

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON JUDICIARY

Rep. Chris Lee, Chair

Rep. Joy SanBuenaventura, Vice Chair

Friday, March 22, 2019

2:10 pm

Room 325

SUPPORT for HCR 218 - Task Force to Establish Fair & Proportional Fines

Aloha Chair Lee, Vice Chair SanBuenaventura 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.

Community Alliance on Prisons supports HCR 218 that creates a task force to review and report on the establishment of fair and proportional fines for certain penalties to ensure a fair and meaningful deterrent to illegal behavior.

As we see our jails bursting with low-level lawbreakers, our current system is not working. Justice should never depend on someone's economic condition. It should be fair and proportional to the offense.

Among the HCR 134 Pretrial Task Force recommendations was that the Judiciary should take into account, the financial status and condition of the person before them. This is fair. Our current bail system has shown that justice in Hawai'i favors the wealthy and imprisons the poor. This is not fair.

Community Alliance on Prisons respectfully asks the committee to pass HCR 218.

Mahalo for this opportunity to testify.

LATE

HCR-218

Submitted on: 3/22/2019 10:41:12 AM

Testimony for JUD on 3/22/2019 2:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nikos Leverenz	Drug Policy Action Group	Support	No

Comments:

HCR-218

Submitted on: 3/20/2019 5:34:26 PM

Testimony for JUD on 3/22/2019 2:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ka'imi Nicholson	Individual	Support	No

Comments:

I strongly support Hcr 218, requesting a task force to review and report on the establishment of fair and proportional fines for certain penalties in Hawai'i to help reduce the hopelessness that those without money feel that causes them to turn to crime.

HCR-218

Submitted on: 3/21/2019 12:04:32 AM

Testimony for JUD on 3/22/2019 2:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gerard Silva	Individual	Oppose	No

Comments:

This is against the Constituion of the United State. Stop screwing with the people what you are trying to do is illegal.

HCR-218

Submitted on: 3/21/2019 8:09:07 AM

Testimony for JUD on 3/22/2019 2:10:00 PM

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

Comments:

HCR218 is a bill that would establish fair and proportional fines for certain penalties.

This is one of the recommendations of the HCR 134 Pretrial task force.

A sense of proportionality in determining fines is a sign of a fair criminal justice system.

A fairer system of fines would inspire more trust in our criminal justice system.

Other jurisdictions are leading the way to a fairer fining system. Hawaii should follow their lead.

LATE

HCR-218

Submitted on: 3/21/2019 9:33:05 PM

Testimony for JUD on 3/22/2019 2:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Courtney Mrowczynski	Individual	Support	No

Comments:

HCR-218

Submitted on: 3/22/2019 2:05:28 PM

Testimony for JUD on 3/22/2019 2:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carl Bergquist	Drug Policy Forum of Hawaii	Support	No

Comments:

Aloha Chair Lee, Vice Chair San Buenaventura, Committee Members:

The Drug Policy Forum of Hawai'i supports this measure. We want to suggest that drug offenses punishable by fines, e.g. certain drug paraphernalia violations (up to \$500) and going forward cannabis possession (TBD), are considered by the proposed Task Force on Fair and Proportional Fines.

Mahalo for the opportunity to testify.