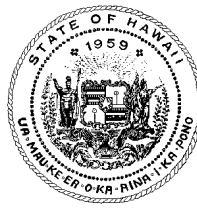


DAVID Y. IGE
GOVERNOR



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

NOLAN P. ESPINDA
DIRECTOR

Deputy Director
Administration

Jodie F. Maesaka-Hirata
Deputy Director
Corrections

Renee R. Sonobe Hong
Deputy Director
Law Enforcement

No. _____

WRITTEN TESTIMONY ONLY

TESTIMONY ON HOUSE BILL 1552, HOUSE DRAFT 2
RELATING TO PUBLIC SAFETY.

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

Senate Committee on Government Operations
Senator Laura H. Thielen, Chair
Senator Lorraine R. Inouye, Vice Chair

Tuesday, March 19, 2019; 2:10 p.m.
State Capitol, Conference Room 229

Chairs Nishihara and Thielen, Vice Chairs Wakai and Inouye, and Members of the Committees:

The Department of Public Safety (PSD) supports House Bill (HB) 1552, House Draft (HD) 2, which consolidates the functions of the Reentry Commission and the Corrections Population Management Commission into a single, independent oversight commission, to be established in the Office of the Governor, abolishes those Commissions, and imbues the new oversight commission with functions of complaint and programmatic review. The Hawaii Correctional System Oversight Commission will be responsible for overseeing the State's correctional system and facilitating its transition to an increasingly rehabilitative and therapeutic model.

The Department welcomes the advent of incorporating additional Native Hawaiian culture-based programs, with an emphasis on healing and reducing

Testimony on HB 1552, HD 2
Senate Committee on Public Safety,
Intergovernmental, and Military Affairs
Senate Committee on Government Operations
March 19, 2019
Page 2

recidivism for the inmate population. PSD looks forward to the Oversight Commission's recommendations for additional best practices to help effectuate a more effective correctional system for Hawaii.

Thank you for the opportunity to present this testimony.

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
HAWAII PAROLING AUTHORITY
1177 Alakea Street, First Floor
Honolulu, Hawaii 96813

EDMUND "FRED" HYUN
CHAIR

JOYCE K. MATSUMORI-HOSHIJO
MICHAEL A. TOWN
ANNELLE C. AMARAL
FITUINA F. TUA
MEMBERS

TOMMY JOHNSON
ADMINISTRATOR

No. _____

TESTIMONY ON HOUSE BILL 1552, HD2
A BILL FOR AN ACT RELATING TO PUBLIC SAFETY

BY

HAWAII PAROLING AUTHORITY
Edmund "Fred" Hyun, Chairman

Committee on Public Safety, Intergovernmental, and Military Affairs

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

Committee on Government Operations

Senator Laura H. Thielen, Chair
Senator Lorraine R. Inouye, Vice Chairman

Tuesday, March 19, 2019 – 2:10 p.m.
State Capitol, Conference Room 229

Chairs Nishihara and Thielen, Vice Chairs Wakai and Inouye, and Members of the Committees:

The Hawaii Paroling Authority (HPA) supports the intent of this House Bill 1552, HD2, which seeks to establish the Hawaii Correctional System Oversight Commission. However, the HPA has concerns regarding the stated proposed powers and duties of the Hawaii Correctional System Oversight Commission as outlined in subparagraph (3) on page 6 (line 8 through 16) and subparagraph (4) on page 6 (line 17 through 20 and continued on page 7 line 1 and line 2).

The HPA is a separate quasi-judicial board that is attached to the Department of Public Safety (DPS) for administrative purposes only. As such, the DPS neither monitors the work of the HPA nor has the authority to review decisions of the HPA. Therefore, the HPA respectfully requests that all references to the HPA and the parole population be removed from this measure.

Thank you for the opportunity to provide testimony on House Bill 1552, HD2.



HB1552 HD2
RELATING TO PUBLIC SAFETY

Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Committee on Government Operations

March 19, 2019

2:10 p.m.

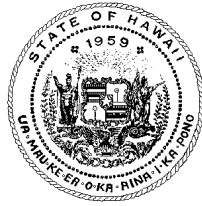
Room 229

The Office of Hawaiian Affairs **SUPPORTS** HB1552 HD2. This measure would establish the Hawai'i Correctional System Oversight Commission, to subsume the responsibilities of two other commissions and further develop a much-needed and long-awaited strategy to reduce the State's incarcerated population, reduce corrections spending, and reinvest in public safety and recidivism reduction. It would also create a position for an oversight coordinator to oversee the administration of the Hawai'i Correctional System Oversight Commission, and assist in transitioning our correctional system from a punitive model to a rehabilitative and therapeutic one.

