



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

MAX N. OTANI
DIRECTOR

Maria C. Cook
Deputy Director
Administration

Tommy Johnson
Deputy Director
Corrections

Jordan Lowe
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON HOUSE CONCURRENT RESOLUTION 171, HOUSE DRAFT 1
URGING THE DEPARTMENT OF PUBLIC SAFETY TO RECOGNIZE THE
VALUE OF CULTURE-BASED REHABILITATION ACTIVITIES IN THE STATE'S
CORRECTIONAL SYSTEM.

by
Max N. Otani, Director

Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Senator Clarence K. Nishihara, Chair
Senator J. Kalani English, Vice Chair

Thursday, April 8, 2021; 1:05 p.m.
State Capitol, Via Videoconference

Chair Nishihara, Vice Chair English, and Members of the Committee:

The Department of Public Safety (PSD) supports House Concurrent Resolution (HCR) 171, House Draft (HD) 1, which urges PSD to recognize the value of culture-based rehabilitation activities in the State's correctional system.

PSD notes that although it understands the value and potential to increase culture-based rehabilitation activities, this effort will require assistance from and possible partnerships with the Office of Hawaiian Affairs (OHA) and/or other indigenous Hawaiian groups that specialize in and have extensive experience with establishing and maintaining culture-based rehabilitative programs. The Department is open to exploring such collaborations.

It should also be noted that not all correctional facilities may be conducive to these types of programs because of severe space restrictions, staffing challenges, etc. However, PSD offers that it will work flexibly and cooperatively on this initiative.

Thank you for the opportunity to provide testimony on this measure.



HCR171 HD1

URGING THE DEPARTMENT OF PUBLIC SAFETY TO RECOGNIZE THE VALUE OF CULTURE-BASED REHABILITATION ACTIVITIES IN THE STATE'S CORRECTIONAL SYSTEM

Ke Kōmike ‘Aha Kenekoa o ka Palekana Lehulehu, ka Pilina o Nā Aupuni, a me ke Kuleana Pū‘ali Koa

Senate Committee on Public Safety, Intergovernmental, and Military Affairs

‘Apelila 8, 2021

1:05 p.m.

Hālāwai Keleka‘a‘ike

The Office of Hawaiian Affairs **SUPPORTS** HCR171 HD1, which urges the Department of Public Safety (PSD) to recognize the value of culture-based rehabilitation activities in the State's correctional system and to increase the use and access to culture-based programming in the correctional system.

To address the overrepresentation of Native Hawaiians in the criminal justice system,¹ OHA has long supported the integration of culturally-based models to better rehabilitate pa‘ahao, reconcile them with their ‘ohana and communities, and reduce recidivism. The Native Hawaiian Justice Task Force has similarly encouraged the exploration of options to address systemic issues in the criminal justice system, such as by supporting indigenous models of healing, and bolstering reintegration programs and services.² In this regard, OHA agrees that an increase and expansion of culture-based rehabilitation activities in the State's correctional system will better ensure that pa‘ahao can access critically-needed cultural programs. Moreover, OHA agrees that culturally-based support services may best aid formerly incarcerated pa‘ahao in reconnecting with their culture, ‘ohana, and community, increasing their chances of successfully reintegrating with and becoming productive members of society.

Accordingly, OHA believes that this resolution may help to expand culturally-based programs which could alleviate the disproportionate burden of the criminal justice system on the Native Hawaiian community. The expanded programming this resolution contemplates could provide our incarcerated and formerly incarcerated pa‘ahao with a

¹ HCR85 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 2019 REGULAR SESSION xiii (2018).

² THE OFFICE OF HAWAIIAN AFFAIRS, NATIVE HAWAIIAN JUSTICE TASK FORCE REPORT 8 (2012), http://19of32x2y133s8o4xza0gf14.wpengine.netdna-cdn.com/wp-content/uploads/2012NHJTF_REPORT_FINAL_0.pdf.

stable, meaningful, and culturally-informed opportunity for true healing and lasting rehabilitation.

