



## Office of the Public Defender State of Hawai'i



### Testimony of the Office of the Public Defender, State of Hawai'i to the Senate Committee on Human Services and the Senate Committee on Public Safety, Intergovernmental, and Military Affairs

January 26, 2020

S.B. No. 2345: RELATING TO THE SEXUAL EXPLOITATION OF CHILDREN

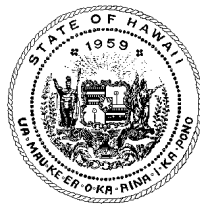
Chairs Ruderman and Nishihara, Vice Chairs Rhoads and Wakai, and Members of the Committees:

The Office of the Public Defender strongly supports S.B. No. 2345.

We strongly support any effort to maintain and foster the bonds between incarcerated parents and their children. Opportunities for incarcerated parents to have meaningful in-person contact visits with their children are increasingly being restricted. “No contact” visits are now the standard practice at Halawa Correctional Facility, Oahu Community Correctional Center, and Maui Community Correctional Center. An incarcerated parent with a child can no longer hold, touch or sit with their child. They must speak through glass or clear plastic partitions that restrict healthy and positive communication between an incarcerated parent and their child. This is particularly devastating for incarcerated parents with young children. Our office supports the intent of this measure as we believe maintaining the parent-child bond and family bonds are in the public interest, in the best interest of the child(ren), in the best interest of incarcerated parents, and in the best interest of families.

Thank you for the opportunity to comment on this measure.

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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**Shari L. Kimoto**  
Deputy Director  
Corrections

**Renee R. Sonobe Hong**  
Deputy Director  
Law Enforcement

No. \_\_\_\_\_

TESTIMONY ON SENATE BILL 2345  
RELATING TO CHILDREN AND FAMILY OF  
INCARCERATED INDIVIDUALS.

by

Nolan P. Espinda, Director  
Department of Public Safety

Senate Committee on Human Services  
Senator Russell E. Ruderman , Chair  
Senator Karl Rhoads, Vice Chair

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

Wednesday, January 29, 2020; 2:45 p.m.  
State Capitol, Conference Room 016

Chairs Ruderman and Nishihara, Vice Chairs Rhoads and Wakai, and Members of the Committees:

The Department of Public Safety (PSD) supports the intent of Senate Bill (SB) 2345 to work with the Department of Human Services (DHS) to establish, develop, and implement a pilot visitation and family resource center at the Waiawa Correctional Facility on Oahu.

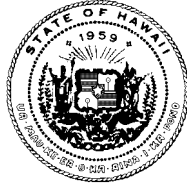
PSD's data confirms that approximately 4,000 children a year are affected by parental incarceration and the Department reiterates its interest in continuing to participate with DHS and the Family Reunification Working Group and other entities in developing the proposed pilot visitation and family resource center. PSD supports the concept of starting the pilot program at a smaller facility and providing modest funding to DHS and PSD to assist in making the program and facility modifications necessary to establish the pilot visitation and family resource center. The smaller scope will

Testimony on SB 2345  
Senate Committee on Human Services and  
Senate Committee on Public Safety,  
Intergovernmental, and Military Affairs  
January 29, 2020  
Page 2

enable more efficient establishment and monitoring of the program and greater ease in making adjustments to increase successful outcomes. The lessons learned can then be applied to developing Visitation and Family Resource Centers at other correctional facilities.

Thank you for the opportunity to present this testimony.

DAVID Y. IGE  
GOVERNOR



PANKAJ BHANOT  
DIRECTOR

CATHY BETTS  
DEPUTY DIRECTOR

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
P. O. Box 339  
Honolulu, Hawaii 96809-0339

January 28, 2020

TO: The Honorable Senator Russell E. Ruderman, Chair  
Senate Committee on Human Services

The Honorable Senator Clarence K. Nishihara, Chair  
Senate Committee on Public Safety, Intergovernmental, and Military Affairs

FROM: Pankaj Bhanot, Director

SUBJECT: **SB 2345 – RELATING TO CHILDREN AND FAMILY OF INCARCERATED INDIVIDUALS**

Hearing: January 29, 2020, 2:45 p.m.  
Conference Room 016, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports this measure and provides comments.

**PURPOSE:** The purpose of the bill requires the department of human services to work with the department of public safety to establish a pilot visitation and family resource center at Waiawa correctional facility. Makes an appropriation.

Improving contacts and relationships between children and families with their incarcerated parents at the Waiawa facility will benefit multiple generations and are first steps to improve the child's and family's overall well-being as well as the incarcerated individual's return to society.

Here is a link to the HCR 205/SCR 7 (2019) Report to the Legislature:

<https://humanservices.hawaii.gov/wp-content/uploads/2020/01/Visiting-Centers-at-all-State-Correctional-Facilities.pdf>. The work group participants worked collaboratively over the summer to address this long standing and important social issue.

