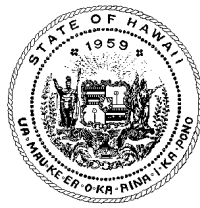


DAVID Y. IGE
GOVERNOR



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

NOLAN P. ESPINDA
DIRECTOR

Maria C. Cook
Deputy Director
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Jodie F. Maesaka-Hirata
Deputy Director
Corrections

Renee R. Sonobe Hong
Deputy Director
Law Enforcement

No. _____

**TESTIMONY ON HOUSE BILL 424
RELATING TO CORRECTIONS.**

by
Nolan P. Espinda, Director
Department of Public Safety

House Committee on Public Safety, Veterans, and Military Affairs
Representative Gregg Takayama, Chair
Representative Cedric Asuega Gates, Vice Chair

Friday, February 1, 2019; 10:00 a.m.
State Capitol, Conference Room 430

Chair Takayama, Vice Chair Gates, and Members of the Committee:

The Department of Public Safety (PSD) supports House Bill (HB) 424 and respectfully requests that the Legislature appropriate sufficient funding to cover the costs of housing for Hawaii inmates, currently housed out-of-the state through participation in the Western Inter-State Compact.

PSD is strongly committed to undertaking the facilities and programmatic planning necessary to reduce the number of inmates held out-of-state, while recognizing that substantial resources will be required to accommodate the entire jail and prison populations in-state. At the same time, the Department remains hopeful that the Legislature is equally committed to provide the necessary resources to safely and securely house all of Hawaii's inmates in Hawaii.

Thank you for the opportunity to present this testimony.



LATE

HB424
RELATING TO CORRECTIONS
House Committee on Public Safety, Veterans' & Military Affairs

February 1, 2019

10:00 a.m.

Room 430

Office of Hawaiian Affairs Beneficiary Advocacy and Empowerment Committee (OHA) will recommend that the Board of Trustees **SUPPORT** HB424, which requires the Department of Public Safety to begin immediately reducing the number of prisoners held in privately owned, for-profit prisons; prohibit the use of private, for-profit prisons by 2035; and invalidate contracts or agreements for the use of private, for-profit prison facilities after December 31, 2035. **By setting a deadline to end the use of private prisons, which are all currently located out-of-state, this measure takes a critical step towards addressing the unique harms that result from the disconnection of Native Hawaiian pa‘ahao from their native lands, culture, and sources of support.**

Hawai‘i’s prison population has reached unprecedented highs over recent decades.ⁱ To address the resulting severe overcrowding in state-operated prison facilities, the state has resorted to sending prisoners to privately owned, for-profit prisons in Texas, Kentucky, and Arizona—thousands of miles away from their homes and systems of social support—for the past twenty years.ⁱⁱ **Unfortunately, such a practice has only enabled the state’s continued failure to more critically examine how policies and systems may be contributing to Hawai‘i’s mass incarceration phenomenon, and its ever-growing burden on our society and the Native Hawaiian community in particular.**ⁱⁱⁱ Meanwhile, our jails and prisons continue to be inundated and prisoners continue to be sent to the continent, with attendant costs to taxpayers now amounting to hundreds of millions of dollars per year.^{iv}

In addition to facilitating mass incarceration policies, the practice of contracting with private, for-profit, out-of-state prisons has also **undermined the ultimate goal of rehabilitating and eventually reintegrating prisoners into their communities upon their release.** In its 2012 report, the Native Hawaiian Justice Task Force (NHJTF) found that housing Native Hawaiian pa‘ahao in out-of-state facilities exacted a uniquely harsh punishment on these individuals.^v Connection with ‘ohana, community, ‘āina, and mo‘omeheu (culture) are critical to Native Hawaiian physical and emotional well-being; severing these ties disconnects pa‘ahao from their identity, resiliency, and motivation to rehabilitate, and overburdens the already challenging process of reuniting with their families, reentering employment, and reintegrating into their communities.