Accordingly, OHA respectfully urges the Committee to please **PASS** HCR171 HD1. Mahalo piha for the opportunity to testify.

HCR-171-HD-1

Submitted on: 4/7/2021 10:13:12 AM

Testimony for PSM on 4/8/2021 1:05:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---|---------------------------|---------------------------|
| Raynae Fonoimoana | Testifying for Ko'olauloa Hawaiian Civic Club | Support | No |

Comments:

"In 2010, Office Of Hawaiian Affairs released a report [The Disparate Treatment of Native Hawaiians in the Criminal Justice System](#) finding that Native Hawaiians were disproportionately sent to out-of-state prisons. The report said that in 2005, "of the people in out-of-state facilities, 41 percent are Native Hawaiians". The numbers may have gotten worse, as our our analysis of [the Census Bureau data for Arizona's Saguaro Correctional Facility](#) says that .. that facility is 48% Native Hawaiian alone, and 49% Native Hawaiian alone or in combination with other racial groups".

If our Kanaka must be housed in a facility it is the State's Kuleana to recognize and support the use of Native Culture-Based Rehabilitation in the State's Correctional System.

HCR-171-HD-1

Submitted on: 4/5/2021 5:33:49 PM

Testimony for PSM on 4/8/2021 1:05:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Nanea Lo | Individual | Support | No |

Comments:

Hello,

My name is Nanea Lo and I support HCR171.

Please support this bill.

me ke aloha 'Ä• ina,

Nanea Lo

HCR-171-HD-1

Submitted on: 4/5/2021 8:41:21 PM

Testimony for PSM on 4/8/2021 1:05:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|-------------------------|---------------------|---------------------------|---------------------------|
| Taliesin Sumner-Longboy | Individual | Support | No |

Comments:

Senatior Nishihara, Senatior English, and the Committee on Public Safety lintergovernmental, and Military Affairs,

My name is Taliesin Sumner-Longboy and I live on Hawai'i island. I am currently a social service worker and a master's student in the University of Hawai'i Thompson School of Social Work.

I support the recognition and ultimately implementation of culture-based rehabilitation in our correctional systems. With the majority of our corrections population being of Native Hawaiian or Pacific Islander descent it is important to offer culturally competent restorative opportunities. I urge you to support HCR 171. Thank you for your consideration.

HCR-171-HD-1

Submitted on: 4/5/2021 6:59:17 PM

Testimony for PSM on 4/8/2021 1:05:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------------|---------------------|---------------------------|---------------------------|
| Konaneakamahina de la Nux | Individual | Support | No |

Comments:

I support including native hawaiian rehabilitation especially because native Hawaiians are over represented in our jails. When one is able to reconnect to culture, it strengthens their self identity and overall well-being.

HCR-171-HD-1

Submitted on: 4/5/2021 9:02:37 PM

Testimony for PSM on 4/8/2021 1:05:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Hina Kneubuhl | Individual | Support | No |

Comments:

Cultural rehabilitation makes absolute sense and is really dealing with the issue at its root. Land dispossession, language suppression, and a massive campaign to assimilate into American culture have left many kanaka in a state of both economic and cultural deprivation. Cultural reconnection allows a sense of identity and guiding values to be established which are critical supports that will enable people to find healthy paths away from offending. Poverty is at the root of most offending, however, so economic deprivation must be addressed in tandem.
mahalo nui,

Hina Kneubuhl

HCR-171-HD-1

Submitted on: 4/6/2021 5:45:05 AM

Testimony for PSM on 4/8/2021 1:05:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|----------------------|---------------------|---------------------------|---------------------------|
| Ciara Leinaala Kwock | Individual | Support | No |

Comments:

To Whom it May Concern,

I am a filmmaker with over 15 years of experience in my field, and I am also the first native Hawaiian female to ever screen work at the famed Sundance Film Festival. My films center around the native and indigenous experience, particularly that of native Hawaiians, and I have shown my work around the world and via various platforms including PBS, Netflix, ABC, Al Jazeera, and the Criterion Collection.