Under the current administration, DHS is committed to a multigenerational approach to end poverty in Hawaii, and it is well known that growing up with an incarcerated parent is an adverse early childhood experience that has long lasting impact on children into adulthood. DHS will work with family members, community stakeholders, members of the Legislature and staff, the Office of Youth Services (OYS), the Department of Public Safety, the Office of Hawaiian Affairs, and other interested parties to address root causes and reduce the impact of incarceration on Hawaii's children and families, especially native Hawaiian families who are overrepresented in the criminal justice system.

DHS will work with and support OYS as it drafts the proposal to the federal Office of Juvenile Justice and Delinquency Prevention, under The Second Chance Act Addressing the Needs of Incarcerated Parents and Their Minor Children.

However, DHS respectfully requests that any appropriation of general funds not replace budget priorities identified in the Executive Budget. It will take additional investment by the Legislature to support this ongoing work to build a comprehensive and successful evidence based approach to support families involved and impacted by the justice system.

Thank you for the opportunity to testify on this measure.



STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**OFFICE OF YOUTH SERVICES**  
1010 Richards Street, Suite 314  
Honolulu, Hawaii 96813

January 28, 2020

TO: The Honorable Senator Russell E. Ruderman, Chair  
Senate Committee on Human Services

The Honorable Senator Clarence K. Nishihara, Chair  
Senate Committee on Public Safety, Intergovernmental, and Military Affairs

FROM: Merton Chinen, Executive Director

SUBJECT: **SB 2345 - RELATING TO CHILDREN AND FAMILY OF INCARCERATED INDIVIDUALS**

Hearing: Wednesday, January 29, 2020, 2:45 p.m.  
State Capitol, Conference Room 016

**OFFICE'S POSITION:** Office of Youth Services (OYS) supports the measure but requests that any appropriation not affect the priorities in the Executive Biennium Budget. Children of incarcerated parents are faced with risk factors that often lead to adverse childhood experiences, and problems in domains such as economics, education, social, and emotional functioning. OYS, in collaboration with community stakeholders, is also applying for a competitive grant solicitation issued by the federal Office of Juvenile Justice and Delinquency Prevention, under The Second Chance Act Addressing the Needs of Incarcerated Parents and Their Minor Children, to address areas identified and recommendations made by the Work Group established by HCR 205 and SCR SD1 (2019 Legislature).

**PURPOSE:** The purpose of the measure is to require the Department of Human Services to work with the Department of Public Safety to establish a pilot visitation and family resource center at Waiawa correctional facility.

Thank you for the opportunity to present this testimony.

# HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 904 Honolulu, Hawaii 96813

Phone: (808) 489-9549

Web site: <http://www.hysn.org> E-mail: [info@hysn.org](mailto:info@hysn.org)

Rick Collins, President

Judith F. Clark, Executive Director

Bay Clinic

Big Brothers Big Sisters of Hawaii

Big Island Substance Abuse Council

Bobby Benson Center

Child and Family Service

Coalition for a Drug Free Hawaii

Collins Consulting, LLC

Domestic Violence Action Center

EPIC, Inc.

Family Programs Hawaii

Family Support Hawaii

Friends of the Children of West Hawaii

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Children's Action Network

Hawaii Health & Harm

Reduction Center

Hawaii Student Television

Ho'ola Na Pua

Kahi Mohala

Kokua Kalihi Valley

Kokua Ohana Aloha (KOA)

Maui Youth and Family Services

Na Pu'uwai Molokai Native

Hawaiian Health Care Systems

P.A.R.E.N.T.S., Inc.

Parents and Children Together (PACT)

PHOCUSED

PFLAG – Kona Big Island

Planned Parenthood of the

Great Northwest and Hawaiian Islands

Residential Youth Services & Empowerment (RYSE)

Salvation Army Family

Intervention Services

Sex Abuse Treatment Center

Susannah Wesley Community Center

The Catalyst Group

January 25, 2020

To: Senator Russell Ruderman, Chair  
And members of the Committee on Human Services

Senator Clarence Nishihara, Chair  
And members of the Committee on Public Safety, Intergovernmental and Military Affairs

## **Testimony in Support of SB 2345 Relating to Children and Family of Incarcerated Individuals**

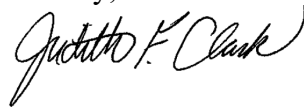
Hawaii Youth Services Network, a statewide coalition of youth-serving organizations, supports SB 2345 Relating to Children and Family of Incarcerated Individuals.

Children of incarcerated parents experience grief and loss, similar to the experience of divorce or the death of a parent. Studies show that children of incarcerated parents are at increased risk of abuse or neglect, and more likely to have mental problems, and difficulty in school. Children of incarcerated parents are seven times more likely to enter the juvenile or adult correctional systems themselves. Regular visitation provides opportunities to sustain the parent-child bond while a parent is incarcerated, which can alleviate many of these problems.