OHA has long advocated for criminal justice reform that would thoroughly examine and effectively implement evidence-based corrections policies and incarceration alternatives that can successfully rehabilitate pa'ahao, reduce recidivism, improve public safety, and save taxpayer dollars. We support the efforts represented by this bill and are prepared to 'auamo the kuleana of assisting the Hawai'i Correctional System Oversight Commission in every way we can. We look forward to continuing to represent the interests of overrepresented pa'ahao in this important discussion, and we further hope to work collaboratively with the Legislature, Administration, and Judiciary toward the expeditious implementation of the recommendations of the Native Hawaiian Justice Task Force and the HCR 85 Task Force, which also seek to transform our criminal justice system from a punitive model to a rehabilitative and therapeutic one.

Therefore, OHA urges the Committees to **PASS** HB1552 HD2. Mahalo nui loa for the opportunity to testify on this important measure.

DAVID Y. IGE
GOVERNOR



MARI McCaIG
Chair

MARTHA ROSS
Commissioner

SANDRA JOY EASTLACK
Commissioner

PAMELA FERGUSON-BREY
Executive Director

STATE OF HAWAII
**CRIME VICTIM COMPENSATION
COMMISSION**

1164 Bishop Street, Suite 1530
Honolulu, Hawai'i 96813
Telephone: 808 587-1143
FAX 808 587-1146

TESTIMONY ON HB 1552 HD2
RELATING TO PUBLIC SAFETY
by

Pamela Ferguson-Brey, Executive Director
Crime Victim Compensation Commission

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

Senate Committee on Government Operations
Senator Laura H. Thielen, Chair
Senator Lorraine R. Inouye, Vice Chair

Tuesday, March 19, 2019, 2:10 PM
State Capitol, Conference Room 229

Good afternoon Chair Nishihara, Vice Chair Wakai and the Senate Committee on Public Safety, Intergovernmental, and Military Affairs, and Chair Thielen, Vice Chair Inouye, and Members of the Senate Committee on Government Operations. Thank you for providing the Crime Victim Compensation Commission (the "Commission") with the opportunity to testify in opposition to House Bill 1552, HD2, as written. This bill seeks to establish a correctional system oversight commission ("oversight commission") that does not include input from victims and survivors or include a focus on community safety. The Commission proposes two amendments: 1) to add an additional Commissioner appointed from the Victim Service Community, and 2) to add an additional qualification requiring knowledge and experience in crime victimization.

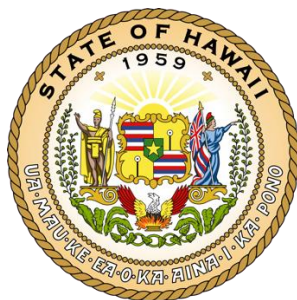
The Commission was established in 1967 to mitigate the suffering and financial impact experienced by victims of violent crime by providing compensation to pay un-reimbursed crime-related expenses. Many victims of violent crime could not afford to pay their medical bills, receive needed mental health or rehabilitative services, or bury a loved one if compensation were not available from the Commission.

The oversight commission as currently comprised in HB 1552, HD2, does not recognize the impact of offender reentry on victims and survivors or on the community. A holistic approach to reentry should include a representative recommended by members of the Victim Service

Community. We suggest that the member be appointed by the Victim Witness Coordinators (including all of the County Victim Assistance Program Administrators, in consultation with community victim service providers).

The preferred qualifications for commission members should be amended to include knowledge of the impact of victimization on crime victims, survivors, and the community. Having experience with the needs of victims and survivors would allow the oversight commission to better identify and meet the needs of victims, offenders, and the community.

Thank you for providing the Commission with the opportunity to testify in opposition of House Bill 1552, HD2, with proposed amendments.



‘O kēia ‘ōlelo hō’ike no ke
Komikina Kūlana Olakino o Nā Wāhine

Testimony on behalf of the
Hawai‘i State Commission on the Status of Women

Prepared for the Senate Committees on GVO/PSM

In Support of HB1552 HD2
Tuesday, March 19, 2019, at 2:10 p.m. in Room 229

Dear Chairs, Vice Chairs, and Honorable Members,

The Hawai‘i State Commission on the Status of Women **supports** HB1552 HD2, which establishes the Hawai‘i Correctional System Oversight Commission.