My first feature documentary OUT OF STATE chronicled the journey of native Hawaiian men exported to the Saguaro Correctional Center (SCC) in Eloy, Arizona. While housed at SCC, many of the men in the native Hawaiian cohort found personal gain, cultural reconnection, and rehabilitation through learning their culture. I can first hand speak to the impact this had on the men as I witnessed their journey in a longitudinal fashion, following some individuals both during and post incarceration for well over 5 years. I continue to stay connected with many man today. I will share this of my observations: the power of cultural connection is undeniable in strengthening and inoculating many for the work needed to stay successful in our home.

This kind of work is fulfilling but also time consuming, and I can speak fist hand to the time and effort that the men put into their cultural practice: learning their language, chants, and songs. It is significant. As we work to support Hawaiians achieving success in their own homeland, it is vital we also recognize their work and efforts toward cultural connection as part of the investment toward a healthy future post incarceration. It is also duly our duty to do this given the negative and longstanding impacts of colonization on the native people of this land.

As with other programs — whether AA, work training, drug rehabilitation training, etc — we need to provide opportunity and incentive for individuals to emerge from their time in prison as a fully realized and supported individuals. By recognizing the value of culture and identity in this journey, we give our people the best chance for success, whether in meeting with the parole board or, most importantly, when dealing with the day to day grind of life on the outside.

Should you be interested in seeing the empirical findings of my work, I am happy to send you a screener link to my film OUT OF STATE, which showed at over 40 festivals around the world, was recognized by the Hawaii State Bar Association, and won numerous awards, including the audience award on PBS longstanding and acclaimed series, Independent Lens.

I thank you for your work for the community and your time, and remain at a your disposal should you have any questions.

With aloha,

Ciara

Ciara Lacy || Director-Producer

www.ciaralacy.com

[+1 \(808\) 375-6485](tel:+18083756485)

HCR-171-HD-1

Submitted on: 4/6/2021 8:29:40 AM

Testimony for PSM on 4/8/2021 1:05:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Jacquelyn Esser | Individual | Support | No |

Comments:

I am writing in strong support of HCR171.

While the data and research direct us to focus our efforts on diversion and decarceration to reduce the cycle of incarceration, as long as people are incarcerated in the State's correctional facilities, we must provide meaningful rehabilitation opportunities, including culture-based rehabilitation, to give people the tools, foundation and opportunity to transform their lives.

Please pass HCR 171.

HCR-171-HD-1

Submitted on: 4/6/2021 9:49:11 AM

Testimony for PSM on 4/8/2021 1:05:00 PM

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

Comments:

Strong support

HCR-171-HD-1

Submitted on: 4/6/2021 12:54:06 PM

Testimony for PSM on 4/8/2021 1:05:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Lauren Wilson | Individual | Support | No |

Comments:

I am in full support of this measure. Programs that strengthen the health and wellbeing of those incarcerated strengthen our entire community.

HCR-171-HD-1

Submitted on: 4/6/2021 2:47:51 PM

Testimony for PSM on 4/8/2021 1:05:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|------------------------|---------------------|---------------------------|---------------------------|
| kalena Charlene Holani | Individual | Support | No |

Comments:

How can someone heal when the means of healing is unrecognizable. Allow our inmates the true chance to heal, the ways their ancestors have been healing themselves for generations far before shock treatments and psychologist.

HCR-171-HD-1

Submitted on: 4/6/2021 9:03:32 PM

Testimony for PSM on 4/8/2021 1:05:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Noah Humphrey | Individual | Support | No |

Comments:

I support this measure as new methods, holistic methods are needed to help native Hawaiians with rehabilitation.