Prisoners who have regular contact with their children benefit as well. They are less likely to violate prison rules and create trouble for prison authorities. They are more likely to take advantage of rehabilitation and educational opportunities while in prison. Regular contact with children increases the chances of successful reintegration into the community when a parent is released from prison.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH  
Executive Director

To: Committee on Human Services  
Committee Chair Senator Russell Ruderman  
Committee Vice Chair Senator Karl Rhoads

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

Date: January 26, 2020

RE: **Support for SB 2345; Relating to Children and Family of Incarcerated Individuals**

The Early Childhood Action Strategy (ECAS) is a statewide public-private collaborative designed to improve the system of care for Hawai'i's youngest children and their families. ECAS partners are working to align priorities for children prenatal to age eight, streamline services, maximize resources, and improve programs to support our youngest keiki. ECAS supports SB 2345, which would establish a pilot visitation and family resource center at Waiawa Correctional Facility.

Parental incarceration is noted as being a strong risk factor for many adverse outcomes for children, including antisocial and violent behavior, mental health problems, lower graduation rates, and higher rates of unemployment. Parental incarceration is nationally recognized under "adverse childhood experiences", which can have detrimental impacts to long-term health and well-being. Furthermore, the prison environment can be be frightening for keiki who are subjected to long waits, body frisks, and exposure to crowded visiting rooms with no developmentally appropriate activities for keiki. In addition, resources that help support families impacted by incarceration are difficult to access.

In Hawai'i, there are approximately 4,000 children a year affected by parental incarceration. It's critical to support visitation opportunities because studies show the maintenance of family ties and parent-child relationships is linked to post-release success, lower rates of recidivism, and fewer parole violations. The HCR 205 working group found working models that could be emulated and eferenced for effectiveness and applicability and determined the establishment of family visitation and resource centers is in the best interest and well-being of the keiki as well as the incarcerated family member and community at large.

SB 2345 would help keiki and families impacted by incarceration and we respectfully urge the Committee to support its passage. Thank you for the opportunity to provide this testimony.



# COMMUNITY ALLIANCE ON PRISONS

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## COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Senator Clarence Nishihara, Chair

Senator Glenn Wakai, Vice Chair

## COMMITTEE ON HUMAN SERVICES

Senator Russell Ruderman, Chair

Senator Karl Rhoads, Vice Chair

Wednesday, January 29, 2020

2:45 PM - Room 016

### **STRONG SUPPORT FOR SB 2345 - Visitation & Family Resource Ctr. At Waiawa CF**

Aloha Chairs Nishihara and Ruderman 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** including the ten people who have died in the last 5 months, as well as the approximately 5,200 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 1,200 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.

SB 2345 establishes a pilot visitation and family resource center at ~~Waiawa~~ Waiawa correctional facility and makes an appropriation to retrofit a building.

Community Alliance on Prisons is part of the working group established by the legislature in HCR 205. The department of human services has convened the meetings and has been wonderful in seeking input from everyone, keeping notes, and putting together the report<sup>1</sup> that was released on December 26, 2019. Kudos to Malia Taum for her patience and diligence and to the department of public safety's Shari Kimoto and Waiawa Warden Sean Ornellas for listening to the community and working with our group.

This has been an interesting collaboration as we continue to work together to make visitation more meaningful for the imprisoned person and their loved ones and friends. We know that in-person, contact visitation, where people can eat together, play games together, pray together and touch is crucial to a person's humanity.

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<sup>1</sup> HOUSE RESOLUTION 205 & SENATE RESOLUTION 7 SENATE DRAFT 1 (2019) REQUESTING THE DEPARTMENT OF HUMAN SERVICES, IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC SAFETY, TO WORK WITH THE FAMILY REUNIFICATION WORKING GROUP AND OTHER COMMUNITY STAKEHOLDERS TO DEVELOP A PLAN TO ESTABLISH VISITATION CENTERS AT ALL STATE CORRECTIONAL FACILITIES AND JAILS. December 26, 2019.

<https://humanservices.hawaii.gov/wp-content/uploads/2020/01/Visiting-Centers-at-all-State-Correctional-Facilities.pdf>.

**“Nothing can replace sitting with a parent and hugging a parent,”** said Ann Adalist-Estrin, director of the National Resource Center on Children and Families of the Incarcerated at Rutgers University.

Excerpts from a 2017 article in Stateline, *Face-to-Face Family Visits Return to Some Jails*<sup>2</sup>

A study of prisons in Minnesota published in the *Criminal Justice Policy Review*, a quarterly academic 2017 publication, found that inmates who had visits from their family, friends or counselors were much **less likely to be convicted of another crime** once they got out of jail. Of 16,420 inmates studied, recidivism rates for those who had visits of any kind from their families were 13 percent lower for subsequent felonies and 25 percent lower for technical violations, such as breaking parole.

“Psychology and common sense tells you that it’s better for the prisoners and families to sit across from each other and see each other, rather than talking through an iPad,” said Dallas County Judge Clay Jenkins. (In Texas, a county judge is the chief executive of the county and its top elected official.)