Accordingly, this measure would help to address the concerns and recommendations voiced by the NHJTF and other task forces that have spent years examining our criminal justice system and its mass incarceration problems. Given the aforementioned concerns, the NHJTF

recommended that pa‘ahao currently incarcerated in private prisons on the continent be brought home as soon as practicable, and that the State pass legislation to prohibit future use of for-profit correctional facilities.^{vi} The HCR85 (2016) Task Force on prison reform, in its recently published 2018 report, echoed this call.^{vii} Facilitating the return of prisoners held in out-of-state, private prison facilities will not only reduce the particular impact of this practice on Native Hawaiian pa‘ahao and their communities, but also encourage the development of much-needed and long-awaited administrative and policy solutions, that can reduce the myriad costs of our current criminal justice system without compromising public safety. **Accordingly, HB424 represents a concrete step towards the betterment of our prison system, prisoners and their communities, and society at large.**

Therefore, we urge the Committee to **PASS** HB424. Mahalo for the opportunity to testify on this important measure.

ⁱ “From 1978 to 2016, the combined jail and prison populations increased 670% from 727 prisoners to 5,602.” E. ANN CARSON & JOSEPH MULAKO-WANGOTA, BUREAU OF JUSTICE STATISTICS, COUNT OF TOTAL JURISDICTION POPULATION (generated using the Corrections Statistical Analysis Tool – Prisoners at www.bjs.gov) (2018).

ⁱⁱ HCR 85 TASK FORCE, CREATING BETTER OUTCOMES, SAFER COMMUNITIES: FINAL REPORT OF THE HOUSE CONCURRENT RESOLUTION 85 TASK FORCE ON PRISON REFORM TO THE HAWAI‘I LEGISLATURE 57-58 (2018), available at https://19of32x2yl33s8o4xza0gf14-wpengine.netdna-ssl.com/wp-content/uploads/HCR-85-Task-Force-on-Prison-Reform_Final-Report_12.28.18.pdf.

ⁱⁱⁱ 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.” THE OFFICE OF HAWAIIAN AFFAIRS, THE DISPARATE TREATMENT OF NATIVE HAWAIIANS IN THE CRIMINAL JUSTICE SYSTEM 10 (2010), available at http://www.oaha.org/wp-content/uploads/2014/12/ir_final_web_rev.pdf. Moreover, controlling for many common factors including the type of charges filed, the 2010 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. Most recently, the HCR85 Task Force also noted that Native Hawaiians continue to be overrepresented in our prison system, constituting just 21% of the statewide population, and just 18% of the adult population, but 37% of the incarcerated population. HCR 85 (2016) TASK FORCE, SUMMARY AND KEY RECOMMENDATIONS 2 (2018), available at https://19of32x2yl33s8o4xza0gf14-wpengine.netdna-ssl.com/wp-content/uploads/HCR85Summary_FINALv2.pdf.

^{iv} “Even with all [the] outsourcing, many of Hawai‘i’s State-operated facilities are severely overcrowded, holding more prisoners than either their originally designed or modified operational capacities allow....On average, the State spends \$66,439 a year to house a prisoner in Hawai‘i. The annual corrections budget is over \$220M, moreover, the State plans to spend \$525M to replace OCCC, \$45M to expand the women’s prison, and millions more to expand the prisons on each of the neighbor islands.” HCR 85 (2016) TASK FORCE, *supra* note 2 at 2-3.

^v OFFICE OF HAWAIIAN AFFAIRS, NATIVE HAWAIIAN JUSTICE TASK FORCE REPORT 28-29 (2012), available at http://www.oaha.org/wp-content/uploads/2012NHJTF_REPORT_FINAL_0.pdf.

^{vi} *Id.* at 29.

^{vii} *Supra* note 3 at 58.

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON PUBLIC SAFETY, VETERANS, & MILITARY AFFAIRS

Rep. Gregg Takayama, Chair

Rep. Cedric Asuega Gates, Vice Chair

Friday, February 1, 2019

9:30 am

Room 430

SUPPORT for HB 424 - OUT OF STATE PRISONS

Aloha Chair Takayama, Vice Chair Gates 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 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 5,400 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 424 prohibits the Department of Public Safety from using for-profit prisons to warehouse inmates by 2035.