HCR-171-HD-1

Submitted on: 4/6/2021 10:51:07 PM

Testimony for PSM on 4/8/2021 1:05:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|-----------------------|---------------------|---------------------------|---------------------------|
| Grace Tsubaki-Noguchi | Individual | Support | No |

Comments:

My name is Grace Tsubaki-Noguchi and I am a resident of Honolulu. I am writing to you today in SUPPORT of this measure which would recognize and support the use of Native Culture-Based Rehabilitation in the State's Correctional System. As an educator and community member, supporting this measure is extremely important to me. Providing culture-based rehabilitation is a meaningful step forward in providing justice to the Kanaka Maoli community.

HCR-171-HD-1

Submitted on: 4/7/2021 9:56:33 AM

Testimony for PSM on 4/8/2021 1:05:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Kelsea Armstrong | Individual | Support | No |

Comments:

Aloha. My name is Kelsea Armstrong, and I am a graduate student from the Political Science Department at the University of Hawai'i at Mānoa. I support the intent of this resolution requesting that the State recognize and support the use of Native Culture-Based Rehabilitation in the State's Correctional System. Not only would this be an integral part of rehabilitative healing on Native land, but this is following the news that SB 664 or "new OCCC bill" has been gutted after The House Finance Committee heard our call. Not only was this a call to reject the construction of a new jail, but to fund the Hawai'i Prison Oversight Commission.

I urge you to pass this bill in accordance with Act 179 which requires that the State's corrections system move to a rehabilitative model. Rehabilitative models look like less violence by making more safety. The passing of HCR 171 is a vital step in making this future possible.

Mahalo for your dedication to public safety in Hawai'i and the opportunity to testify on HCR 171.

Kelsea Armstrong

HCR-171-HD-1

Submitted on: 4/7/2021 10:36:06 AM

Testimony for PSM on 4/8/2021 1:05:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Joan Jensen | Individual | Support | No |

Comments:

Aloha,

I write in support of HCR 171 and the positive culture-based rehabilitative support for incarcerated individuals from Hawaii, especially for those of Native Hawaiian ancestry. As a Native Hawaiian researcher, I am aware of the disproportionate amount of Kanaka Maoli who are in our prison system, including private prisons on the continent. Incarceration is a failed strategy to rehabilitate our people and to mitigate the overpopulation of Hawaiians in prisons. There is evidence that Hawaiian culture-based rehabilitation has made a positive impact on incarcerated individuals and thus such positive and rehabilitative strategies should be supported and expanded. Please support and expand such services for our incarcerated population as a small step to reduce and heal these people.

Mahalo,

Joan Umiokalani Jensen

TESTIMONY ON HCR 171 URGING THE DEPARTMENT OF PUBLIC SAFETY TO
RECOGNIZE THE VALUE OF
CULTURE-BASED REHABILITATION ACTIVITIES IN THE STATE'S
CORRECTIONAL SYSTEM.

BEFORE THE SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL,
AND MILITARY AFFAIRS

April 08, 2021
Time: 1:05PM
Virtual

Aloha Chair Nishihara, Vice Chair English, and members of the Senate Committee on Public Safety, Intergovernmental & 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 'Ekolu Mea Nui, and I am here today to support HCR 171 Urging the department of public safety to recognize the values of culture-based rehabilitation activities in the state's correctional system.**

There are disproportionate numbers of Native Hawaiians incarcerated. A statistic that has unfortunately been sustained over decades. OHA found that compared to other racial or ethnic groups, Hawaiians are more likely to be: a) given a prison sentence; b) given longer prison sentences; c) be sentenced to longer probation terms; and d) commit an act of recidivism. Furthermore, Hawaiians have the highest rate of those incarcerated in out-of-state facilities. In 2010, Native Hawaiians made up only 10% of the population. Yet they made up 39% of those incarcerated in the State. Since 1977, the amount of people incarcerated in Hawai'i has increased by more than 700%.

This disproportionate rate of incarceration among Native Hawaiians has had devastating impacts on Native families, leading to increased poverty, at risk youth, and family separation.

