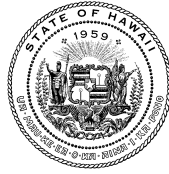


DAVID Y. IGE  
GOVERNOR



CURT T. OTAGURO  
COMPTROLLER  
AUDREY HIDANO  
DEPUTY COMPTROLLER

**STATE OF HAWAII**  
**DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES**  
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

WRITTEN TESTIMONY  
OF  
CURT T. OTAGURO, COMPTROLLER  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
TO THE  
COMMITTEE ON FINANCE

WEDNESDAY, MARCH 31, 2021, 2:30 PM  
CONFERENCE ROOM 308 VIA VIDEOCONFERENCE, STATE CAPITOL

S.B. 664, S.D. 1, H.D. 1

RELATING TO PUBLIC SAFETY.

Chair Luke, Vice Chair Cullen, and members of the Committee, thank you very much for the opportunity to submit testimony on S.B. 664, S.D. 1, H.D. 1.

The Department of Accounting and General Services (DAGS) strongly supports this legislation authorizing the development of the new Oahu Community Correctional Center.

A new facility is critical to the Department of Public Safety in fulfilling their responsibility to provide safe and secure services to certain members of our community. The current facility is, in parts, over 100 years old, and is neither adequate nor appropriate to meet today's correctional needs. Escalating maintenance costs, the lack of a safe and efficient work environment for corrections staff, and the inability to address detainees with special needs or mental health issues are underscoring the importance of this project. Additionally, the new facility will allow the State to provide inmates with healing, and subsequently, transformational, programs and services that aim at a successful integration back into their home communities. This is necessary now for current and immediate future inmates who require treatment and

services that PSD is challenged to provide in the inadequate, obsolete buildings that comprise the current center.

Thank you for this opportunity to provide testimony on this very important matter.

**STATE OF HAWAI‘I**  
**OFFICE OF THE PUBLIC DEFENDER**

**Testimony of the Office of the Public Defender, State of Hawai‘i to the  
House Committee on Finance**

March 31, 2021

S.B. 664 SD1 HD1: RELATING TO PUBLIC SAFETY

Chair Luke, Vice Chair Cullen, and Members of the Committee:

The Office of the Public Defender (“OPD”) supports in part, and opposes in part SB 664 SD1 HD1, which allows for the Department to commence with the development of a new Oahu Correctional Center. The OPD welcomes the increased role by the Hawai‘i Correctional Systems Oversight Commission in the building of a new OCCC along with providing it adequate funding. The Office the Public Defender continues to urge a moratorium on the construction of any new correctional facilities in the State and the construction of new or the expansion of existing correctional facilities without the expressed approval of the Hawai‘i Correctional Systems Oversight Commission (“HCSOC”), and without implementation of policy reforms such as bail reform and recommendations of the HCR 85 Task Force. While the current version contains positive language relating to cultural-based rehabilitation, more concrete reforms are needed.

As recommended in the House Concurrent Resolution 85 Task Force on Prison Reform, as embodied in its final report (“HCR 85 Report”), the State should “transition from a punitive to a rehabilitative correctional system”<sup>1</sup> and “immediately stop planning a large new jail to replace OCCC and establish a working group of stakeholders and government officials to rethink the jail issue and create a jail that is smaller, smarter, and less expensive than the one now under consideration.”<sup>2</sup>

Hawai‘i does not need bigger jails and prisons. What it truly needs is drastic reform of an incarceration system that is not only woefully outdated, but also severely unfair to people living in poverty, with mental health and substance use disorders, women, and Native Hawaiians, Pacific Islanders and Black communities.<sup>3</sup>

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<sup>1</sup> HCR 85 Report at xiv.

<sup>2</sup> HCR 85 Report at xvii-xviii.

<sup>3</sup> American Civil Liberties Union, “Blueprint for Smart Justice Hawai‘i” (2019), <https://50stateblueprint.aclu.org/states/hawaii/>.

Currently:

- **40 percent** of people incarcerated under Hawai‘i’s jurisdiction in 2018 were reported by the Department of Public Safety as being Native Hawaiian though Native Hawaiian make up just 18 percent of the State’s adult population.<sup>4</sup>
- The number of women incarcerated in Hawai‘i grew **1265 percent** between 1990 to 2017.<sup>5</sup>
- **40 percent** of individuals at the O‘ahu Community Correctional Center have not stood trial or are awaiting sentencing.<sup>6</sup> Many if not most of these individuals are locked up because they can’t afford to meet bail.

No conclusive research has indicated that increased jail incarceration has a meaningful impact on crime reduction.<sup>7</sup> In Hawai‘i, our prison population has increased 670% in the last 40 years.<sup>8</sup> And our incarceration rate has risen to the point that if we were a nation instead of a state, we would rank fifth in the world, behind United States, El Salvador, Turkmenistan and Cuba (excluding the other 49 states).<sup>9</sup> But this has not made us one of the safest places in the world.<sup>10</sup>

Incarceration does not come cheap. In 2017, Hawai‘i spent \$255 million on corrections, accounting for 3 percent of the state’s total general fund spending that

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<sup>4</sup> Id.

<sup>5</sup> Id.

<sup>6</sup> Final Report of the House Concurrent Resolution 85 Task Force on Prison Reform to the Hawai‘i Legislature 2019 Regular Session, “Creating Better Outcomes, Safer Communities” (December 2018) at 63, [https://19of32x2yl33s8o4xza0gf14-wpengine.netdna-ssl.com/wp-content/uploads/HCR-85-Task-Force-on-Prison-Reform\\_Final-Report\\_12.28.18.pdf](https://19of32x2yl33s8o4xza0gf14-wpengine.netdna-ssl.com/wp-content/uploads/HCR-85-Task-Force-on-Prison-Reform_Final-Report_12.28.18.pdf).

<sup>7</sup> VERA, “The Prison Paradox: More Incarceration Will Not Make Us Safer” (2017), [https://www.vera.org/downloads/publications/for-the-record-prison-paradox\\_02.pdf](https://www.vera.org/downloads/publications/for-the-record-prison-paradox_02.pdf)

<sup>8</sup> HCR 85 Report at 3.

<sup>9</sup> Prison Policy Initiative, “States of Incarceration: The Global Context.” *See* <https://www.prisonpolicy.org/global/2018.html>; *See also* World Prison Brief, Institute for Criminal Policy Research (ICPR), Data for Sweden, <http://www.prisonstudies.org/country/sweden>. (Hawai‘i incarceration rate of 390 prisoners per 100,000 population would put Hawai‘i in the top 20 incarcerators in the world).

<sup>10</sup> VERA, “Incarceration Trends in Hawaii.” *See* <https://www.vera.org/downloads/pdfdownloads/state-incarceration-trends-hawaii.pdf>

year.<sup>11</sup> Corrections general fund spending increased by 263 percent between 1985 and 2017.<sup>12</sup> Feeding and caring for an incarcerated person costs \$198 a day in Hawai'i.<sup>13</sup> Pre-COVID19 we were spending around \$209,000 a day (\$76 million annually) to incarcerate more than 1,000 people statewide simply because they were too poor to afford bail.<sup>14</sup>

The State should divert the over half billion taxpayer funds from the construction of the large new jail towards community reentry programs, transitional housing, criminal justice and bail system reforms, and community-based programs that have a proven track record to be effective.

Consistent with a moratorium, the development of a new mental health facilities within the Department of Public Safety should not commence without the approval of the Oversight Commission. In fact, additional resources are needed to support and develop less restrictive and therapeutic alternatives, such as the Hawai'i State Hospital and community mental health care facilities. Mentally ill individuals should not be placed punitive environments like jails and prisons, but rather they should be treated in therapeutic health care facilities.

We thank you for the opportunity to comment on S.B. 664, SD1 HD1.

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<sup>11</sup> State of Hawaii Department of Budget and Finance, "Executive Biennium Budget, Fiscal Biennium 2017-2019, Operating and Capital Budget-Department of Public Safety," <https://budget.hawaii.gov/wp-content/uploads/2016/12/24.-Department-of-Public-Safety-FB17-19-PFP.pdf>

<sup>12</sup> National Association of State Budget Officers, State Expenditure Report series, <https://www.nasbo.org/reports-data/state-expenditure-report/state-expenditure-archives>.

<sup>13</sup> State of Hawaii Department of Public Safety Annual Report FY 2019, <https://dps.hawaii.gov/wp-content/uploads/2019/11/PSD-ANNUAL-REPORT-2019.pdf> at 16.

<sup>14</sup> These numbers have decreased during the COVID19 pandemic but will soon go back to the preCOVID19 numbers unless we adopt the policies recommended in the HCR 85 Task Force.

  
OFFICE OF HAWAIIAN AFFAIRS  
‘Ōlelo Hō‘ike ‘Aha Kau Kānāwai  
Legislative Testimony

**SB664 SD1 HD1**  
RELATING TO PUBLIC SAFETY  
Ke Ke Kōmike Hale o ka ‘Oihana ‘Imi Kālā  
House Committee on Finance

Malaki 31, 2021

2:30 p.m.

