requirements are set by a knowledgeable source outside of the Department Of Public Safety. These requirements should also include and be applied to Hawaii's pre-trial population so that this DATA can be used to improve outcomes at this earlier stage.

Hawaii can do better and this bill is a great first step in allowing for the collection of necessary DATA to improve our jails and prisons and the outcomes of those who are incarcerated there.

Thank you!

Raelyn Reyno Yeomans