**Keeping regular ties with children is particularly important for the children of inmates, said (Rebecca) Shlafer, who was part of the study of prisons in Minnesota. “The overwhelming majority of people who are incarcerated are getting out one day — and most have children,” she said.**

The U.S. had about 2.2 million people incarcerated in 2015, the latest numbers available, according to the U.S. Justice Department. And more than half of them are parents. According to a Pew Charitable Trusts study at the start of the decade, **54 percent of inmates have children** age 17 or younger. One in every 28 children in America (4 percent) has a parent who is incarcerated, according to the study. (Pew also funds *Stateline*.) That’s 2.7 million children with a jailed parent.

The rates are higher for some minorities, according to the study. One in nine African-American children (11 percent) and one in 28 Hispanic children (4 percent) have a parent in jail — compared to one in 57 for white children (2 percent).

Discussing the importance of visitation with government agencies is a great first step. We are still working together and Community Alliance on Prisons is excited about this step towards transforming visitation in Hawai‘i. We urge the committees to be part of this transformation that brings family and community together and to enthusiastically support this measure.

I will close with this wisdom from a child: *“I think the child and incarcerated parent should take like 10- 20 minutes to eat a meal together, this allows “like old times” to happen; kind of like an incentive to both parent and child - parents may work harder to get out and get back to their child. It would also take them out of the “court” setting and allow for healing.”*

Mahalo for this opportunity to testify. Please pass this bill onto WAM with a strong recommendation for passage!

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<sup>2</sup> Face-to-Face Family Visits Return to Some Jails, STATELINE ARTICLE By: Mindy Fetterman, February 15, 2017. <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2017/02/15/face-to-face-family-visits-return-to-some-jails>

TESTIMONY ON SB 2345 RELATING TO CHILDREN AND FAMILIES OF  
INCARCERATED INDIVIDUALS BEFORE THE SENATE COMMITTEES ON HUMAN  
SERVICES AND PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

January 29, 2020  
2:45 pm  
Conference Rm. 016

Aloha Chairs Ruderman and Nishihara, Vice Chairs Rhoads and Wakai and members of the Senate Committees on Human Services and Public Safety, Intergovernmental, and Military Affairs, **my name is Stephen Morse. I am the Executive Director of Blueprint for Change (BFC) and am here today to support SB 2345 Relating to Children and Families of Incarcerated Individuals.**

Members, for the record, BFC is the fiscal, technical, and administrative support entity for seven Neighborhood Place centers statewide that provide support and strengthening services to families at risk of child abuse and neglect under two POS contracts with the Department of Human Services. Historically, our work has focused on traditional risk factors for child abuse, including homelessness or unstable housing, unemployment and low incomes, substance abuse, chronic health problems, and physical disabilities. However, in 2014, after much research and analysis, BFC determined that one of the most severe risk factors for child neglect in the families we serve is that there is at least one parent who is incarcerated.

An estimated 2.7 million children nationwide have at least one parent that is incarcerated, and studies conducted by the National Fatherhood Initiative show that in terms of negative impacts on children, incarceration may be worse than the death of a parent or the divorce of parents. Even more disheartening is the evidence that children of incarcerated parents are more likely to become incarcerated themselves as teenagers or adults, thus continuing the “cycle of incarceration” that sadly becomes generational in some families.

We know from data that has been collected by the Department of Public Safety since 2015 that over 3,000 minor children (under the age of 18) a year are affected by parental incarceration, and these are children of parents who are just entering the intake system during the year. It doesn’t include parents that have been in the prison system longer than a year. Furthermore, the UH Center on the Family did a study that estimated there were approximately 15,000 children affected by parental incarceration in 2015.

SB 2345 aims to do three things. First, it will continue the communication bond between an inmate and his children and family by providing a friendly visitation environment that will encourage families to visit more often. Second, it will help break the generational cycle of incarceration by providing affected families with a lifeline, a resource center that can keep the family strong during the period of incarceration. The families left behind often struggle to sustain themselves financially and socially after the incarceration of one or more parents. Many are left without adequate health care and other supports and are plunged into a deadly spiral of despair and hopelessness.

Third, it will reduce the rate of recidivism by former inmates who have been given the opportunity to maintain bonds with their children and families. National studies have shown that

recidivism rates of former inmates are reduced if they were able to maintain continuous communication with their children and families during the period of incarceration.

Passage of the bill will provide Waiawa Correctional Facility with funds to improve its visitation spaces to make them friendly and allow for more bonding activities between inmates and their children. It will also provide funding to establish a family resource component during visitation where social service professionals can provide families with information and referral, resource linkage services, guidance and counseling. These visits with the families can also extend to home visitation and wrap around services that will help the families address risk factors in the home such as, very low incomes, unstable housing, substance and alcohol abuse, physical and mental disorders, among others. These services will also play a large part in preparing the families for the eventual return home of their incarcerated loved ones.