Lumi 308

The Office of Hawaiian Affairs offers the following **COMMENTS** on SB664 SD1 HD1, which would require the Department of Public Safety (PSD) to build a new O‘ahu Community Correctional Center (OCCC). **OHA appreciates the amendments made to this measure, which seek to better address the root causes and correctional approaches underlying the mass incarceration and extreme overcrowding problems in our correctional facilities, by requiring programming focused on cultural-based rehabilitation at any new facility, and requiring input from the Hawai‘i Correctional Systems Oversight Commission (Oversight Commission) in the new OCCC’s plans and designs.** OHA further urges this Committee to consider the implementation or incorporation of the recommendations of the HCR134 Pretrial Reform Task Force and the HCR85 Prison Reform Task Force— which seek to systemically transform and improve our correctional systems and approaches— as a prerequisite or required condition for the development of any new correctional facility, including a new or expanded OCCC.

Hawai‘i’s incarcerated population has reached a historic high, due to several decades of policies that have favored the expansion of our correctional facilities over the adoption of evidence-based alternatives to incarceration.<sup>1</sup> The Native Hawaiian community has been particularly impacted by the state’s approach to criminal justice and corrections: Native Hawaiians make up approximately 21% of the general population, but 37% of our prison population.<sup>2</sup> **As recognized by the Legislature itself in 2019, to address the alarming increase in our incarcerated population and the disproportionate impact of incarceration on Native Hawaiians, Hawai‘i should transition from a punitive to a rehabilitative correctional system, and seek to implement evidence-based alternatives to incarceration.**<sup>3</sup> Such an approach would not only reduce our incarcerated population, but it would also more effectively rehabilitate pa‘ahao, reduce recidivism, improve public safety, and save taxpayer dollars.

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<sup>1</sup> See 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 1 (2018).

<sup>2</sup> *Id.* at xiii.

<sup>3</sup> *Id.* at xiv; Act 179 (Reg. Sess 2019).

**OHA appreciates the inclusion of certain requirements for the construction of new correctional facilities, including requirements for culture-based rehabilitation programming and for input from the Oversight Commission in facility planning and design.** Such requirements may help to facilitate the planned transition of our criminal justice approach towards a rehabilitative model that can more effectively and efficiently achieve our recidivism and public safety goals, and reduce the need for the continual expansion of our correctional facilities.

**OHA does urge the Committee to consider further requiring the implementation or incorporation of the recommendations made by the HCR134 and HCR85 task forces, as well as the Oversight Commission, as a prerequisite or required condition of any new or expanded correctional facility, including OCCC.** These recommendations would help to address Hawai'i's overdependence on incarceration and mitigate the impacts of mass incarceration on our pa'ahao, communities, and taxpayers. For example, the HCR134 Pretrial Reform Task Force has recommended implementing and expanding alternatives to pretrial detention, such as utilizing clean and sober residences, structured living facilities, treatment programs, and other community-based resources, and establishing a court hearing reminder system for all pretrial defendants released from custody.<sup>4</sup> The HCR85 Task Force on Prison Reform has recommended improving and expanding evidence-based rehabilitative programs, creating an Oversight Commission, improving the reentry process, and reforming the cash bail process.<sup>5</sup> **Unfortunately, many of these recommendations have yet to be fully implemented.** Requiring the implementation of these recommendations as a prerequisite or condition of any new correctional facility would ensure that we do not continue to favor building new facilities over a meaningful reexamination of our failed criminal justice approach, which would otherwise only further exacerbate our mass incarceration crisis. Moreover, the implementation of these recommendations will meaningfully reduce our pretrial and general prison populations without sacrificing public safety, and significantly help to reduce the unjust burden of the criminal justice system on Native Hawaiians and other marginalized groups.

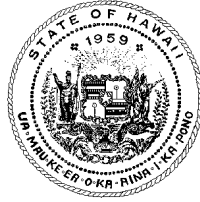
Mahalo piha for the opportunity to testify.

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<sup>4</sup> CRIMINAL PRETRIAL TASK FORCE, HAWAI'I CRIMINAL PRETRIAL REFORM, RECOMMENDATIONS OF THE CRIMINAL PRETRIAL TASK FORCE TO THE THIRTIETH LEGISLATURE OF THE STATE OF HAWAI'I (2018).

<sup>5</sup> HCR 85 TASK FORCE, *supra* note 1.

DAVID Y. IGE  
GOVERNOR



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 SENATE BILL 664, SENATE DRAFT 1, HOUSE DRAFT 1  
RELATING TO PUBLIC SAFETY.

by  
Max N. Otani, Director

House Committee on Finance  
Representative Sylvia Luke, Chair  
Representative Ty J.K. Cullen, Vice Chair

Wednesday, March 31, 2021; 2:30 p.m.  
State Capitol, Via Video Conference

Chair Luke, Vice Chair Cullen, and Members of the Committee:

Senate Bill (SB) 664, Senate Draft 1 (SD1), House Draft (HD) 1 seeks to authorize the development of the new Oahu Community Correctional Center (OCCC) pursuant to Section 26-14.6, Hawai'i Revised Statutes (HRS). This measure would also prohibit the transfer of the operations of the new OCCC to a corporation as defined in Section 414–3, HRS. In addition, SB 644, SD1, HD1, seeks to appropriate an undetermined amount of funds for fiscal year 2021 – 2022 and an equally undetermined amount for fiscal year 2022 – 2023 for the Hawaii Correctional System Oversight Commission (HICSOC) Coordinator position and necessary support staff for the Commission.

The Department of Public Safety (PSD) offers comments in support of this measure only as it relates to the need for a new jail for Oahu to alleviate persistent overcrowding and to provide services and rehabilitative programs to include culturally-based programs in a humane environment is prudent and would be beneficial for the inmates and the community. The Department also offers proposed amendments to Section II(b).



With respect to the proposed undetermined funding for the HICSOC, it should be noted, funding is not included in the Governor's Executive Budget, and any appropriation outside of the Governor's budget may have a negative impact on the priorities as outlined in the budget. Therefore, the Department defers comments regarding any appropriations to the Office of the Governor.

Also, the Department offers the following amendments to Section II (b) on page 2, line 7 thru 14:

“(d) The department of public safety's plans and designs [~~shall require~~] may consider input from the Hawaii correctional system oversight commission in regard to best practices about the overall size of the facility, capacity of the facility, and integration of features and inclusion of programming aimed at addressing physical and mental health needs, preventing recidivism, and supporting successful reentry into the community.”

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



**HOUSE OF REPRESENTATIVES  
THE THIRTY-FIRST LEGISLATURE  
REGULAR SESSION OF 2021**

**COMMITTEE ON FINANCE**  
Representative Sylvia Luke, Chair  
Representative Ty Cullen, Vice Chair

Wednesday, March 31, 2021, 2:30 PM  
Conference Room 308 and Via Videoconference

**Re: Testimony on SB664 SD1, HD1 – RELATING TO PUBLIC SAFETY**

Chair Luke, Vice Chair Cullen, and Members of the Committee on Finance:

The United Public Workers, AFSCME Local 646, AFL-CIO (“UPW”) is the exclusive bargaining representative for approximately 14,000 public employees, which includes blue collar, non-supervisory employees in Bargaining Unit 1 and institutional, health, and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. The UPW also represents 1,500 members in the private sector.

UPW **would like to provide the following comments** on SB664 SD1, HD1, which authorizes the department of public safety to develop a new Oahu community correctional center. This bill would also appropriate funds for the Hawaii correctional system oversight commission.

UPW is opposed to initiatives that subsidize or otherwise encourage the sale or lease of public infrastructure to private investors that could result in private control or operation of public assets. As we consider investments that look at trying to improve our state’s correctional infrastructure, we ask that it does not come at the expense of the workers who are presently keeping those facilities operational.

UPW is pleased to see that this bill does include appropriations for the Hawaii correctional system oversight commission. Other legislation this session would provide this commission with additional responsibilities, and it’s been reported on numerous news outlets that the commission has been operating without adequate funds or staff. The appropriations provided through this bill will help to ensure that the commission is able to fulfill its duties moving forward.

Thank you for the opportunity to provide testimony.

**SB-664-HD-1**

Submitted on: 3/29/2021 7:08:15 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Loren Walker	Hawai'i Friends of Restorative Justice	Oppose	No

Comments:

Mahalo for your public service and sorry if this testimony was submitted twice by mistake.

We strongly oppose this measure. We have studied corrections in the state of Hawai'i for decades and it is not in the state's best and long term interests to build a new jail or prison.

Our state has created criminal justice problems by incarcerating about 5000 annually for the cost of \$230 million a year. The state has not worked to prevent crime, but instead has ignored experts who study corrections and continues to pursue jail and prison construction.

Around 2013, we worked with the Community Alliance on Prisons, to create a plan for how the state could effectively cut incarceration rates. One recommendation that we made was to increase community housing opportunities. We submitted the plan with details on strategies for reducing incarceration to the state, but it never responded to our suggestions. Today there continues to be a lack of community housing because the state has failed to pursue it yet has spent millions on prison and jail construction planning. The state has failed miserably at reducing incarceration and cannot even figure out how to provide all people exiting incarceration with identification.