Community Alliance on Prisons supports this measure. It has been nothing short of shameful that Hawai'i started sending incarcerated persons abroad since 1995 as a temporary solution to overcrowding and has failed to develop an **exit strategy**.

Instead of working on sentencing reform and other strategies for reducing the incarcerated population, the state has chosen to spend millions of dollars turning our people over to corporate prison profiteers.

We fully support this line in the bill: *"Beginning July 1, 2019, the director shall commence reducing the number of committed felons incarcerated in private, for-profit correctional institutions."* An exit strategy is long overdue.

Please pass this bill and let's start reducing the imprisoned population - the majority of whom are serving sentences for the lowest felonies, misdemeanors, violations, petty misdemeanors, and parole and probation violators. This is an incredible waste of human lives and financial resources.

Mahalo for this opportunity to testify.



Hawai'i

Committees: House Committee on Public Safety, Veterans, & Military Affairs
Hearing Date/Time: Friday, February 1, 2019, 10:00 a.m.
Place: Conference Room 430
Re: Testimony of the ACLU of Hawai'i in Support of H.B. 424, Relating to Corrections

Dear Chair Takayama, Vice Chair Gates, and members of the Committee,

The American Civil Liberties Union of Hawai'i ("ACLU of Hawai'i") writes **in support of H.B. 424**, which would ban the use of for-profit prisons to house Hawai'i inmates, beginning in 2035. Given the safety risks posed by these facilities, the devastating family separation caused by shipping Hawai'i inmates thousands of miles from home, and the increased cost Hawai'i incurs by using for-profit prisons, we agree with H.B. 424's drafters that it is time to end our State's reliance on for-profit prisons.

For-profit prisons are a multibillion-dollar industry. By definition, a for-profit prison will be driven by maximizing profit, not by what is best for rehabilitation and public safety. In a 2016 review of for-profit prisons, the U.S. Office of the Inspector General found that overall, for-profit prisons are *less* safe and *less* secure than government-run prisons.¹ For-profit prisons are typically paid per inmate. As a result, they benefit from harsher sentencing and the curtailment of probation and parole. While the State has a joint duty to protect public safety and the civil rights of those in its custody, private prison executives have fiduciary duties to shareholders and incentives to maximize profits — incentives that often conflict with public safety and ensuring civil rights of those in custody.

For-profit prisons do not necessarily save Hawai'i money, either. On the contrary, it may cost the State *more* to incarcerate inmates in private prisons than in state-run facilities.² This is despite private prisons' tendency to cherry pick their prisoners, often choosing the least expensive inmates to incarcerate.³ Prohibiting the Department of Public Safety from using for-profit prisons to house inmates, while simultaneously enacting comprehensive reforms in the areas of bail, sentencing, and probation/parole, could offer long-term cost savings for the state. In addition to ending our State's relationship with private prisons, Hawai'i will benefit from implementing smart, evidence-based reforms to more effectively rehabilitate offenders, save money, and reinvest savings into communities.

¹ This report concerns for-profit facilities contracted to house federal inmates. U.S. Department of Justice Office of the Inspector General, *Review of the Federal Bureau of Prisons' Monitoring of Contract Prisons*, Aug 2016, available at <https://oig.justice.gov/reports/2016/e1606.pdf>.


² D. M. Levine, *What's Costlier than a Government Run Prison? A Private One*, Fortune, Aug 18 2010, http://money.cnn.com/2010/08/17/news/economy/private_prisons_economic_impact.fortune/index.htm.

³ Richard A. Oppel Jr., *Private Prisons Found to Offer Little in Savings*, May 18, 2011, <http://www.nytimes.com/2011/05/19/us/19prisons.html>.