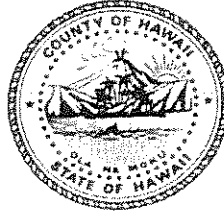
While only five percent (5%) of the world’s female population lives in the United States, the country accounts for approximately thirty percent (30%) of the world’s incarcerated women. As of October 2017, there were 219,000 incarcerated women in the United States. An estimated eighty percent (80%) of U.S. incarcerated women are mothers of minor children, and most served as the primary care giver of their child. As of August 31, 2018, there are a total of 585 female prisons in Hawai‘i. This figure represents an increase of 8.5% from the previous year.

The Commission strongly supports the centralization of oversight of corrections policies and strategy into a single Commission to strengthen the state’s effort to reduce incarceration levels and improve conditions for those currently imprisoned. Accordingly, the Commission asks that the Committee pass HB1552 HD2.

Sincerely,
Khara Jabola-Carolus
Executive Director

MITCHELL D. ROTH
PROSECUTING ATTORNEY

DALE A. ROSS
FIRST DEPUTY
PROSECUTING ATTORNEY



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FAX: (808) 322-6584

OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF HOUSE BILL 1552, HD 2

A BILL FOR AN ACT RELATING TO PUBLIC SAFETY

COMMITTEE ON PUBLIC SAFETY,
INTERGOVERNMENTAL, AND MILITARY AFFAIRS
Senator Clarence K. Nishihara, Chair
Senator Glenn Wakai, Vice Chair

COMMITTEE ON GOVERNMENTAL OPERATIONS
Senator Laura H. Thielen, Chair
Senator Lorraine R. Inouye, Vice Chair

Tuesday, March 19, 2019, 2:10 p.m.
State Capitol, Conference Room 229

Honorable Chairs Nishihara and Thielen, Honorable Vice-Chairs Wakai and Inouye, and Members of the Committee on Public Safety, Intergovernmental, and Military Affairs, and Governmental Operations, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in SUPPORT of House Bill No. 1552, HD 2.

This measure establishes the Hawaii Corrections System Oversight Commission, creates a position for an Oversight Coordinator for the Commission, and transfers all rights, powers, functions, and duties of the Re-entry Commission and Corrections Population Management Commission to the Hawaii Corrections System Oversight Commission.

It is crucial when establishing a Hawaii Correctional System Oversight Commission that the voices of those most affected by crime be part of the process. Victims of crime have a right to expect that criminals will be held accountable for their crimes, and in turn should have a voice in the commission that oversees the department responsible for this accountability. At least one member on the commission should be a qualified advocate for crime victims.

The Office of the Prosecuting Attorney, County of Hawaii supports the intent of House Bill 1552, HD 2, with the aforementioned amendment addressing victim needs. Thank you for the opportunity to testify on this matter.

COMMUNITY ALLIANCE ON PRISONS

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

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



COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL & MILITARY AFFAIRS

Senator Clarence Nishihara, Chair

Senator Glenn Wakai, Vice Chair

COMMITTEE ON GOVERNMENT OPERATIONS

Senator Laura Thielen, Chair

Senator Lorraine Inouye, Vice Chair

Tuesday, March 19, 2019

2:10 PM

Room 229

SUPPORT w CONCERNS HB 1552 HD2 - CORRECTIONAL OVERSIGHT COMMISSION

Aloha Chairs Nishihara and Thielen, Vice Chairs Wakai and Inouye 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 more than two decades. This testimony is respectfully offered on behalf of the families of **ASHLEY GREY, DAISY KASITATI, JOEY O'MALLEY, JESSICA FORTSON AND ALL THE PEOPLE WHO HAVE DIED UNDER THE "CARE AND CUSTODY" OF THE STATE** as well as 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 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 Kanaka Maoli, far, far from their ancestral lands.

HB 1552 HD2 creates a correctional oversight commission. We, as a society, cannot start a conversation about prison conditions without knowing how prisons currently operate. This has been a fundamental problem with this administration. **TOO MUCH SECRECY.** Hawai'i definitely needs an **INDEPENDENT Oversight Commission.**

Community Alliance on Prisons supports this measure with the caveat that the Commission is not stacked with former public safety employees to assure that nothing will change. This has been the practice of this department and it needs to be stopped right now!