Also, any argument that a new jail can be "healing" is not persuasive. Our work has taken us to visit prisons all over the world including Halden in Norway, which is known as the world's [most humane](#) prison. Halden is still a prison, with prison problems, and some who complete their sentences there return to the justice system. Incarceration is dehumanizing as Phil Zimbardo, creator of the Stanford Prison Experiment, showed and [said recently for a talk](#) he gave for our organization. We should follow Zimbardo's advice and address criminal justice reform using public health approaches including restorative justice to prevent and address wrongdoing.

Finally, the cost of half a billion for the proposed new jail is dated today and is based on pre-covid costs. The cost today is much more than the \$500 million the state claims.

Please vote against this measure and work to get our state to stop pursuing jail and prison construction and instead find effective ways to keep our community healthy and safe.

Mahalo, Lorenn Walker, JD, MPH

Director Hawai'i Friends of Restorative Justice

<http://hawaiiifriends.org>

**SB-664-HD-1**

Submitted on: 3/29/2021 10:26:45 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ronald Fujiyoshi	Ohana Ho'opakele	Oppose	No

Comments:

Ohana Ho'opakele stands in strong opposition to this bill!

Why hold us the public hostage to a minimum of a half a million dollars when we are still saddled with the huge debt due to the rail?

The prison system is broken! All over the world, and even the majority of states in North America are all wrestling with reducing the burden of an expensive prison system.

Please have ex-judge Dan Foley explain to you that the release of pa'ahao due to Covid has not affected the public significantly. He will also testify that many more could have been released without significant impact on society.

Now is exactly the time to implement the various ways to reduce the vast number of pa'ahao imprisoned.

Vote down this bill!

Mahalo for the opportunity to testify!

# COMMUNITY ALLIANCE ON PRISONS

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

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



## COMMITTEE ON FINANCE

Rep. Sylvia Luke, Chair

Rep. Ty Cullen, Vice Chair

Wednesday, March 31, 2021

2:30 p.m.

### **STRONG OPPOSITION TO SB 664 SD1 HD1 BUILDING POVERTY CAGES INSTEAD OF HOUSING FOR PEOPLE WITH PUBLIC HEALTH & SOCIAL CHALLENGES**

Aloha Chair Luke, Vice Chair Cullen, 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 4,100 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 1,075 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 Kanaka Maoli, far, far from their ancestral lands.

### **THIS BILL IS LIPSTICK ON A PIG**



The government knows that the community wants a discussion, not a humongous new jail. And the government also knows that the community supports the Hawai`i Systems Correctional Oversight Commission. So what did the legislature do? You inserted Part III to fund the ignored and unsupported Oversight Commission in this bill that the community is solidly against. This is why the community has lost faith in Hawai`i's government.

### **LEGISLATORS WANT JAILS, THE COMMUNITY DEMANDS JUSTICE!**

Community Alliance on Prisons is in **strong opposition** to this measure that is a slap in the face to the community that has been questioning the millions of dollars enriching

consultants while the community is suffering through this public health pandemic. This bill has wide community opposition, yet in the quest to grow Hawai'i's criminal underclass, the legislature is ignoring the pleas of researchers, criminologists, and families and forging ahead with a new jail at the Animal Quarantine Station. There has been NO COMMUNITY DISCUSSION - the state seems to believe that the 15 minute presentations by highly-paid consultants to the `Aiea Neighborhood Board is enough to check off the community consultation box. This while families are struggling to stay housed and feed themselves.

The community has been questioning the need for a humongous facility that will incarcerate many people suffering from public health and social challenges and who are innocent until proven guilty. We know that many people are imprisoned for poverty crimes and cannot make bail.

A review of the March 22, 2021 Department of Public Safety Population Report<sup>1</sup> should make everyone question what is really going on:

- **The total population of OCCC is 873 persons**
  - 58% (507 persons) are pretrial detainees and
  - 22% (195 persons) are probation violators.
- **80% (702 persons) are pretrial detainees and probation violators**

**The total cost of the 702 pretrial detainees and probation violators at \$219/day: \$153,738 a day, \$1,076,166 a week; \$4,304,664 a month, and \$51,655,968 a year. And that is for one jail in Hawai'i.**

It is common knowledge that OCCC has been in deplorable condition for decades but now, since it might mean short-term construction jobs, the legislature is suddenly very concerned about the conditions that the people their policies cage must live in.

### **SHORT-TERM JOBS FOR LONG-TERM GENERATIONAL HARM**

The proposal to build a humongous OCCC *with no community input* and the secret negotiations by the Governor tell us that building a jail that cages people on the lowest rung of the economic ladder is a priority in order to get the economy rolling.

And while the government exploits the third-world conditions at OCCC, they totally ignore the fact that they are rolling over some of the most vulnerable people in our community.

Please, tell the truth. This bill is about the economy. It is not about the harms caused by the state through its failed and draconian policies. OCCC has sadly become housing for the unsheltered and O`ahu's de facto mental health center.

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<sup>1</sup> Department of Public Safety, March 22, 2021 Population Report.

<https://dps.hawaii.gov/wp-content/uploads/2021/03/Pop-Reports-Weekly-2021-03-22.pdf>

PSD reports that 40% of all people who went to jail in 2020 (6,591) – 2,636 persons – were individuals in Hawai`i who were living unsheltered or in emergency or transitional shelters on all islands.

How can the data be ignored? How can the state not see what is right in front of us? 80% of OCCC are persons who are pretrial detainees and probation violators, many suffering from unmet public health, social, and poverty challenges.

**Please, we ask that you think about what this bill does. It removes the community from one of the largest public works projects in Hawai`i and basically orders PSD to blindly build a huge facility that will require even more people who are jailed because they can't pay bail. Data show that these are the people who end up in prison. Is this the goal - to ensure that Hawai`i maintains its position as one of the world's largest jailers?**

The misuse of jails in America is helping to drive mass incarceration and is part of a system that is neither economically sustainable nor beneficial to public safety, community well-being, and individual rehabilitation. Nearly 75 percent of both pretrial detainees and sentenced offenders are in jail for nonviolent traffic, property, drug, or public order offenses. Underlying the behavior that lands people in jail, there is often a history of substance abuse, mental illness, poverty, failure in school, and homelessness.<sup>2</sup>

PRETRIAL DETENTION has a significant impact on downstream criminal justice outcomes – both in the immediate case, and through the future criminal activity of detained defendants. Detention increases the rate of guilty pleas, and leads detained individuals to commit more crime in the future.<sup>3</sup>

The only way localities can safely reduce the costs incurred by jail incarceration is to limit the number of people who enter and stay in jails. This is no small task. How and why so many people cycle through jails is a result of decisions dispersed among largely autonomous system actors. This means that the power to downsize the jail is largely in the hands of stakeholders outside its walls. **So only by widening the lens – looking beyond the jail to the decisions made by police, prosecutors, judges, and community corrections officials – will jurisdictions be able to significantly reduce the size of their jails, save scarce county and municipal resources, and make the necessary community reinvestments to address the health and social service needs that have for too long landed at the doorstep of the jail.**<sup>4</sup>

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<sup>2</sup> INCARCERATION'S FRONT DOOR: THE MISUSE OF JAILS IN AMERICA (2015)  
<https://www.vera.org/publications/incarcerations-front-door-the-misuse-of-jails-in-america>

<sup>3</sup> THE DOWNSTREAM CONSEQUENCES OF MISDEMEANOR PRETRIAL DETENTION (2016)  
[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2809840](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2809840)

<sup>4</sup> THE PRICE OF JAILS: MEASURING THE TAXPAYER COST OF LOCAL INCARCERATION (2015) <http://www.safetyandjusticechallenge.org/wp-content/uploads/2015/05/The-Price-of-Jailsreport.pdf>



The DOJ came to Hawai`i in 1998 and they reported that in the eight jurisdictions they visited, they had never witnessed the intergenerational incarceration that they saw in Hawai`i. That was 23 years ago and things have not gotten much better.

The last thing you should consider is in these times of economic strife, where families are struggling to stay housed and to feed themselves, are the millions of dollars wasted on consultants who have no connection or apparent interest in the community outside of their four-color, glossy propaganda pieces.

To date, OCCC consultants have reaped \$10.4 million from the hard-earned work of taxpayers and when you add that with the more than \$14 million blown on consultants for the Maui Public Safety Complex in a section that lacks water, you might understand where the mistrust of the community comes from. There is never enough money to provide the services so desperately needed, yet there always seems to be money for consultants and more studies. We know what to do, we need the political will to do it!

The community has been working on these issues for decades. We have contacts across the world and follow innovative and evidence-based strategies to address the public health and social challenges our communities in Hawai`i, as well as other communities and counties around the world, must address with humane, sensible, compassionate policies.

### **THIS IS WHY COMMUNITY ENGAGEMENT MATTERS!**

Citizens are ‘engaged’ when they play a meaningful role in the deliberations, discussions, decision-making and/or implementation of projects or programs affecting them. Accordingly, organizational and government leaders need to broaden the way they see their responsibilities to include roles as facilitator, supporter, collaborator, and empower of citizens and stakeholders. This change requires letting go of some of the traditional reins of power and trusting that citizens can and will effectively engage in the issues. The result is a partnership(s) that is nearly always healthy for a community and can more effectively address the issue or problem.<sup>5</sup>

Data-driven and evidence-based practices present new opportunities for public and social sector leaders to increase impact while reducing inefficiency. But in adopting such approaches, leaders must avoid the temptation to act in a top-down manner. Instead, they should design and implement programs in ways that engage community members directly in the work of social change.<sup>6</sup>

This is precisely what the community has been asking for – a data driven, scientific, and humane approach to the challenges that create the pathways to incarceration for far too many of our people.