Chair Takayama and Members of the Committee on Public Safety, Veterans, & Military Affairs
February 1, 2019
Page 2 of 2

Even if contracting with private corporations to house inmates *did* save money, however, Hawai'i's existing relationship with a for-profit prison has a devastating human impact. Hawai'i's contract with Saguaro Correctional Center, an Arizona facility owned and operated by the large private prison corporation, CoreCivic, has resulted in the separation of thousands of Hawai'i families. Saguaro houses 1,460 Hawai'i inmates,⁴ many of whom have children back home. H.B. 424 offers a positive step forward to reunite these families and repair the harm done by our ineffective justice system.

For these reasons, we request that the Committee support this measure. Thank you for the opportunity to testify.

Sincerely,

Mandy Fernandes
Policy 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 50 years.

⁴ State of Hawaii, Department of Public Safety, *End of Month Population Report*, Dec 31, 2018, <https://dps.hawaii.gov/wp-content/uploads/2019/01/Pop-Reports-EOM-2018-12-31.pdf>.

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HB 424, RELATING TO CORRECTIONS

FEBRUARY 1, 2019 · HOUSE PUBLIC SAFETY,
VETERANS, AND MILITARY AFFAIRS COMMITTEE ·
CHAIR REP. GREGG TAKAYAMA

POSITION: Support, with suggested amendments.

RATIONALE: IMUAlliance supports and suggests amendments for HB 424, relating to corrections, which prohibits the Department of Public Safety from using for-profit prisons to house inmates by 2035.

Private prisons have no place in Hawai'i. Already, our state undermines its commitment to restorative justice, each day, by criminalizing low-level offenses, like possession of small amounts of marijuana or, under Honolulu's sit-lie bans, the act of being homeless and tired. As the visitor industry reaps record profits, people of Native Hawaiian ancestry, who comprise approximately 25 percent of the state's population, suffer the pangs of a biased criminal (in)justice system. Approximately 39 percent of incarcerated detainees are Hawaiian, according to a comprehensive study by the Office of Hawaiian Affairs, with the proportionality gap being even greater for Hawaiian women, who comprise 19.8 percent of the state's female population, but 44 percent of the state's female inmate population. Researchers also found that, on average, Hawaiians receive longer sentences, more parole revocations, and harsher drug-related punishments than other ethnic groups.

Private prisons only incentivize the cycle of crime by providing a financial motivation for the further criminalization of nonviolent offenses and imposition of longer sentences. Private prisons are run

as businesses, after all. Without inmates, they cannot turn a profit. America's for-profit prison industry currently controls 126,000 Americans' lives. As Lauren Brooke-Eisen, Senior Counsel in the Brennan Center's Justice Program at the Brennan Center for Justice at NYU School of Law, has argued, "It's a \$5 billion sector—one that encompasses the operation of 65 percent of the nation's immigration detention beds. And at the same time, it is largely opaque, often unaccountable to the public or the government."

When Hawai'i began sending prisoners to the private detention centers on the mainland in 1995, the policy was proposed as a temporary measure to relieve overcrowding of local prisons. More than 20 years later though, nearly 1,600 inmates—over 40 percent of Hawaii's prison population—remain on the continental United States, locked inside a notorious private facility in the Arizona desert, midway between Tucson and Phoenix, nearly 3,000 miles from home. That prison, the Saguaro Correctional Center—named after a cactus native to the Sonoran Desert and based in the small town of Eloy—is run by the Corrections Corporation of America (CCA), recently renamed CoreCivic, the country's largest private-prison firm. The company isn't legally obligated to respond to public information requests and regularly refuses to answer even the most basic questions about its practices. Private prisons are not subject to the same freedom of information and open records laws as other government agencies. Without access to information, of course, it is impossible to know what injuries are being suffered by detainees. Former security guards who have worked at private prisons say that prisoner abuse is rampant, since disclosure of allegations is extremely rare. In the case of at least some Hawai'i prisoners sent to the mainland—like Johnathan Namauleg, Clifford Medina, and Bronson Nunuha—private prisons have proven to be a death sentence.