We would like the Commission to operate in the light with transparency and accountability as basic tenets of their work to reform our very broken correctional system. To this end, we ask that the CVs of potential Coordinators and Commissioners be posted on the legislature's website for public scrutiny.

We request that all Commission meetings be open to the public and abide by Chapter 91 and that there **be a place on the agenda for community input and recommendations** that will be considered by the Commission. We again express our **concern that piling too many responsibilities** for a new commission will render then ineffective. We also **hope that the Coordinator is not a current or former department of public safety employee** who will be instructed to "keep the lid on the problems". Let's get the Oversight Commission going first so that they can develop a strategic plan and seek expert advice on how to provide effective oversight.

Community Alliance on Prisons urges the committee to consider our concerns and pass this bill. Mahalo for this opportunity to testify.

Executive Director
Adriana Ramelli

ADVISORY BOARD

President
Mimi Beams

Joanne H. Arizumi

Andre Bisquera

Kristen Bonilla

Marilyn Carlsmith

Dawn Ching

Senator (ret.)
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Monica Cobb-Adams

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Dennis Dunn

Steven T. Emura, M.D.

Councilmember
Carol Fukunaga

David I. Haverly

Linda Jameson

Michael P. Matsumoto

Lindsay Norcross Mist

Nadine Tenn Salle, M.D.

Joshua A. Wisch

Date: March 19, 2019

To: The Honorable Clarence K. Nishihara, Chair
The Honorable Glenn Wakai, Vice Chair
Senate Committee on Public Safety, Intergovernmental, and Military Affairs

The Honorable Laura H. Thielen, Chair
The Honorable Lorraine R. Inouye, Vice Chair
Senate Committee on Government Operations

From: Justin Murakami, Manager, Prevention Education and Public Policy
The Sex Abuse Treatment Center
A Program of Kapi'olani Medical Center for Women & Children

RE: Testimony Providing Comments on H.B. 1552 H.D. 2
Relating to Public Safety

Good afternoon Chairs Nishihara and Thielen, Vice Chairs Wakai and Inouye, and members of the Senate Committees on Public Safety, Intergovernmental, and Military Affairs, and on Government Operations:

The Sex Abuse Treatment Center (SATC) respectfully submits the following comments concerning H.B. 1552 H.D. 2, with suggested amendments for the Committee's consideration.

The Oversight Commission proposed by H.B. 1552 H.D. 2 would absorb the rights, powers, functions, and duties of the existing Reentry Commission. As such, it is important that the new Commission be cognizant of and responsive to the impact of an offender's reentry into the community with respect to the victims of their crimes.

We note that the Reentry Commission currently includes an expert on corrections-based victim services programs who is also a victim services provider and staff member of the County of Hawai'i's Victim Assistance Unit.

Consistent with the recommendations of the Hawai'i State Crime Victim Compensation Commission, SATC asks that the language of H.B. 1552 H.D. 2 please be amended to make the inclusion of such expertise a permanent feature of the proposed Oversight Commission by:

- Providing that a member of the Oversight Commission will be appointed by the County Victim Assistance Program Administrators, and

- Specifying that knowledge of the impact of crime and the needs of crime victims is a preferred qualification for Oversight Commission members.

Thank you for this opportunity to testify and provide comments on H.B. 1552 H.D. 2.

THE CIVIL BEAT
LAW CENTER FOR THE PUBLIC INTEREST

700 Bishop Street, Suite 1701
Honolulu, HI 96813

Office: (808) 531-4000
Fax: (808) 380-3580
info@civilbeatlawcenter.org

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

Senate Committee on Government Operations
Honorable Laura H. Thielen, Chair
Honorable Lorraine R. Inouye, Vice Chair

RE: Testimony Commenting on H.B. 1552 H.D. 2, Relating to Public Safety
Hearing: March 19, 2019 at 2:10 p.m.

Dear Chairs and Members of the Committees:

My name is Brian Black. I am the Executive Director of the Civil Beat Law Center for the Public Interest, a nonprofit organization whose primary mission concerns solutions that promote governmental transparency. Thank you for the opportunity to submit testimony **with comments on H.B. 1552 H.D. 2.**

As it concerns the proposed correctional system oversight commission, new section -3(c) provides: "The commission may hold public meetings it deems necessary and may exercise the exemptions in section 92-5." The intent of that provision is unclear. *E.g., Kirstin Downey, Honolulu Civil Beat, Hawaii Prisons: 'You Can't Have a System Policing Itself' (Mar. 5, 2019) ("According to the legislation, the commission 'may hold public meetings,' although it is not apparently required to do so.")*.