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<sup>5</sup> WHY COMMUNITY ENGAGEMENT MATTERS <https://aese.psu.edu/research/centers/cecd/engagement-toolbox/engagement/whycommunity-engagement-matters>

<sup>6</sup> COMMUNITY ENGAGEMENT MATTERS (NOW MORE THAN EVER), Stanford SOCIAL INNOVATION Review [https://ssir.org/articles/entry/community\\_engagement\\_matters\\_now\\_more\\_than\\_ever](https://ssir.org/articles/entry/community_engagement_matters_now_more_than_ever)

There is so much research on better alternatives that could be implemented to divert people who are on a pathway to incarceration. In fact, in Hawai`i, the Kawaiiloa Youth & Family Wellness Center is a great example of how to meet the needs of youth, some who are or were justice involved as well as others who are struggling with their own challenges.

*It takes 'out of cell' thinking and courage  
to reimagine a system that heals rather than harms.*

This bill sends a strong message to the community. It dispells any doubt we might have had about the state's lack of interest in correcting corrections. This bill makes clear that the state is going to run amok over the community for the easy "lock `em up" **LAZY JUSTICE** approach to wrongdoing.

It's all about tourism - the state needs to hide away those considered a blight, despite the fact that it's the state policies and draconian laws that are facilitating this human tragedy.

Please consider this before you vote. Consider what this bill is really about and who you are and will be hurting. Who will be incarcerated next? Will it be someone in your family? A friend?

Think about the intergenerational harm that building more cages causes in the absence of real programs to address the needs of the most impacted communities.

Each of your votes sends a strong signal to the community about the importance of our voices. Will your vote try to silence us?

We hope your vote is about justice, reason, humanity, and compassion.

We respectfully urge the committee to hold this bill.

Mahalo for this opportunity to testify,

*The power to question is the basis of all human progress.*

*Indira Gandhi*



# Hawai'i Psychological Association

*For a Healthy Hawai'i*

P.O. Box 833  
Honolulu, HI 96808

[www.hawaiipsychology.org](http://www.hawaiipsychology.org)

Phone: (808) 521-8995

COMMITTEE ON FINANCE  
Rep. Sylvia Luke, Chair  
Rep. Ty J.K. Cullen, Vice Chair

Wednesday, March 31, 2021 - 2:30pm - Conference Room 325 - videoconference

## **Support of SB664 SD1 HD1 RELATING TO PUBLIC SAFETY**

The Hawai'i Psychological Association (HPA) supports SB664 SD1 HD1 to develop the new Oahu Community Correctional Center. OCCC has been overcrowded for decades. The current facility is inadequate for maintaining security and providing quality mental health services. The new facility is badly needed and long overdue. Research literature clearly shows that overcrowding is correlated with violence and lowered mental health outcomes.

Thank you for the opportunity to provide input into this important bill.

Sincerely,

Alex Lichton, Ph.D.

Chair, HPA Legislative Action Committee

**SB-664-HD-1**

Submitted on: 3/30/2021 12:37:50 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Laurie Tomchak	League of Woman Voters	Support	No

Comments:

I am writing in support of SB 664 to develop a new Oahu Community Corrections Center and to appropriate funds for an oversight coordinator position and necessary support staff positions for the Hawaii Correctional System Oversight Commission. While the process of cash bail is in the process of reform, there needs to be added space for prisoners in the Hawaiian Islands so that they do not have to be kept in crowded conditions or shipped to other states where they do not have family and community support in their rehabilitation. The new facilities should have the benefit of state of the art rehabilitation philosophies and methods, and have the support of a fully funded Correctional System Oversight Commission, with a salaried coordinator.

The ultimate goal for a correctional system is to provide a means to rehabilitate inmates and enable them to reintegrate in society with community support, not to simply warehouse them in crowded, understaffed facilities with no programs for education and life skills.

Sincerely,

Laurie Tomchak, Ph.D

retired lecturer and instructor, UH and HPU

Legislative Committee, League of Women Voters of Honolulu

Aloha,

As a correctional professional with 34 years of government service, I have seen first hand the destructive results on families and lives caused by reliance on incarceration to "correct" the behavior of offenders.

The majority of the offenders I have worked with suffer from addiction. Many also have significant mental health problems.

These challenges are far better addressed through treatment rather than through separation from their families and support systems.

I believe the funds currently under consideration for a new "super jail" to replace the Oahu Community Correctional Facility would do much more good for our communities if it were directed toward treatment and programs for those numbered among us who so desperately need help rather than prison bars.

Thank you for your consideration in this matter.

Sincerely,

Michael Meserve, President, AFGE Local 1218, AFL-CIO



## Hawai'i

Committees: Committee on Finance  
Hearing Date/Time: Wednesday, March 31, 2021, 2:30 p.m.  
Place: Via videoconference  
Re: *Testimony of the ACLU of Hawai'i in Opposition to S.B. 664, S.D. 1, H.D.1, Relating to Public Safety*

Dear Chair Luke, Vice Chair Cullen, and members of the Committee,

The American Civil Liberties Union of Hawai'i ("ACLU of Hawai'i") writes **in opposition to S.B. 664, S.D. 1, H.D.1**, which requires the Department of Public Safety to development the new Oahu community correctional center ("OCCC"). While we support Section III of the bill, which appropriates funding to the Hawai'i Correctional System Oversight Commission, moving forward with plans to build a \$525 million jail in the midst of an economic crisis, against the recommendations of the Commission tasked with overseeing the State's correctional system as well as those of the Task Force responsible for making recommendations for the design of future correctional facilities<sup>1</sup> is imprudent and harmful to Hawai'i's communities.

The Legislature has created multiple task forces, an Oversight Commission, and a criminal justice research institute, for the purpose of examining the state's criminal justice system, and the Legislature should heed these groups' recommendations. The H.C.R. 85 Task Force and the Oversight Commission *both* recommended that the State immediately halt plans for the costly new jail to replace OCCC until meaningful changes to our criminal legal system have been implemented.<sup>2</sup> This is necessary to shift the State's corrections system to a rehabilitative and therapeutic model. Halting construction of the jail is also fiscally wise. The Oversight Commission estimated that "each bed in the new jail would cost taxpayers \$380,000 and the cost of housing a large number of pretrial detainees statewide is over \$180,000 per day."<sup>3</sup>

Hawai'i must dramatically change its approach to corrections. This starts with reforming our pretrial system. Pretrial incarceration is one of the major drivers of overcrowding in Hawai'i's jails. Currently, roughly one-third of the individuals housed in Hawai'i's correctional facilities and more than half of those jailed at OCCC have not been convicted of any crime and are merely awaiting trial,<sup>4</sup> most often because they cannot afford the amount of bail set in their case. While recent

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<sup>1</sup> House Concurrent Resolution No. 85 (Regular Session 2016),

[https://www.capitol.hawaii.gov/session2016/bills/HCR85\\_SD1\\_.htm](https://www.capitol.hawaii.gov/session2016/bills/HCR85_SD1_.htm).

<sup>2</sup> See, Final Report of House Concurrent Resolution No. 85 Task Force Summary,

[https://www.oha.org/wp-content/uploads/HCR85Summary\\_FINALv2.pdf](https://www.oha.org/wp-content/uploads/HCR85Summary_FINALv2.pdf); Hawai'i Correctional System Oversight Commission, *2020 Annual Report* (December 2020), <https://ag.hawaii.gov/wp-content/uploads/2021/01/HCSOC-Final-Report.pdf>.

<sup>3</sup> Hawai'i Correctional System Oversight Commission, *2020 Annual Report* (December 2020),

<https://ag.hawaii.gov/wp-content/uploads/2021/01/HCSOC-Final-Report.pdf>.

<sup>4</sup> State of Hawai'i Dep't of Pub. Safety, Weekly Population Report (February 1, 2021).

changes to pretrial practices are steps in the right direction,<sup>5</sup> there is a long way to go before Hawai‘i can claim to have substantially ended its reliance on cash bail and reformed its pretrial system.

The ACLU of Hawai‘i believes that Hawai‘i’s families will continue to bear the human and financial cost of incarceration until we implement meaningful, community-based solutions and alternatives to incarceration. Many groups, including the ACLU of Hawai‘i,<sup>6</sup> have proposed pathways for divestment from incarceration and reinvestment in our communities. Prior to authorizing any new correctional facility, the Legislature should implement the recommendations presented by community members, civil rights and criminal legal reform experts, and the task forces and commissions that it created for the purpose of proposing changes to our corrections system.

For the above reason, ACLU of Hawai‘i respectfully requests that the Committee defer this measure. Alternatively, we request that Section II be deleted from the measure and Section I be amended accordingly. 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 over 50 years.*

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<sup>5</sup> See, e.g., Act 277 (2019).