In 2010, staff from the Office of the State Auditor accompanied state contract monitors conducting a quarterly inspection of Saguaro. They watched as monitors accepted the testimony of CCA staff "without verifying their statements against documentary evidence" and concluded, in a lengthy report, that Hawai'i "lacked objectivity" when monitoring CCA. This should come as little surprise, since, over the past five years, CCA has spent more than \$500,000 to lobby local politicians. Here, we'd be remiss not to note that one of the firm's highest-paid lobbyists was Douglas Chin, Hawai'i's Attorney General, who earned more than \$100,000 for his services.

Incarceration should not be a goal of our state's criminal justice system. Expansion of the prison-industrial complex through for-profit detention centers only casts a pall over the treatment of offenders, who should be afforded every opportunity to become productive members of society. At the same time, if our state is committed to constructing a "new OCCC" capable of housing 1,300 inmates—something IMUAlliance opposes—then the introduction of private prisons is not needed and, in turn, there is no longer any excuse to keep our nonviolent offenders away from their homes and families or send more of them to the mainland. Let's finally bring them home.

That said, we urge the committee to **consider amending this bill by making the prohibition effective immediately, or at least within the next 3-5 years.** We should not wait to repair the damage done by removing people from their host culture and families. We must build people, not prisons. We must strive to increase people's access to justice, not time spent in jail cells.



ADA

HAWAII

AMERICANS FOR DEMOCRATIC ACTION

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MAILING ADDRESS

P.O. Box 23404
Honolulu
Hawaii

Jan 30, 2018

TO: Honorable Chair Takayama & PVM Committee Members

RE: HB 424 Relating to Corrections

Support for hearing on Feb. 1

Americans for Democratic Action is an organization founded in the 1950s by leading supporters of the New Deal and led by Patsy Mink in the 1970s. We are devoted to the promotion of progressive public policies.

We support HB 424 as we fundamentally disagree with the idea private prisons. The profit motive has a corrupting influence on the judicial process. Private prisons have an incentive to keep prisoners beyond the time they me justifiably deserve to be in prison. If anything, we would like to see them phased out before the 2035 date in this bill.

Thank you for your favorable consideration.

Sincerely,

John Bickel, President





O`ahu County Committee on Legislative Priorities (OCCL)

COMMITTEE ON SAFETY, VETERANS & MILITARY AFFAIRS

Rep. Gregg Takayama, Chair

Rep. Cedric Asuega Gates, Vice Chair

DATE: Friday, February 1, 2019

TIME: 10:00 a.m.

PLACE: Conference Room 430, State Capitol

RE: HB 424 Relating to Corrections

Aloha mai kakou Chair Takayama, Vice Chair Gates, and Members of the Committee on Safety, Veterans & Military Affairs:

The O`ahu County Committee on Legislative Priorities (OCCLP) of the Democratic Party of Hawai`i (DPH) hereby submits its testimony in **SUPPORT of HB 424 relating to Corrections.**

HB 424 prohibits the Department of Public Safety from using for-profit prisons to house inmates by 2035.

DPH have been inspired by the movements for criminal justice that directly address the discriminatory treatment of Native Hawaiians, Pacific Islanders and other disadvantaged ethnicities to rebuild trust in the criminal justice system. We require that convicted Native Hawaiians, Pacific Islanders and all other races and ethnicities who reside within the State of Hawai`i remain incarcerated in the State of Hawai`i. *Democratic Party of Hawai`i Platform (2018), p. 8, ln. 51-54.*

Instead of investing in more jails and incarceration, we need to invest more in jobs and education and end the school-to-prison pipeline. We will remove barriers to help formerly incarcerated individuals successfully re-enter society by “banning the box,” expanding reentry programs and restoring voting rights. “Banning the Box” would allow applicants the opportunity to demonstrate their qualifications before being asked about their criminal records. *Democratic Party of Hawai`i Platform (2018), p. 8, ln. 34-38.*

For the foregoing reasons, i.e., to rebuild trust in the criminal justice system and to assure that inmates who reside within the State of Hawai`i remain incarcerated in the State of Hawai`i., OCCLP supports HB 424 and urges its passage out of the Committee on Safety, Veterans & Military Affairs.