By normal operation of law, the proposed commission would be a "board" under the Sunshine Law. HRS § 92-2. As a consequence, all the requirements and exceptions of the Sunshine Law would apply to the new commission, regardless whether any reference such as section -3(c) is made to the Sunshine Law in the commission's statutory authority.

Section -3(c) should be removed from the bill to avoid potential confusion or clarified as to its intended purpose. If the Legislature does not intend for this commission to be a board that must meet publicly and otherwise comply with the Sunshine Law, that intent should be stated clearly.

Thank you again for the opportunity to testify concerning H.B. 1552 H.D. 2.



Common Cause Hawaii • 307A Kamani St. • Honolulu, HI 96813 • 808.275.6275

March 18, 2019

SUPPORT FOR HB 1552 with SUGGESTED AMENDMENTS

TO: Chair Clarence Nishihara, Vice Chair Glen Wakai and Members of the Senate Committee on Public Safety, Intergovernmental, and Military Affairs

Chair Lauren Thielen, Vice-Chair Lorraine Inouye and Members of the Senate Committee on Government Operations

FROM: Barbara Polk, on behalf of the Board of Common Cause Hawaii

One of the basic aims of Common Cause is to increase transparency in government. Therefore, we are in **strong support** of an Oversight Commission for the Department of Public Safety. We would suggest that the committee consider the following amendments to the bill.

It is essential that this Commission represents the public, with the ability to take a fresh look at our correctional systems. Therefore, no member of the Commission should be a current or former employee of the Department of Public Safety or any jail or prison system in any other state, nor a current or former police officer or prosecutor. Each of those positions develops a particular outlook on crime and punishment that may be appropriate to their position, but that would limit their ability to take a hard look at our current system. Of course, the Commission could, and most likely would want to, request input from people with the experiences mentioned above.

We also concerned that consolidating other functions into this office will dilute the ability of the Commission and its director to carry out its oversight functions.

We recommend that **any** member of the Commission, with the consent of the Commission Director, be permitted to make unannounced visits to any agency or correctional facility to check on conditions or allegations of issues within those facilities. The public pays for those facilities and needs to have much better knowledge of how they are run, what the conditions are, and the treatment of incarcerated individuals. To adequately provide oversight, all members of the commission need to have a clear picture of how facilities operate. The assessment by any one person does not provide adequate insight into the system.

Thank you for the opportunity to provide testimony and for considering the matters above. **Please pass HB1552.**

HB-1552-HD-2

Submitted on: 3/16/2019 8:09:59 AM

Testimony for PSM on 3/19/2019 2:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Urasaki	Individual	Support	No

Comments:

HB-1552-HD-2

Submitted on: 3/17/2019 10:13:16 AM

Testimony for PSM on 3/19/2019 2:10:00 PM

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

Comments:

I am e. ileina funakoshi who strongly support HB1552 because an oversight is sorely needed, especially without an audit being conducted.

The selection of members for Task Force 85 was a good mixture of the community. i hope that the oversight committee will have that kind of mixture to candidly oversee the department of public safety.

Thank you for opportunity to submit my comments.

ROBERT K. MERCER
2467 Aha Aina Place
Honolulu, Hawaii 96821

Telephone: (808) 732-7430
mercer001@hawaii.rr.com

March 17, 2019

TO: Committee on Public Safety, Intergovernmental, and Military Affairs
RE: HB 629, HD 2
HEARING DATE: Tuesday, March 19, 2019
TIME: 1:35 p.m.
CONF. ROOM: 229
POSITION: **STRONG SUPPORT**

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

I strongly support HB 629, HD 2. It is a clear and sensible medical release bill that will save the state money by releasing inmates who do not pose a danger to society and who often require intensive and costly care. It will also bring a vitally important element of compassion and mercy into our correctional system .

HB 629 incorporates all of the recommended provisions set out by the country's leading medical release experts,¹ including:

1. Procedures that are transparent and evidence-based;
2. An advocate to help inmates navigate the medical release process and if necessary represent incapacitated prisoners;
3. A "fast-track" option for the evaluation of rapidly dying prisoners; and
4. A clear decision process with appropriate deadlines for completing tasks and making decisions.