From time to time, the resource component at visitation may also be staffed with kupuna and Hawaiian cultural practitioners who could provide Native Hawaiian families with more relevant cultural counseling and problem-solving practices.

Other States have funded similar initiatives. The State of Maryland already does this with a program called, "Reentry Mediation." California has successfully operated visitation centers like those being proposed by the bill for over thirty years. These centers are operated by a non-profit, social service organization called, Friends Outside.

We would like to alert the Committees to a technical error in the bill. The pilot project is proposed for the Waiawa Correctional Facility not Wahiawa.

Mahalo for allowing us to share this testimony with the Committees.

TESTIMONY ON SB 2345 RELATING TO CHILDREN AND FAMILIES OF INCARCERATED INDIVIDUALS  
BEFORE THE SENATE COMMITTEES ON HUMAN SERVICES AND PUBLIC SAFETY, INTERGOVERNMENTAL,  
AND MILITARY AFFAIRS

January 29, 2020  
2:45 pm  
Conference Rm. 016

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

**Senator Russell E. Ruderman, Chair**  
**Senator Karl Rhoads, Vice Chair**  
**Committee on Human Services**

S. Kukunaokalā Yoshimoto  
Program Specialist, Blueprint for Change  
Family Reunification Working Group member  
Holomua Pu‘uhonua member

**STRONG Support for S.B. No. 2345, Relating to Children and Families of Incarcerated Individuals.**

Blueprint for Change is a non-profit organization with a strong track record for innovating and implementing effective support services that address the unique challenges facing Hawai‘i’s ‘ohana. The organization’s roots date back to 1994 when in response to a growingly overburdened Child Welfare System, the Hawai‘i State Legislature created the Child Welfare Services Reform Task Force for the purpose of developing a “Blueprint for reform in child protective services.”

After several years of rigorous evaluation, the Committee finalized the core elements of the Neighborhood Place model, and in 2000, Blueprint for Change (BFC) was formed and incorporated as a nonprofit organization to serve as the Department of Human Services, master contractor for Neighborhood Place services and to continue the Committee’s effort to improve the responsiveness of the State of Hawai‘i – Child Welfare System.

By maintaining fluid relationships between state agencies, local service providers and community advocates, Blueprint for Change and the Neighborhood Place Partnership is able to significantly improve the responsiveness of the state’s Child Welfare System while reducing instances of child abuse and neglect.

As part of the oversight of the (7) NP across the state, BFC collects Quarterly Activity Reports (QAR), which is designed to inform services, procedures, and practices moving forward. In 2013 the QAR were showing a significant increase in services delivered to families impacted by incarceration. This led BFC to exploring this issue further. Thus, the creation of the Family Reunification Working Group (FRWG). The FRWG gained support and interest through the Legislative Keiki Caucus, and began meeting regularly to explore and advocate for solutions to problems encountered by children and families in the State who are affected by incarceration.

SB 2345 aims to do three things. First, it will continue the communication bond between an inmate and his children and family by providing a friendly visitation environment that will encourage families to visit more often. Second, it will help break the generational cycle of incarceration by providing affected families with a lifeline, a resource center that can keep the family strong during the period of incarceration. The families left behind often struggle to sustain themselves financially and socially after the incarceration of one or more parents. Many are left without adequate health care and other supports and are plunged into a deadly spiral of despair and hopelessness.

Third, it will reduce the rate of recidivism by former inmates who have been given the opportunity to maintain bonds with their children and families. National studies have shown that recidivism rates of former inmates are reduced if they were able to maintain continuous communication with their children and families during the period of incarceration.

**The following are reasons for STRONG SUPPORT OF S.B. No. 2345:**

- Family friendly visitation centers will encourage families to stay in frequent contact with their significant others who are incarcerated;
- National data shows that incarcerated individuals who maintain regular contact with their children and families are less likely to recidivate when they reenter society;
- Having the visitation centers staffed by social service professionals will provide families with opportunities to receive information and referral and resource linkage services, guidance and counseling, wrap around services to address issues relating to poverty, etc;
- Visitation centers could also be staffed with kupuna and Hawaiian cultural practitioners who could provide Native Hawaiian families with more relevant cultural counseling and problem-solving practices;
- The bill provides all stakeholders with the opportunity to begin the conversation about how we break the cycle of incarceration and not only help families sustain themselves but also save the State millions of dollars in the future by reducing our prison population and welfare costs; and
- The State of California has successfully operated visitation centers like those being proposed by the bill for over thirty years. These centers are operated by a non-profit, social service organization called, Friends Outside.

Mahalo a nui loa for the opportunity to provide testimony.