Mahalo nui loa

Me ka `oia`i`o

/s/ *Melodie Aduja*

Melodie Aduja

Chair, O`ahu County Committee on Legislative Priorities
of the Democratic Party of Hawai`i

Ph. (808) 258-8889

Email: legislativepriorities@gmail.com

HB-424

Submitted on: 1/30/2019 9:26:15 PM

Testimony for PVM on 2/1/2019 10:00:00 AM

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

Comments:

The bottom line of For Profit Prisons is just that. Their bottom line is more important than the care of caring for the inmates.

I support passage of HB424.

ROBERT K. MERCE

January 31, 2019

TO: House Committee on Public Safety, Veterans, & Military Affairs
RE: HB 424
HEARING DATE: February 1, 2019
TIME: 10:00 AM
ROOM: 420
POSITION: **SUPPORT**

Chair Takayama, Vice Chair Gates, and members of the committee:

I am a retired attorney and recently served as vice chair of the HCR 85 Task Force on prison reform.

I am writing in support of HB 424. This bill would implement one of the recommendation of the HCR 85 Task Force which is to bring all mainland prisoners back to Hawai'i and stop using private prisons.¹ This was also a key recommendation of the 2012 Native Hawaiian Justice Task Force.²

The injustice of having Hawai'i prisoners serve their sentences on the mainland was aptly described by U.S. Supreme Court Justice Thurgood Marshall in *Olim v. Wakinekona*.³ In that case Hawaii inmate Delbert Wakinekona challenged an order transferring him to Folsom prison in California under an interstate compact. Justice Marshall wrote:

There can be little doubt that the transfer of Wakinekona from a Hawaii prison to a prison in California represents a substantial qualitative change in the conditions of his confinement. In addition to being incarcerated, which is the ordinary consequence of a criminal conviction and sentence, Wakinekona has in effect been banished from his home, a punishment historically considered to be "among the severest." For an indeterminate period of time, possibly the rest of his life, nearly 2,500 miles of ocean will separate him from his family and friends. As a practical matter, Wakinekona may be entirely cut off from his only contacts with the outside world, just as if he had been imprisoned in an institution which

¹ The Task Force Report states in relevant part: "We recommend the creation of a working group of public and private stakeholders to develop a plan to bring back all Hawai'i prisoners as soon as practicable consistent with public safety, and that the Legislature prohibit the future use of private, for-profit correctional facilities.

² See Native Hawaiian Justice Task Force, *The Native Hawaiian Justice Task Force Report*, 29. (2012) http://lrbhawaii.info/reports/legrpts/oha/2013/act170_slh11.pdf.

³ 461 U.S. 238 (1983).

ROBERT K. MERCE

prohibited visits by outsiders. Surely the isolation imposed on him by the transfer is far more drastic than that which normally accompanies imprisonment.⁴

Hawaii is currently one of only five states that houses more than 20 percent of its inmates in private prisons.⁵ We should begin reducing our reliance on private prisons, bring our prisoners home, and stop using private prisons. To accomplish this objective in an orderly and efficient manner, the State should create a working group of government and private stakeholders to plan for the return of Hawaii prisoners.

Thank you for the opportunity to comment on this bill.

Bob Merce

⁴ *Olim*, 461 U.S. at 252 (Marshall, J. dissenting).

⁵ Bureau of Justice Statistics, "Prisoners in 2016," by E. Ann Carson, NCJ 251149 (Washington, D.C.: January 2018, revised August 7, 2018): 14, <https://www.bjs.gov/content/pub/pdf/p16.pdf>.

HB-424

Submitted on: 1/31/2019 8:06:55 AM

Testimony for PVM on 2/1/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Polk	Individual	Support	Yes

Comments:

I support this bill with some reservations. The public has been asking for more than a decade to bring the individuals incarcerated on the mainland home. This bill is long overdue.

However, the date for terminating this practice is 2035--16 years from now! I believe that would mean that Hawaii will have used private for-profit prisons for half a century!

I strongly urge that the end date be amended to 2025. With the kinds of reforms taking place in corrections in other states and those recommended by the HCR85 Task Force, it should be possible to substantially reduce our prison population by 2025. It takes the will to do it, and I hope the legislature will demand it.