Hawai'i currently has more than 650 prisoners age 55 or older.² There is a growing body of evidence that at around age 55, prisoners start to develop health problems associated with people much older than 55 and consume a disproportionate share of the cost of prison

¹ See BA Williams, RL Sudore, R Greifinger, and RS Morrison. "Balancing Punishment and Compassion for Seriously Ill Prisoners." *Ann Intern Med.* 2011;155:122-126.

² PSD System Wide Data, July 2018 (As of July 31, 2018, there were 661 inmates age 55 or older in Hawai'i's correctional system).

health care.³ A 2011 article in the *Annals of Internal Medicine* reported that the average cost of health care for just 21 seriously ill prisoners in California (0.01% of the state's prison population) exceeded \$1.97 million per prisoner.⁴ Removing terminally ill and seriously debilitated prisoners from the correctional system and getting them into a care home or hospice will shift much of the cost of caring for these prisoners to Medicaid, and that will save the state a significant amount of money. It will also reduce the State's exposure to medical negligence cases that might arise from trying to manage complex medical conditions in the prison setting.

Thank you for the opportunity to comment on this bill.

³ Balancing Punishment and Compassion, fn. 1 supra.

⁴ Ibid.

HB-1552-HD-2

Submitted on: 3/18/2019 9:27:53 AM

Testimony for PSM on 3/19/2019 2:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Diana Bethel	Individual	Support	No

Comments:

HB 1552 HD2 is a good idea but has a few problems that can be fixed by the following suggestions.

The Commission should not be stacked with former Public Safety Department employees. They have created the system that now needs radical fixing. The Commission needs people with new evidence-based ideas.

The Oversight Coordinator should not be someone who wants to maintain the status quo and resist any attempts to improve the Public Safety Department.

In the interest of transparency, the backgrounds and potential conflicts of interest of the Oversight Coordinator and commissioner candidates should be posted on the Governor's website.

Meetings of the Commission should be open to the public and the Commission's agenda should allow for inclusion of community recommendations.

All Commission reports must be made available to the public.



Committees: Senate Committee on Public Safety, Intergovernmental, and Military Affairs and
Senate Committee on Government Operations
Hearing Date/Time: Tuesday, March 19th, 2019, 2:10 p.m.
Place: Conference Room 229
Re: Testimony of the ACLU of Hawai'i in Support of H.B. 1552, H.D. 2 Relating to
Public Safety

Dear Chair Nishihara, Vice Chair Wakai, Chair Thielen, Vice Chair Inouye, and members of the
Committees:

The American Civil Liberties Union of Hawai'i writes in **support** of H.B. 1552, H.D. 2 which would 1) establish the Hawai'i Correctional System Oversight Commission; 2) create a position for an Oversight Coordinator for the Commission; and 3) transfer all rights, powers, functions, and duties of the Reentry Commission and Corrections Population Management Commission to the Hawai'i Correctional System Oversight Commission.

We are in a new and re-imagined era of corrections. Community safety *depends* on the state taking swift and bold steps to ensure that our correctional system is not one that yields recidivism rates hovering around 50%.

It is imperative that we know whether our institutions are treating inmates humanely and preparing them for re-entry. Increased accountability and transparency is a promising follow-up step to the recommendations of the House Concurrent Resolution 85 Task Force on Prison Reform (HCR 85) which stated, "Hawaii's correctional system is not producing acceptable, cost-effective, or sustainable outcomes and needs immediate and profound change."

H.B. 1552, H.D. 2 correctly points out that other states have already implemented criminal justice reforms. [Texas moved forward with reforms that have allowed the state to close eight prisons since 2007, reduced the prison population by 30,000, while having the lowest crime rate since 1967.](#) However, [Texas is also a study in what can happen if there is no oversight.](#) Similarly, the [media and other advocates](#) have exposed the horror stories inside Hawai'i jails and prisons. There is an undeniable, persistent problem.

The legislature asked for and was presented with a thorough blueprint for reform in the form of the HCR 85 Task Force report. We respectfully ask the Legislature to pass this measure, which is one of the Task Force's recommendations. The ACLU of Hawai'i hopes that whoever holds the newly created position is a visionary with great commitment to a better system.

Thank you for the opportunity to testify.