Blueprint for Change is in **STRONG SUPPORT of S.B. No. 2345**



Hawaii  
**Children's Action Network Speaks!**  
Building a unified voice for Hawaii's children

*Hawaii Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.*

To: Senator Ruderman, Chair  
Senator Rhoads, Vice Chair  
Senate Committee on Human Services

Senator Nishihara, Chair  
Senator Wakai, Vice Chair  
Senator Committee on Public Safety, Intergovernmental, and Military Affairs

Re: **SB 2345-relating to children and family incarcerated individuals**  
Hawaii State Capitol, Room 016  
2:45PM, 1/29/2020

Chair Ruderman, Chair Nishihara, Vice Chair Rhoads, Vice Chair Wakai, and committee members,

**On behalf of Hawaii Children's Action Network (HCAN), we are writing to support in STRONG support Bill SB2345 Relating to Children and Family Incarcerated Individuals.**

The lack of parental contact during incarceration is incredibly detrimental to the child and the family as a whole. It is a sad reality that collateral and misplaced punitive punishment falls on the children of incarcerated individuals. There is no reason a child should be denied a relationship with their parent simply because they are incarcerated.

Additionally, the lack of visitation is counterproductive to the supposed goal of incarceration. If the goal of incarceration is to rehabilitate individuals so that they do not end up incarcerated again, then it is integral to take into account the factors that play a role in recidivism. There is national data that finds incarcerated individuals are less likely to recidivate and more likely to have a successful re-entry into society when they can maintain contact with their loved ones. The family acts as an important support system for individuals coming out of correctional facilities. Creating visitation centers staffed by social service professionals, families will be provided the opportunity to receive information and referral and resource linkage services, guidance and counseling, and wrap-around services.

Hawai'i should invest in a Family Visitation Center, as proposed in the bill. We will be helping families sustain meaningful relationships through incarceration, and also save the state dollars in the future by reducing our prison population and welfare costs.

Thank you,

Kathleen Algire  
Director, Public Policy and Research



Committees: Committee on Human Services  
Committee on Public Safety, Intergovernmental, and Military Affairs  
Hearing Date/Time: Wednesday, January 29, 2020, 2:45 p.m.  
Place: Conference Room 016  
Re: Testimony of the ACLU of Hawai'i in Support of S.B. 2345

Dear Chair Ruderman, Chair Nishihara, and members of the Committees:

The American Civil Liberties Union of Hawai'i writes in **support** of S.B. 2345, which would require the Department of Human Services to work with the Department of Public Safety to establish a pilot visitation and family resource center at Waiawa Correctional Facility.

Imprisonment is not one-dimensional as thousands of families are victims of mass incarceration. Recognizing the benefits of parent-child visiting and improving their current environments to be more family-friendly and provide greater opportunities for visiting is a part of a better and improved vision for corrections. Research shows that visits and maintaining family ties are among the best ways to reduce recidivism<sup>1</sup>.

The HCR 85 Task Force report on prison reform states, "While incarcerated, every inmate should be provided with the resources and opportunity to build and maintain family relationships, thereby strengthening the support system available to them upon release." We agree which is why ACLU of Hawai'i supports S.B. 2345.

Thank you for your time and the opportunity to testify.

Sincerely,

Monica Espitia  
Smart Justice Campaign 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.*

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<sup>1</sup> Separation by Bars and Miles: Visitation in State Prison, Prison Policy Initiative, October 20, 2015, available at <https://www.prisonpolicy.org/reports/prisonvisits.html>.



**SB-2345**

Submitted on: 1/26/2020 9:42:46 PM

Testimony for PSM on 1/29/2020 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robert K. Merce	Individual	Support	No

Comments:

The pilot program outlined in this bill is an imporant step in the right direction. I strongly support SB2345.

**SB-2345**

Submitted on: 1/26/2020 10:39:28 PM

Testimony for PSM on 1/29/2020 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jacquelyn Esser	Individual	Support	No

Comments:

I strongly support SB2345. It's an important step in the right direction.

**SB-2345**

Submitted on: 1/27/2020 2:55:47 PM

Testimony for PSM on 1/29/2020 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Heather Lusk	Individual	Support	No

Comments:

Thank you for the opportunity to testify.

HHHRC strongly supports this bill as it will strengthen ties between those who are incarcerated and their loved ones, which has been shown to reduce recidivism. Our data indicates that many of our participants that struggle with substance use, homelessness and chronic diseases like HIV come from families fractured by incarceration and this bill offers another way.

Thank you

**SB-2345**

Submitted on: 1/27/2020 3:15:41 PM

Testimony for PSM on 1/29/2020 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diana Bethel	Individual	Support	No

Comments:

Aloha Senator Ruderman, Senator Nishihara, and Committee Members,

I am writing in strong support of SB2345 Relating to Children and Family of Incarcerated Individuals. SB2345 requires that a pilot visitation and family resource center be established at the Waiawa correctional facility and appropriates the necessary funding.

Maintaining and strengthening parent-child relationships is an essential part of an individual's rehabilitation. Strong family ties are a powerful source of motivation for success after release. In-person visitation is especially essential for young children. The face-to-face contact helps with a child's emotional development and dispels any fears he or she might have about the incarceration. Video contact, which the state is currently trying to implement, is a poor substitute for in-person and face-to-face interaction and is not conducive to building meaningful family relationships.