Many of the existing programs within facilities favor more western oriented, clinical therapies targeting short term solutions to behavioral problems that do not necessarily resonate with Indigenous peoples and the cultural perceptions of self among Indigenous communities. For our Native populations, many of these behaviors have manifested through intergenerational generational trauma through the impacts of colonization. The disconnection, oppression and criminalization of the Native identity have seriously impacted the health and wellbeing of the Native Hawaiian community.

Such communities are often struggling to reassert a positive ethnic identity after centuries of colonization. Their own healing systems were often crushed and outlawed in the process of colonization. The loss, disruption or displacement of traditional healing practices went hand-in-hand with the undermining of worldviews and the destruction of a way of life. Attacks on traditional healing systems had the effect of weakening indigenous beliefs that gave meaning

and structure to life. And such belief systems can be the very things that sustain people through periods of pain and struggle. Native Hawaiian health is intimately bound up with Native Hawaiian identity: "Autonomy is closely linked with self-esteem and the earning of respect. Both are basic and linked. Low levels of autonomy and low self- esteem are likely to be related to worse health.

Therefore it is incredibly important that we support the promotion and connection of a strong and positive cultural identity for Native Hawaiians, especially those experiencing incarceration. Positive cultural connections can lead to long-term paradigm shifts and an increase in self-worth which lead to lower recidivism rates.

Please support HCR 171

Lilinoe Kauahikaua
MSW Candidate
Intern 'Ekolu Mea Nui
Lkauahik@hawaii.edu

HCR-171-HD-1

Submitted on: 4/7/2021 3:35:59 PM

Testimony for PSM on 4/8/2021 1:05:00 PM

LATE

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Isaac de la Nux | Individual | Support | No |

Comments:

I, Isaac K.K de la Nux, an Adult Correctional Officer with the Department of Public Safety Maui Community Correctional Center, hereby submit my testimony with humility and full support for utilizing Native Hawaiian Culture Based Rehabilitation methods within the correctional system. I have been an ACO for nearly 7yrs but have been a witness my entire life to the severity of an outdated rehabilitation system. An american method that does not quite work for natives of Hawai'i. I strongly believe that instilling values and the importance of self-worth and self-identity will work. And I believe this will bring forth exactly what the incarcerated population of Hawai'i throughout the world need to break the interfenerational trauma and start the healing of families.

HCR-171-HD-1

Submitted on: 4/7/2021 11:05:28 PM

Testimony for PSM on 4/8/2021 1:05:00 PM

LATE

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Juliann Chen | Individual | Support | No |

Comments:

Locking up more people doesn't solve ANYONE'S problems.

Please help our people get the rehabilitation they need to get better, to be better, to safely reenter society and contribute to the community. The only way we can see brighter days is to help our own community and heal together. We can't do it alone.

HCR-171-HD-1

Submitted on: 4/8/2021 8:44:02 AM

Testimony for PSM on 4/8/2021 1:05:00 PM



| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Imari Olipani | Individual | Support | No |

Comments:

Native Hawaiians have the highest incarceration rate in Hawaii, most of whom are relocated to other correctional facilities in the continental United States due to overcrowding of the state's prisons. Inmates who have been relocated negatively experience a sense of dislocation from their home, families, and culture. This resolution is important because it addresses the need for such inmates to stay connected with a very vital aspect of their identities that will allow them to be successful in the rehabilitation processes, and even for the sake of their mental health.

HCR-171-HD-1

Submitted on: 4/8/2021 9:38:59 AM

Testimony for PSM on 4/8/2021 1:05:00 PM



| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Kaapuni Aiwahi | Individual | Support | No |

Comments:

Aloha,

I am a father who had a hard time growing up in this occupied Hawai'i. The history of my culture being shamed lead me to believe that I am embarrassed by who I was. Since I have learned to embrace my culture as an individual, my life could get back together. The prison system has a kuleana to correct some of that hewa and allow our population to embrace themselves by embracing their culture. This bill is a small investment that will pay off in a big way if it can be executed on. Mahalo.

Ka'apuni Aiwahi