Sincerely,

Monica Espitia
Smart Justice Campaign Director
ACLU of Hawai'i
Mespitia@acluhawaii.org



Mothers Against Drunk Driving HAWAII
745 Fort Street, Suite 303
Honolulu, HI 96813
Phone (808) 532-6232
Fax (808) 532-6004
hi.state@madd.org

LATE

March 19, 2019

To: Senator Clarence K. Nishihara, Chair - Senate Committee on Public Safety, Intergovernmental and Military Affairs; Senator Glenn Wakai, Vice Chair; and members of the Committee

Senator Laura H. Thielen, Chair – Committee on Government Operations; Senator Lorraine R. Inouye, Vice Chair; and members of the Committee

From: Carol McNamee and Theresa Paulette, Public Policy and Victim Services Committees - MADD Hawaii

Re: House Bill 1552, HD 2– Relating to Public Safety

I am Carol McNamee, submitting comments on behalf of the Hawaii Chapter of Mothers Against Drunk Driving regarding House Bill 1552, HD 2 relating to Public Safety.

Mothers Against Drunk Driving on the national level has been serving victims and survivors of impaired driving crashes for almost 40 years and is one of the largest Victim Service organizations in the country. On the local level, MADD Hawaii has supported victims and survivors of negligent homicide, negligent injury, and homicide for 35 years. Supporting “victims of these violent crimes” is a part of MADD’s four-pronged mission.

Because of our constant concern for victims and the impact of the trauma they have experienced, we are strong proponents of our Hawaii criminal justice agencies and programs keeping the victims and families of victims in mind when changes are made – or contemplated. As we review HB 1552, HD2, we see no provision for the proposed new oversight commission to include any member who is a professional in the realm of victim support or services. *MADD strongly recommends that this bill be amended to include at least one commission member with victim service experience.*

Thank you for the opportunity to testify in order to express MADD Hawaii’s concerns regarding House Bill 1552, HD2.

HB-1552-HD-2

Submitted on: 3/19/2019 5:44:35 AM

Testimony for PSM on 3/19/2019 2:10:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
De MONT R. D. CONNER	Testifying for Ho'omanapono Political Action Committee (HPAC)	Support	Yes

Comments:

WE STRONGLY SUPPORT BILL.

TESTIMONY OF
LARRY S VERAY



TO

COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL. AND MILITARY AFFAIRS

&

COMMITTEE ON GOVERNMENT OPERATIONS

SUPPORT FOR HB 1552 HD2

RELATING TO PUBLIC SAFETY

MARCH 18, 2019

Aloha, Chair's Clarence Nishihara and Laura Thielen, Vice Chair's Glenn Wakai and Lorraine Inouye and Committee members. I am Chair for the Pearl City Neighborhood Board No. 21 and I am submitting this testimony in support of HB 1552 HD2

This bill establishes the Hawaii Correctional System Oversight Commission. This bill also creates a position for an Oversight Coordinator for the Commission. Furthermore, this bill transfers all rights, powers, functions, and duties of the Reentry Commission and Corrections Population Management Commission to the Hawaii Correctional System Oversight Commission.

I most strongly urge you to pass HB 1552 HD2. Mahalo!

Very respectfully,

Larry S. Veray

HB-1552-HD-2

Submitted on: 3/19/2019 1:53:21 PM

Testimony for PSM on 3/19/2019 2:10:00 PM



Submitted By	Organization	Testifier Position	Present at Hearing
Edward Suarez	Individual	Support	No

Comments:

Aloha, as former Director of the Research and Evaluation in Public Safety program partnership between UH and DPS, I have see first hand the need for such support and oversight for the implementation of rehabilitation reform at DPS and the criminal justice system. I believe, however, that the ideal venue/mechanism for this is not yet another committee or commission, especially when there is already in existence a criminal justice working group with representation frrom all the state criminal justice agencies with a mission to perform research, evaluation and training and make programmatic and policy recommendations. This group is called ICIS, the Interagency Council on Intermediate Sanctions, and despite it's name has a wide-ranging kuleana to reduce recidivism across the cirminal justice system through implementation of evidence-based practices. ICIS already has in place many of the personnel, procedures and mechanisms to collaborate with and facilitate the Oversight Coordinator and staff to hit the ground running with the support and resources needed to make oversight more efficient and effective, which is exactly what is needed and exactly what I'm concerned that yet another commission will be poorly equipped to do by its very nature. Mahalo, Edward Suarez, Ph.D.