<sup>6</sup> In 2019, the American Civil Liberties Union, in partnership with the ACLU of Hawai‘i and Urban Institute, released the Blueprint for Smart Justice Hawai‘i. This report resulted from a two-year research project dedicated to identifying key reforms in Hawai‘i that would cut the state’s incarcerated population in half and reduce racial disparities in Hawai‘i’s corrections system. The report is available at <https://50stateblueprint.aclu.org/assets/reports/SJ-Blueprint-HI.pdf> and may serve as a resource as the Legislature considers further reforms.

**SB-664-HD-1**

Submitted on: 3/31/2021 12:14:06 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Thomas Brandt	Foresight/Policy Analysis	Oppose	No

Comments:

*Chair Luke, Vice Chair Cullen, and members of the House Committee on Finance:*

***I strongly oppose this bill because there are much more cost-effective alternatives for Hawaii taxpayers, IMO.***

*Overcrowding in our jails and prisons is the result of deliberate policy choices that have created a costly and inhumane system of mass incarceration.*

***A bigger jail won't reduce overcrowding as long as the system is designed to lock people up first.***

- Constructing and operating a new prison waste of taxpayer dollars at a time when we don't have any to spare.***
- A new jail in HÅ• lawa is conservatively estimated to cost \$525 million.***

***Instead, we should implement "community justice" solutions***

***that can more cost-effectively reduce our incarcerated population***

*without doubling down on a failed policy of mass incarceration.*

*Hawai'i should:*

- end the use of monetary bail;*
- legalize (and therefore decriminalize) cannabis use;*
- expand community supervision for nonviolent offenders, including parole and probation;*
- divert people to mental health and drug treatment services whenever possible; and*
- end mandatory sentencing laws.*



*Thank you for the opportunity to offer these comments.*

*Thomas Brandt*

*Foresight/Policy Analysis*

**SB-664-HD-1**

Submitted on: 3/29/2021 2:26:16 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

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

Comments:

My name is Carla Allison and I strongly oppose SB664. We don't need a new OCCC. Overcrowding in our correctional facilities must first be addressed by significantly reducing the number of people being incarcerated. We need to end cash bail, create programs & beds to address mental & drug disabilities and provide housing. Research & studies repeatedly conclude community-based solutions have significantly better outcomes than incarceration. The already existing reports ordered by our legislature detailing solutions that have not been acted upon...solutions to ease our overcrowded jails/prisons. These solutions need to be acted upon before proceeding with any new development of incarceration facilities. The money being spent on planning & developing a new OCCC could be used for programs that address the root problems instead of taking the band aid approach of building more facilities. People with mental & drug disabilities and the unhoused don't belong in jails nor should citizens be jailed without a trial because they can't afford bail. We need programs that keep families intact, assist loved ones to overcome addiction, provide treatment for mental disabilities and house the unhoused. Please oppose SB664.

**SB-664-HD-1**

Submitted on: 3/29/2021 3:32:01 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carolyn Eaton	Individual	Oppose	No

Comments:

My name is Carolyn Eaton, and I am an Oahu voter. I'm strongly opposed to building a new OCCC. The Administration has paid only lip-service to full community engagement in this matter, and by refusing to fund the Hawai'i Correctional Oversight Commission has done its best to avoid changes from outdated to "best practices" for our communities. By addressing pathways to incarceration with the rigor of data analysis, State leaders could make us all proud and reduce the size of each one of our State Correctional facilities. The money saved could be directed to support excellence in mental health services and excellence in education for every community.

Surely newly available Federal funds can be directed to our Hawai'i Correctional Oversight Commission's modest annual budget to fund a full-time Coordinator and staff. The five Commissioners have worked steadily in the full view of a very interested public in expectation of receiving this funding for over a year. They have regularly entertained public input in each monthly meeting. The young Commission constitutes the State's best hope for a better future for Corrections. Our incarcerated are too many and lop-sidedly members of minority groups. We can change this, fix policies and procedures which harm vulnerable populations. Please give voice to our Hawai'i Correctional Oversight Commission.

Thank you for your consideration of my views.

**SB-664-HD-1**

Submitted on: 3/29/2021 5:57:53 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nancy Davlantes	Individual	Oppose	No

Comments:

*Add my name to those who strongly oppose SB664. I join the Hawaii Correctional System Oversight Commission in believing we need community-based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that lock people and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to build up people not prisons. Please vote NO on SB664. Thank you for the opportunity to testify."*

**SB-664-HD-1**

Submitted on: 3/29/2021 6:02:51 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sarah Waite	Individual	Oppose	No

Comments:

*Hello,*

*My name is Sarah Waite and I am a Special Education teacher in the Honolulu district. I'm in strong opposition to SB664. I join the Hawaii Correctional System Oversight Commission in believing we need community-based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that lock people and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to build up people not prisons. Please vote NO on SB664. Thank you for the opportunity to testify.*

**SB-664-HD-1**

Submitted on: 3/29/2021 6:06:36 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cadence Feeley	Individual	Oppose	No

Comments:

Aloha my name is Cadence, and I'm a UH MÄ• noa Social Work student. These opinions are my own and do not reflect on the university or my program. I'm in strong opposition to SB664. This is an out-dated system and we need community-based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population. This would mean we do not need to spend money on costly jails, that only break apart ohanas and cause further generational-trauma in Hawai'i. Thank you for reading, and I look forward to a brighter future in Hawai'i. Mahalo nui.

**SB-664-HD-1**

Submitted on: 3/29/2021 6:23:41 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
tia pearson	Individual	Oppose	No

Comments:

Before rushing to build new jails, we need community-based solutions and alternatives to incarceration. Countless research finds time and time again that approaches that use community-based solutions to reduce harm and violence, have exponentially better outcomes. Outcomes that keep families intact, assist loved ones to overcome the hardships of addiction, reduce the likelihood of repeated harm, increase community stability—rather than locking people up.

**SB-664-HD-1**

Submitted on: 3/29/2021 6:32:22 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

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

Comments:

I strongly **OPPOSE** SB664 SD1 HD1 for the following reasons:

- If we committed to bail, sentencing, and restorative justice reforms we would see a significant decrease in our incarcerated population, eliminating the need for a costly new jail. A new jail incentivizes policy makers and private prison corporations to lobby for tough-on-crime measures that lock people and justify wasteful spending on new jails, instead of addressing harm and violence in our communities.
- We do not need to be planning more human cages when PSD's own data show that 76% of the people imprisoned at OCCC are pretrial detainees and probation violators – some who are our most vulnerable neighbors.
- An excessive amount of money is spent criminalizing those who live unsheltered – during Intake, 40% of people statewide reported living unsheltered, or in transitional or emergency shelters.
- Instead of signing a half a billion dollar check for a new jail, the state needs to STOP its reliance on policing and jailing to address social and economic issues. Before rushing to build new jails, we need community-based solutions and alternatives to incarceration. Countless research finds time and time again that approaches that use community-based solutions to harm and violence have exponentially better outcomes. Outcomes that keep families intact, assist loved ones to overcome the hardships of addiction, reduce the likelihood of repeated harm, and increase community stability. Even a few days in jail can have lifelong impacts on a person, especially women who are the primary care providers for their children.
- We know new jails are NOT a solution when nearly half of Hawaii's jailed population is Hawaiian and Pacific Islander, and when the reason many people are incarcerated is because they lack housing, healthcare, and mental health services, and because people simply cannot afford bail.
- Even the Hawai'i Correctional Oversight Commission agrees: **We need real reform before we need a new jail.**
- I do SUPPORT Part III of the bill – funding the Hawai'i Correctional Oversight Commission.



**SB-664-HD-1**

Submitted on: 3/29/2021 6:57:20 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cory Harden	Individual	Oppose	No

Comments:

Aloha legislators,

*I strongly oppose SB664. I agree with the the Hawai'i Correctional System Oversight Commission that we need community-based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail just motivates policy makers and private prison corporations to lobby for tough on crime measures that lock up people and justify wasteful spending on new jails, instead of addressing harm and violence in our communities. Build up people, not prisons!*

*mahalo,*

*Cory Harden*

**SB-664-HD-1**

Submitted on: 3/29/2021 7:03:03 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Noelani Ahia	Individual	Oppose	No

Comments:

*Aloha, name is Jennifer Noelani Ahia and I'm in strong opposition to SB664. I join the Hawaii Correctional System Oversight Commission in believing we need community-based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that lock people and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to build up people not prisons. Please vote NO on SB664. Thank you for the opportunity to testify.*

**SB-664-HD-1**

Submitted on: 3/29/2021 7:06:14 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kaikea K. Blakemore	Individual	Oppose	No

Comments:

I strongly oppose building a new jail in Hawai'i. Hawaiian people are grossly disproportionately incarcerated for crimes often interrelated to poverty, disadvantages, injustice and historical trauma. Hawaii also has some of the worst schools in the nation, highest costs of living and lowest paying jobs leading to increased rates of crime to survive or cope with emotional stress. When children are separated from their parents and family members due to incarceration for petty crimes it deeply harms our communities. Prison is not a form of housing, it is not a form of psychiatric care, and it is not a form of social service. That Hawai'i refuses to address issues of poverty, food and housing instability, low wages, gentrification and racial injustice but proposes to build more cages for it's people as a "solution" instead is genocidal and absolutely shameful.