The state must do everything within its power to provide incarcerated individuals with opportunities to meet with family members for extended periods in comfortable and relaxed surroundings, not in the crowded, noisy conditions in booths separated by a transparent barrier that exist today. The state's current visitation conditions and policies would seem more like an obstacle to enabling incarcerated individuals to maintain ties with their children and family members.

We already know that our criminal justice system is broken, is increasingly expensive, ineffective, opaque rather than transparent, and sorely in need of new evidence-based ideas. SB2345 seeks to improve this deplorable situation. Similar innovative programs have been established in other states and are linked to reduced recidivism, which by extension, reduces criminal justice expenditures.

Please vote yes on SB2345.

Mahalo,

Diana Bethel

Honolulu



**SB-2345**

Submitted on: 1/27/2020 4:29:47 PM

Testimony for PSM on 1/29/2020 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carla Allison	Individual	Support	No

Comments:

I support this bill because having a resource center staffed with social workers at Waiawa will help visitors with questions or who need to talk to someone before or after a visit with their loved one. This is a first step in working to make visitation more meaningful for families and friends. We know that keeping people connected is an effective strategy in reducing recidivism.

**SB-2345**

Submitted on: 1/27/2020 6:27:51 PM

Testimony for PSM on 1/29/2020 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Susie Chun Oakland	Individual	Support	No

Comments:

Dear Chair Ruderman and Members of the Public Safety, Intergovernmental, and Military Affairs:

I strongly support SB 2345 and appreciate your efforts to see this through successful passage this session.

Aloha,

Susie Chun Oakland

**SB-2345**

Submitted on: 1/28/2020 8:30:55 AM

Testimony for PSM on 1/29/2020 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
E. Ileina Funakoshi	Individual	Support	No

Comments:

Mahalo for this bill which help to solidify relationships between the prisoners and their loved ones.

To be able to have contact physically is such an important to the emotional development of a child especially.

Please correct Wahiawa to Waiawa.

Mahalo,

e. ileina funakoshi



**SB-2345**

Submitted on: 1/28/2020 12:21:28 PM

Testimony for PSM on 1/29/2020 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Martha Torney	Individual	Support	No

Comments:

Family visitation has been shown to enhance the mental health of incarcerated persons, which in turn contributes to improving the lives of both prisoners and their families, and reducing recidivism.

TESTIMONY ON SB 2345 RELATING TO CHILDREN AND FAMILIES OF  
INCARCERATED INDIVIDUALS BEFORE THE SENATE COMMITTEES ON HUMAN  
SERVICES AND PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

January 29, 2020  
2:45 pm  
Conference Rm. 016

Aloha Chairs Ruderman and Nishihara, Vice Chairs Rhoads and Wakai and members of the Senate Committees on Human Services and Public Safety, Intergovernmental, and Military Affairs, **my name is Lilinoe Kauahikaua, I am a Masters of Social Work Candidate at the University of Hawai'i at Mānoa, as well as an Intern with Blueprint For Change, and I am here today to support SB 2345 Relating to Children and Families of Incarcerated Individuals.**

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In my current study as a Master's of Social work Candidate, I have focused primarily on the over-representation of Native Hawaiians in the criminal justice system, in our jails and prisons here in Hawai'i, and being housed in out of state facilities. I am called to this work because of my own experiences with both incarceration, and substance abuse.

I would like to take a moment to share one personal experience in relation to this pilot visitation program and family resource center proposal. I personally do not have any children, but there was one point in my life when I thought that might change. Back in the early 2000's, My fiance at the time had two amazing children whom I love deeply. In around 2004 or so, he was sentenced to prison for 1 year, which turned into 2, as is often the case. He served time at several of California's state prisons. During that time, his ex-wife filed for sole custody of his two minor children, 2 and 9 years old at the time, I believe. She refused to tell the children that he was incarcerated, refused to allow the children to visit the facilities, refused to give them any mail with the facility address on it, and refused his calls. He was allowed no access to his children, had defaulted on child support and was financially unable to do anything about any of it.

A group that worked with the facility where he was housed contacted me. Their organization was called Friends Outside and they provided services aimed at preserving familial bonds between the children and their incarcerated parents. They called every so often to speak with me about upcoming family court proceedings, how to address child support, how to create a safe environment for when he was released, and what types of resources we could access to address many of the other issues that had contributed to his incarceration. Through the help of this agency, my ex-fiance was also able to have audio recorded of himself reading a book to his kids and have the tapes sent to his ex-wife through alternative means not associated with the facility. Through the help and guidance of this organization, he was able to open up communication with his children that was accepted by his ex-wife and able to maintain at least some small semblance of a relationship with them.

The pilot visitation program and family resource center, if staffed by community social workers, would allow community-based social services to develop comprehensive interventions and wrap-around services for families of incarcerated individuals. Interventions could be implemented at multiple stages of development and across multiple stages of interactions with the family both in and outside of the facility.