Please pass HB424, and very preferably, amend the date!

HB-424

Submitted on: 1/31/2019 9:09:31 AM

Testimony for PVM on 2/1/2019 10:00:00 AM

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

Comments:

The failings of For-Profit Prisons are well known. Poorly paid and trained guards, medical neglect, lack of rehabilitation programs, etc., - the list goes on and on. All these worst practices increase the profit of for-profit prisons

Their contracts often require that a certain quota of beds be filled. Is this any way to run a criminal justice system?

Hawaii should not be sending its prisoners to for-profit prisons on the mainland.

Hawaii should NOT in any way involve for-profit prisons in plans to reform Hawaii's criminal justice system. For-profit prisons are bad news all around.

Please do not contribute to the for-profit prison industry's bottom-line on the backs of Hawaii's prisoners and Hawaii taxpayers.

S. Kukunaokalā Yoshimoto

TO: Committee on Public Safety, Veterans, & Military Affairs
RE: HB 424
POSITION: **SUPPORT**

January 31, 2019

Chair Takayama, Vice Chair Gates and members of the committee:

My name is Shayne Kukunaokalā Yoshimoto, Program Specialist for Blueprint for Change, member of Holomua Pu‘uhonua and the HCR 85 Criminal Justice Task Force, co-chair of the Native Hawaiian sub-committee. I am writing in strong SUPPORT of HB 424, which prohibits the Department of Public Safety from using for-profit prisons to house inmates by 2035.

HB 424 would not only implement one of the key recommendations of the HCR 85 Final Task Force Report, which is to bring all Hawai‘i inmates back home and stop the use private prisons, but would also be addressing a key recommendation from the 2012 Native Hawaiian Justice Task Force Report as well.

Hawai‘i is ONE of FIVE states that utilize private for-profit prisons to house more than 20 percent of its inmates.¹ Hawai‘i needs to reduce its reliance on private prisons and begin planning, via a working group, for the return of our brothers and sisters.

I strongly urge the committee to pass HB 424. Mahalo a nui loa for the opportunity to testify.

¹ Bureau of Justice Statistics, “Prisoners in 2016”. E. Ann Carson, NCJ 251149 (Washington, D.C.: January 2018, revised August 7, 2018): 14, <http://www.bjs.gov/content/pub/pdf/p16.pdf>.

LATE

HB-424

Submitted on: 1/31/2019 5:21:47 PM

Testimony for PVM on 2/1/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carla Allison	Individual	Support	No

Comments:

As of 7/1/19, the director shall commence reducing the number of committed felons incarcerated in private, for-profit correctional institutions.

As of 2035 – no Hawai`i sentenced person shall be in a private, for-profit correctional institution.

Hawaii must undertake serious sentence reform which would result in a smaller population, more manageable facilities and, as other jurisdictions have demonstrated, less crime.

LATE

HB-424

Submitted on: 2/1/2019 6:35:13 AM

Testimony for PVM on 2/1/2019 10:00:00 AM

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

Comments:

Strong Support! We must stop relying on private prisons. This practice is harmful to the people of this state!



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

LATE

The Thirtieth Legislature, State of Hawaii
House of Representatives
Committee on Public Safety, Veterans & Military Affairs

Testimony by
Hawaii Government Employees Association

February 1, 2019

H.B. 424 – RELATING TO CORRECTIONS

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the purpose and intent of H.B. 424 which prohibits the Department of Public Safety from using for-profit prisons to house inmates by 2035..

As drafted, H.B. 424 would require the Director of Public Safety to begin reducing the number of committed felons that are incarcerated in private, for-profit correctional facilities; ultimately by January 1, 2035, no inmate shall be committed to or transferred to any for-profit correctional facility.

Retaining inmates in the state of Hawaii would allow them to continue to have family support and the state would have control whether proper services are being provided during the incarceration period.

Thank you for the opportunity to provide testimony in support of H.B. 424.

Respectfully submitted,


for Randy Perreira
Executive Director