Thank you for voting in accordance with a moral compass. Thank you for supporting an end to historical racism and classism in Hawai'i by seeing that more prisons are not the answer to social instability. Let's invest in schools, let's invest in social welfare programs, lets invest in after school enrichment, let's invest in restoration of cultural and environmental wealth. Do not line the pockets of those profiting from continued human slavery, racism and injustices. Our communities deserve better infrastructure to invest in for the good of all.

Mahalo,

Kaikea Kaleikini Blakemore

M.A. Psychology

**SB-664-HD-1**

Submitted on: 3/29/2021 7:08:53 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Colleen Rost-Banik	Individual	Oppose	No

Comments:

Aloha, my name is Colleen Rost-Banik and I'm in strong opposition to SB664. I teach college level sociology courses to women who are incarcerated at the Women's Community Correctional Center. I have heard many complaints from these students about OCCC since each of them have been through there. So, I realize that the current facility is not adequate. However, rather than passing this bill which allocates way too much money for building a larger jail at Halawa, we need to focus on creating community-based solutions and alternatives to incarceration. I join the Hawaii Correctional System Oversight Commission in the emphasis on alternatives to incarceration.

If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that lock people and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to build up people not prisons. Please vote NO on SB664. Thank you for the opportunity to testify.

Respectfully,  
Colleen Rost-Banik, PhD  
resident of Honolulu

**SB-664-HD-1**

Submitted on: 3/29/2021 7:09:56 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melinda Wood	Individual	Oppose	No

Comments:

Please defeat SB664. We do not need a "bigger and better" jail. What we need are community based means of redirecting offenders, such drug treatment, employment, and housing--all supervised by qualified professionals, not police or wardens.

**SB-664-HD-1**

Submitted on: 3/29/2021 7:33:36 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Greg Puppione	Individual	Oppose	No

Comments:

*Aloha, My name is Greg Puppione and I'm in strong opposition to SB664. I join the Hawaii Correctional System Oversight Commission in believing we need community-based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that lock people and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to build up people not prisons. Please vote NO on SB664. Thank you for the opportunity to testify.*

**SB-664-HD-1**

Submitted on: 3/29/2021 7:45:06 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Judith A Mick	Individual	Oppose	No

Comments:

Aloha- I am asking that you oppose SB 664. It's time for Hawaii to find better solutions for our people than just incarceration. Our prisons and jails are full of people that need help with their mental health challenges and addictions. Imprisonment doesn't help. I know we can do better.

Thank you for your consideration. Aloha ,Judy Mick, Kailua

**SB-664-HD-1**

Submitted on: 3/29/2021 8:10:11 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John NAYLOR	Individual	Oppose	No

Comments:

Aloha,

I believe we must address the underlying reasons that so many people are being incarcerated.

Drugs, mental health issues, homelessness, exorbitant bail and overwhelmed court systems etc..

should be addressed before building more jails & prisons.

JN .



**SB-664-HD-1**

Submitted on: 3/29/2021 8:32:41 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
I. Robert Nehmad	Individual	Oppose	No

Comments:

*Aloha, name is I Robert Nehmad and I'm in strong opposition to SB664. I join the Hawaii Correctional System Oversight Commission in believing we need community-based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that lock people and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to build up people not prisons. Please vote NO on SB664. Mahalo for the opportunity to testify.*

**SB-664-HD-1**

Submitted on: 3/29/2021 8:39:16 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Maisie Klem	Individual	Oppose	No

Comments:

Aloha, my name is Maisie Klem and I'm in strong opposition to SB664. I join the Hawaii Correctional System Oversight Commission in believing we need community-based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that lock people and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to build up people not prisons. Please vote NO on SB664. Thank you for the opportunity to testify.

**SB-664-HD-1**

Submitted on: 3/29/2021 8:45:05 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ashlie McGuire	Individual	Oppose	No

Comments:

Aloha, my name is Ashlie and I strongly oppose the construction of any new jails in Hawai'i. I join the Hawai'i Correctional System Oversight Commission in believing we need community based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivizes policy makers and private prison corporations to lobby for tough on crime measures that lock people up and justify wasteful spending on new jails instead of addressing harm and violence in our communities and the real causes of that violence. Our state needs to build strong people and communities and not prisons. Please vote NO in SB 664. Mahalo.

**SB-664-HD-1**

Submitted on: 3/29/2021 8:58:37 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Risa Yamamoto	Individual	Oppose	No

Comments:

Aloha, my name is Risa Yamamoto and I'm in strong opposition to SB664. I join the Hawaii Correctional System Oversight Commission in believing we need community-based solutions and alternatives to incarceration. If we committed to bailing, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivizes policymakers and private prison corporations to lobby for tough-on-crime measures that lock people and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to build up people, not prisons. Please vote NO on SB664. Thank you for the opportunity to testify.

**SB-664-HD-1**

Submitted on: 3/29/2021 9:06:07 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Barbara J. Service	Individual	Support	No

Comments:

No New Jails!

People, not prisons!

Mahalo f or the oppoortunity to provide testimony,

Barbara J. Service MSW (ret.)

Senior advocate

**SB-664-HD-1**

Submitted on: 3/29/2021 9:35:12 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dave Kisor	Individual	Oppose	No

Comments:

Another jail on another island under the guise of public safety. What about druggies parked down the street, wathing you come and go while smoking their crack. Doesn't that constitute a public health issue, or doesn't the state simply not give a rodent's anus?

**SB-664-HD-1**

Submitted on: 3/29/2021 9:49:03 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
janice palma-glennie	Individual	Oppose	No

Comments:

Aloha,

i am strongly opposed to this bill.

*i feel that jails are not the answer in most criminal cases, and the feeling across the state and country is the same and growing.*

*I join the Hawaii Correctional System Oversight Commission in believing we need community-based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that lock people and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to build up people not prisons. Please vote NO on SB664.*

*Mahalo for doing the right thing by the people of our state.*

*sincerely,*

*janice palma-glennie*

*kailua-kona*

**SB-664-HD-1**

Submitted on: 3/29/2021 10:05:29 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
B.A. McClintock	Individual	Oppose	No

Comments:

. I join the Hawaii Correctional System Oversight Commission in believing we need community-based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that lock people and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to build up people not prisons. Please vote NO on SB664. Thank you for the opportunity to testify.



**SB-664-HD-1**

Submitted on: 3/29/2021 10:53:41 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nanea Lo	Individual	Oppose	No

Comments:

Hello,

My name is Nanea Lo. I'm from Papakāleia, O'ahu and currently residing in my ancestral homelands. I'm writing in opposition to SB664.

Overcrowding in our jails and prisons is a real problem. But it's a problem that was born of deliberate policy choices that have created a costly and inhuman system of mass incarceration. A bigger jail won't reduce overcrowding as long as these mass incarceration policies define our "justice" system. If the system is designed to lock people up, it will lock people up.

Constructing and operating a costly new facility will therefore be a waste of taxpayer dollars at a time when we don't have any to spare. The new jail in Hāwāi'i is conservatively estimated to cost \$525 million.

Instead, we should implement "community justice" solutions that can reduce our incarcerated population without doubling down on a failed policy of mass incarceration. Hawai'i should:

- End the use of monetary bail.
- Legalize (and therefore decriminalize) cannabis use.
- Expand community supervision for nonviolent offenders, including parole and probation.
- Divert people to mental health and drug treatment services whenever possible.
- End mandatory sentencing and "Three Strikes" laws.

The United States now has the highest incarceration rate in the world. Between 1970 and 2010, the number of people incarcerated in the United States grew by 700 percent. We now incarcerate almost a quarter of the prisoners in the entire world, while representing only 5 percent of the world's population. At no other point in U.S. history—even when slavery was legal—have so many people been deprived of their liberty.

Help us dismantle racist policies within our justice system and replace them with anti-racist ones.

Oppose SB664.

me ke aloha 'Ä• ina,

Nanea Lo

**SB-664-HD-1**

Submitted on: 3/30/2021 12:32:45 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Catherine Fly	Individual	Oppose	No

Comments:

I OPPOSE SB 664, as I believe we should be looking to use funds to shift to community-based solutions and other alternatives to incarceration. By using funds to create job training programs, further develop new and enrich existing residential and outpatient substance abuse and mental health treatment services, we would be investing in the overall wellbeing of our community for the long haul by truly moving toward a rehabilitative model.

Prior to making any major decisions to funding a new jail, the Hawai'i Correctional Systems Oversight Commission should be able to hire paid staff members to lead their efforts in making positive changes to the current correctional system.

Mahalo.

**SB-664-HD-1**

Submitted on: 3/30/2021 7:08:59 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marilyn Mick	Individual	Oppose	No

Comments:

Aloha, my name is Marilyn Mick and I'm in strong opposition to SB664. I join the Hawaii Correctional System Oversight Commission in believing we need community-based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that lock people and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to build up people not prisons. Please vote NO on SB664. Thank you for the opportunity to testify.