This pilot could allow families to receive education on productive and healthy means of communication during in-person and phone visitation. National data shows that incarcerated individuals who maintain regular contact with their children and families are less likely to recidivate when they reenter society.

The event of visitation day is often stressful on a family, therefore having a family-friendly visitation center could offer to familiarize families with prison rules and practices in an effort to alleviate some stresses and encourage more frequent visitation.

The pilot would also create more conducive visitation environments for families with minor children so as not to compound trauma already experienced as a result of the incarcerated parent's environment.



# Adult Friends for Youth

**LATE**

Testimony on SB2345 Relating to Children and Family of Incarcerated Individuals

Submitted to: Senate Committee on Human Services  
Senator Russell E. Ruderman, Chair  
Senator Karl Rhoads, Vice Chair

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

Submitted by: Deborah L.K. Spencer-Chun, M.S.W.  
President and CEO of Adult Friends for Youth

Chairs Ruderman and Nishihara, Vice Chairs Rhoads and Wakai and Members of the Committees:

I support SB2345 relating to Children and Family of Incarcerated Individuals. I am a member of the Family Reunification Working Group that started several years ago with the concerns of families affected by incarceration. I am grateful that in these years we have made some strides and SB2345 is the next step to helping families. I joined this group because in my capacity of President and CEO of Adult Friends for Youth we deal with many families affected by crime, violence and incarceration.

AFY's mission is "Redirecting lives to stop violence in order to strengthen family and community safety, while promoting well-being for all youth so that they can reach their full potential." In our capacity we have had the opportunity to serve some of the highest risk youth in our communities, whom are also some of the brightest young people we have ever met. The difference between them and others not at high-risk are their circumstances which include but not limited to: exposure to violence, drugs, incarcerated parents as well as siblings, living in distressed neighborhoods, less opportunities and in many cases lack of proper guidance and love.

We have also learned that many of our youth are angry and their anger stems from the lack of being in or having the control of their circumstances. I have heard youth share that they are angry with their parents for doing drugs or getting locked up but at the end of the day they love their parents and wish things were different. The visitation center proposed in SB2345 allows youth to deal with their anger and learn to rebuild a relationship that has been strained far too long between parent(s) and child.

Incarceration affects everyone in the family and the community at large. We need to take steps to begin the healing and promote a more PEARL community by promoting Peace, Empathy, Acceptance, Respect and Love. Thank you for your time.

**PRESIDENT AND  
CHIEF EXECUTIVE  
OFFICER**

*Deborah L.K. Spencer-Chun, M.S.W.*

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**LATE**

**SB-2345**

Submitted on: 1/28/2020 10:32:44 PM

Testimony for PSM on 1/29/2020 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jonathan Boyne	Individual	Support	No

Comments:

**I support SB2345 because:**

- family-friendly visitation centers will encourage families to stay in frequent contact with their significant others who are incarcerated.
- national data shows that incarcerated individuals who maintain regular contact with their children and families are less likely to recidivate when they reenter society.
- having the visitation centers staffed by social service professionals will provide families with opportunities to receive information and referral and resource linkage services, guidance and counseling, wrap-around services to address issues relating to poverty, etc.
- visitation centers could also be staffed with kupuna and Hawaiian cultural practitioners who could provide Native Hawaiian families with more relevant cultural counseling and problem-solving practices.
- the bill provides an opportunity to begin breaking the cycle of incarceration that is generational in some families.
- the bill provides all stakeholders with the opportunity to begin the conversation about how we break the cycle of incarceration and not only help families sustain themselves but also save the state millions of dollars in the future by reducing our prison population and welfare costs.
- The State of California has successfully operated visitation centers like those being proposed by the bill for over thirty years. These centers are operated by a non-profit, social service organization called, Friends Outside.
- Further, a Vera Institute study, published in October 2012, found that “Incarcerated men and women who maintain contact with supportive family members are more likely to succeed after their release.... Research on people returning from prison shows that family members can be valuable sources of support during incarceration and after release. For example, prison inmates who had more contact with their families and who reported positive relationships overall are less likely to be re-incarcerated.”
- According to research published in Western Criminology Review in 2006, “a remarkably consistent association has been found between family contact during incarceration and lower recidivism rates.”
- Correctional practices that “facilitate and strengthen family connections during incarceration” can “reduce the strain of parental separation, reduce recidivism

rates, and increase the likelihood of successful re-entry,” according to a 2005 report by the Re-Entry Policy Council.

- According to the 2011 Vera Institute study, “Many family members also indicated that prison rules and practices – including searches, long waits, and inconsistent interpretations of dress codes for visitors – can be unclear, unpleasant, too restrictive, and even keep people from visiting again.”

Sincerely,

Jonathan Boyne

**LATE**

**SB-2345**

Submitted on: 1/28/2020 11:25:15 PM  
Testimony for PSM on 1/29/2020 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Romala Radcliffe	Individual	Support	No

Comments:

Please pass this bill. We must build supports into the process of incarceration.