**SB-664-HD-1**

Submitted on: 3/30/2021 7:14:25 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elizabeth Winternitz	Individual	Oppose	No

Comments:

*Aloha, my name is Elizabeth Winternitz, and I am a kupuna who is a lifel-long, voting resident of Hawaii. On a moral, ethical, economic, and social justice basis, I strongly oppose SB664. I join the Hawaii Correctional System Oversight Commission in believing we need community-based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that lock people and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to build up people not prisons. Please vote NO on SB664. Thank you for the opportunity to testify."*

**SB-664-HD-1**

Submitted on: 3/30/2021 7:46:59 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shannon Rudolph	Individual	Oppose	No

Comments:

**OPPOSE!**

**SB-664-HD-1**

Submitted on: 3/30/2021 8:01:29 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

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

Comments:

I write in strong opposition to SB664. The money to build a new jail to replace OCCC should be used first to invest in public education, housing, job resources and to fully fund the Hawai'i Correctional System Oversight Commission. The decision to build a bigger jail to house more of our people without first investing in communities and working on policies that divert people out of the criminal legal system in the first place is a decision that will gravely impact our families for generations. Our future is in your hands. I urge you to vote no on this bill.

Thank you for this opportunity to testify.

**SB-664-HD-1**

Submitted on: 3/30/2021 8:08:46 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel J Mistak	Individual	Oppose	No

Comments:

*Aloha, name is Dan Mistak and I'm in strong opposition to SB664. I live in Kealahou, Hawaii. I am the acting President of Community Oriented Correctional Health Services (COCHS), although I am not representing them today. At COCHS, we work to strengthen public health and public safety by working with community providers and correctional systems in order to avoid unnecessary incarceration stints and support people transitioning into and out of correctional facilities. In my work, I have seen many jurisdictions across the country cancel plans to build jails because they realize that the future of public safety will not come from creating larger jails, but from better integrating health and safety systems. Jails are expensive, spread disease, destabilize communities, and create unhealthy environments for correctional staff and for detainees. Many states are implementing plans to reduce the number of people who are incarcerated by creating Medicaid waivers that will allow for people to transition out of jails and into community settings. Hawaii should move in that direction rather than jailing people who are too poor to afford bail.*

*I join the Hawaii Correctional System Oversight Commission in believing we need community-based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that lock people and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to build up people not prisons. Please vote NO on SB664. Thank you for the opportunity to testify.*



**SB-664-HD-1**

Submitted on: 3/30/2021 8:42:50 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kendra Tidwell	Individual	Oppose	No

Comments:

Aloha, my name is Kendra Tidwell and I'm in strong opposition to SB664. I join the Hawaii Correctional System Oversight Commission in believing we need community-based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that lock people and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to build up people not prisons. Please vote NO on SB664. Thank you for the opportunity to testify.

**SB-664-HD-1**

Submitted on: 3/30/2021 9:04:39 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joey Dewater	Individual	Oppose	No

Comments:

We need to invest in addressing the causes of criminal activity, rather than building new systems for imprisoning people. Jails and prisons, even in Hawaii, deepen the trauma which causes people to act out in the first place, and worsen untreated mental health issues. Let's use the money to increase drug and alcohol treatment facility beds and sober housing to get people out of the system more quickly. Let's invest in more humane actions to meet socioeconomic, health, mental health challenges which are the causes and conditions which lead to incarceration. Addressing those will reduce the need for jail beds.

**SB-664-HD-1**

Submitted on: 3/30/2021 9:15:56 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nathan Leo Braulick	Individual	Oppose	No

Comments:

March 30, 2021

**I oppose SB664.** A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that incarcerate people--and justify wasteful spending on new jails--instead of addressing harm and violence in our communities.

I agree with the Hawaii Correctional System Oversight Commission and believe we need community-based solutions and alternatives to incarceration, **We must make a real committment to bail, sentencing, and restorative justice reforms.**

Hawaii should be *building up people* with community-based solutions and alternatives to incarceration. **We need real reform before we need a new jail.**

**Please vote NO on SB664.**

Thank you for the opportunity to testify.

**Nathan Leo Braulick**

2333 Kapiolani Blvd.

Honolulu, HI 96826

**SB-664-HD-1**

Submitted on: 3/30/2021 9:43:16 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
JoAnn Bishop Freed	Individual	Oppose	No

Comments:

Aloha Members of the Senate Finance Committee,

My name is JoAnn Bishop Freed and I am testifying today in strong opposition to SB664. I feel that the amount of money spent on a costly new jail would be much better spent on community solutions and alternatives to incarceration.

I have seen the results of both sides of this issue, and I support the Hawaii Correctional System Oversight Commission in its belief that if we committed to bail, sentencing and restorative justice reforms we would see a significant decrease in the number of our rothers and sisters needing this new jail. I hope you will vote no on SB664 and look instead to providing better community supports.

Thank you.

**SB-664-HD-1**

Submitted on: 3/30/2021 9:47:07 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Thaddeus Pham	Individual	Oppose	No

Comments:

Aloha Finance Committee,

As a public health professional for over ten years and a concerned community member, I write in strong opposition to SB664. I join the Hawaii Correctional System Oversight Commission in believing we need community-based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that lock people and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to build up people not prisons. Please vote NO on SB664. Thank you for the opportunity to testify.

*Thaddeus Pham (he/him)*

**SB-664-HD-1**

Submitted on: 3/30/2021 9:47:50 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nandita Sharma	Individual	Oppose	No

Comments:

I am writing in strong opposition to SB664. We do not need a superjail in Hawaii. What we need are community-based solutions and real alternatives to incarceration. There are many ways to reduce the numbers of people incarcerated by the various levels of government in Hawaii. bail reform, sentencing reform, and restorative justice reforms are just a few. Building this proposed new jail will have negative, long-term consequences for people in Hawaii. Please vote NO on SB664.

**SB-664-HD-1**

Submitted on: 3/30/2021 9:54:14 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kartikasari klaresta	Individual	Oppose	No

Comments:

Aloha , My name is Kartikasari KLaresta and i'm in strong opposition to SB664. I join the Hawaii Correctional System Oversight Commision in believeing we need community based solutions and alternatives to incarcerations. If we ocmmitted to bail, sentenceing and restorative justice forms we'd see a significant decrease in our incarcerated populations eliminating the need for costly new jail. a new jail incentivises policy makers and pricvate prisoncorporations to lobby for tough on crime measures that lock peopleand justify wastefull spending on new jails instead of addressing harm and violance in our communities. our state needs to build up people not prisons. I vote NO on SB 664

**SB-664-HD-1**

Submitted on: 3/30/2021 10:22:54 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Siobhan Coad	Individual	Oppose	No

Comments:

Aloha,

My name is Siobhan Coad and I am in strong opposition to SB664.

As a state, we cannot be committed to increasing our investment in incarceration.

As a social worker, I know it is key to invest in community-based solutions that serve the whole person in the least-restrictive setting possible. The exorbitant amount of money being spent on this new facility should instead be diverted to social service programming that seeks to rehabilitate its members with culturally-grounded and decolonized methods. We can not continue to believe that increased incarceration is the best option for our community. We need to focus on the roots of these issues in our community, and not costly institutions that disproportionately impact BIPOC members of our community, particularly Native Hawaiians.

Please vote NO on SB664.

Thank you for the opportunity to testify.

Siobhan Coad

96816



**SB-664-HD-1**

Submitted on: 3/30/2021 10:40:30 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Glenn Nagao	Individual	Oppose	No

Comments:

I am writing in opposition of SB664.

Instead of increasing resources on our prisons system, we should be instead focusing on transformative justice that better enables incarcerated people to transition and reintegrate into society.

This means investing in our communities by providing job training, health care access, mental health and substance abuse treatment, and community based alternatives to incarceration.

Several countries in Europe have shown that by offering these options and treating incarcerated people humanely lead to lower rates of incarceration, crime and recidivism. The people need options when they exit the prison system, and not ones that will just lead them to be stuck in a vicious cycle of imprisonment.

Please oppose SB664.

Thank you.



WENDY HUDSON • ATTORNEY AT LAW  
44 N. MARKET STREET, WAILUKU, HI 96793  
PH. 808-242-1999 • FAX 808-244-5698  
WENDYHUDSONLAW@GMAIL.COM  
WENDYHUDSONLAW.COM

March 30, 2021

RE: SB 664

Dear House Finance Committee:

Aloha,

I'm a defense attorney on Maui and was a Public Defender for over 18 years. I've seen firsthand how the jails operate, how my clients are treated, and what little opportunities are available to them to actually rehabilitate themselves.

I strongly oppose SB 664 because we should be spending the money on alternative programs and rehabilitation instead of more jail cells. **At over \$40k to house each defendant, you would get way more "bang for you buck" if you invested in the inmates, instead of bigger buildings to house them.**

I was on the Bail Reform Task Force in 2019 and I can assure you that best practices and trends nationwide are to have LESS people locked up and MORE people getting REAL rehabilitation instead of just dead time.

The majority of my clients who end up in prison have drug issues and while there ARE current drug programs in the facilities, we can do MUCH, much better with revised programs that serve more inmates timely.

Please remember that "those people" in jail, are some one's father, husband, son or sister and they will eventually be released back into our community. **We should be helping them instead of just warehousing them.**

I recently had a client get released from prison who was literally picked up and given a ride by his old dealer, minutes after exiting the Maui Community Correctional center. He never even had a chance to get an ID so he could work and there was no housing set up or available to him upon his release. He would not have gone down the wrong path immediately if there had been real rehabilitation and options for him upon his release. **We can do better and building bigger jails and prisons is definitely NOT the answer.**

Very truly yours,

*/s/ Wendy A. Hudson*

Wendy A. Hudson

**SB-664-HD-1**

Submitted on: 3/30/2021 11:00:07 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sue Costa	Individual	Oppose	No

Comments:

I strongly oppose building a prison to incarcerate more people in Hawaii without addressing the underlying societal and economic issues which have generated the overcrowded prisons and jails we have. Our state is in a unique position to reverse the alarming trend of incarceration and instead channel the money into specific programs to treat the mentally ill and young people who have a lifetime ahead of them. Building structures is easy. Building society takes time and politicians who commit to a long range vision of the new Hawaii. And it requires brave people willing to take a risk that some attempts for rehabilitation will fail. But building more of the same is a total waste of money and our human capital. It proves we have abandoned hope for people who have been trapped in the cycle of poverty and crime. Please be courageous enough to halt this status quo approach. Thank you for listening ... S Costa, Hawaii island

**SB-664-HD-1**

Submitted on: 3/30/2021 11:38:55 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jane Au	Individual	Oppose	No

Comments:

Of all the things our community needs right now, a new jail is not one. This is a waste of our time and resoruces, including money and land. I oppose this.

Nearly half of the people in our current jail are there becuase they cannot afford bail. Many are houseless, and most importantly, the State has proven incapable of caring for current inamtes during the pandemic.

If there are resources available, they should go to improving conditions at the current prison. Do not build a new one

**SB-664-HD-1**

Submitted on: 3/30/2021 11:44:11 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kimberly Dark	Individual	Oppose	No

Comments:

*Aloha, my name is Kimberly Dark and I'm in strong opposition to SB664. I join the Hawaii Correctional System Oversight Commission in believing we need community-based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that lock people and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to build up people not prisons. Please vote NO on SB664. Thank you for the opportunity to testify.*

**SB-664-HD-1**

Submitted on: 3/30/2021 12:36:52 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lauren Kawahakui	Individual	Oppose	No

Comments:

I oppose this measure.

Lauren Kawahakui

**SB-664-HD-1**

Submitted on: 3/30/2021 12:46:02 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Meleana Shim	Individual	Oppose	No

Comments:

Chair Luke, Vice Chair Cullen, and Members of the Committee:

I **oppose** S.B. 664 SD1 HD1 because I do not believe we need a new community correctional center on O'ahu. Mahalo for accepting testimony on this bill.

- Meleana Shim

**ROBERT K. MERCE**  
2467 Aha Aina Place  
Honolulu, Hawai'i 96821  
(808) 398-9594

TO: Committee On Finance  
RE: SB 664, S.D. 1, H.D. 1  
HEARING: Wednesday, March 31, 2021  
TIME: 2:30 p.m.  
CONF. Via Videoconference  
POSITION: **Support with Amendments**

Chair Luke, Vice Chair Cullen, and Members of the Committee:

My name is Bob Merce. I was the Vice Chair of the HCR 85 Task Force on Prison Reform, and I am the principal author of "Better Outcomes, Safer Communities," the Task Force's Final Report to the 2019 Legislature.

**I oppose Part II of SB 664, S.D. 1, H.D. 1** which requires the development of a new jail to replace the Oahu Community Correctional Center.

**I support Part III of SB 664, S.D. 1, H.D. 1** which calls for an appropriation for the Hawaii Correctional System Oversight Commission.

Accordingly, I recommend deleting page 1 lines 2-4, and all of Part II.

### **I. Opposition of Part II**

Instead of requiring the State to develop a new jail to replace the Oahu Community Correctional Center (OCCC) the Legislature should follow the recommendation of the HCR 85 Task Force on Prison Reform and **"[s]top any further jail planning [on the new jail] until there is a plan to reduce the jail population through diversion, bail reform, and other means, and ensure that the jail houses only those few individuals who are a danger to society or a flight risk."**<sup>1</sup>

The reason for the foregoing recommendation is that the State has failed to follow best practices in jail planning, it has failed to include the community in the planning process in a meaningful way, it is planning a jail that is "conceptually deficient and operationally obsolete,"<sup>2</sup> and lastly, without significant changes the new jail "will be a relic of the past the moment it is completed, because no matter how modern it looks from the outside, it will be based on outmoded and obsolete ideas and a failed planning process."<sup>3</sup>

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<sup>1</sup> "Creating Better Outcomes, Safer Communities," Final Report of the HCR 85 Task Force on Prison Reform (December, 2018) p. xx.

<sup>2</sup> Better Outcomes p. 79.

<sup>3</sup> Better Outcomes p. 80.



I strongly believe that the Legislature should also follow the recommendation of the Hawaii Correctional Systems Oversight Commission which has essentially endorsed the recommendations of HCR 85 Task Force and urged the State to “pause” the planning on the new jail until the State creates an advisory committee of stakeholders to review and if necessary revise the current jail plans.

## **II. Appropriation for the Hawaii Correctional System Oversight Commission**

As the HCR 85 Task Force noted, jails and prisons are closed institutions, both literally and symbolically, and they operate far away from public view. In such closed environments abuse is more likely to occur and less likely to be discovered. “Staff members and inmates with malicious intent often find they can act with impunity, while those with more benign objectives may find their plans thwarted by a lack of resources or an institutional culture that is unsupportive of their efforts or content with the status quo. Insular environments tend to put prisoners at risk of abuse, neglect, and poor conditions, and the lack of outside scrutiny provides no challenge to this treatment.”<sup>4</sup>

An oversight commission that has no funds and no staff cannot function as an oversight commission. It cannot protect inmates from abuse and neglect or advise departmental officials on best practices.

## **III. Recommended Amendments**

Based on the foregoing I suggest the following amendments to SB 664, S.D. 1, H.D. 1:

1. Delete lines 2-4.
2. Delete Part II in its entirety

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<sup>4</sup> Better Outcomes, p. 34, quoting Michele Deitch, “The Need for Independent Prison Oversight in a Post-PLRA World,” *Federal Sentencing Reporter*, vol. 24, no. 4, (April 2012): 236–244.

**SB-664-HD-1**

Submitted on: 3/30/2021 1:18:46 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Julianna Davis	Individual	Oppose	No

Comments:

Aloha, my name is Julianna Davis and I'm in strong opposition to SB664. I join the Hawaii Correctional System Oversight Commission in believing we need community-based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that lock people and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to build up people not prisons. I strongly urge you to vote NO on SB664. Thank you for the opportunity to testify.

**SB-664-HD-1**

Submitted on: 3/30/2021 1:48:43 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alejandro Balandran	Individual	Oppose	No

Comments:

Chair Luke, Vice Chair Cullen, and Members of the Committee:

I **oppose** S.B. 664 SD 1 HD 1. Which would require the construction of a new jail on Oahu. If we truly want to address public safety, and attack the issues at their source, we need to address the underlying issues rather than focusing on putting folks in jail. Mahalo for the opportunity to testify on this important issue.

- Overcrowding in our jails and prisons is a real problem. But it's a problem that was born of deliberate policy choices that have created a costly and inhuman system of mass incarceration. A bigger jail won't reduce overcrowding as long as these mass incarceration policies define our "justice" system. If the system is designed to lock people up, it will lock people up.
- Constructing and operating a costly new facility will therefore be a waste of taxpayer dollars at a time when we don't have any to spare. The new jail in HÄ• lawa is conservatively estimated to cost \$525 million.
- Instead, we should implement “community justice” solutions that can reduce our incarcerated population without doubling down on a failed policy of mass incarceration. Hawai‘i should: end the use of monetary bail; legalize (and therefore decriminalize) cannabis use; expand community supervision for nonviolent offenders, including parole and probation; divert people to mental health and drug treatment services whenever possible; and end mandatory sentencing laws.

**SB-664-HD-1**

Submitted on: 3/30/2021 1:50:47 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brittany Horn	Individual	Oppose	No

Comments:

I oppose SB664 for the following reasons:

- Overcrowding in our jails and prisons is a real problem. But it's a problem that was born of deliberate policy choices that have created a costly and inhuman system of mass incarceration. A bigger jail won't reduce overcrowding as long as these mass incarceration policies define our "justice" system. If the system is designed to lock people up, it will lock people up.
- Constructing and operating a costly new facility will therefore be a waste of taxpayer dollars at a time when we don't have any to spare. The new jail in HÄ• lawa is conservatively estimated to cost \$525 million.
- Instead, we should implement "community justice" solutions that can reduce our incarcerated population without doubling down on a failed policy of mass incarceration. Hawai'i should: end the use of monetary bail; legalize (and therefore decriminalize) cannabis use; expand community supervision for nonviolent offenders, including parole and probation; divert people to mental health and drug treatment services whenever possible; and end mandatory sentencing laws.

**SB-664-HD-1**

Submitted on: 3/30/2021 1:52:42 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kristen Young	Individual	Oppose	No

Comments:

I strongly oppose SB664 which would authorize the building of a new jail on O’ahu. Overcrowding in our jails and prisons is a real problem born of deliberate policy choices that have created a costly and inhumane system of mass incarceration. A bigger jail won’t reduce overcrowding as long as these mass incarceration policies define our "justice" system. If the system is designed to lock people up, it will lock people up.

Constructing and operating a costly new facility will be a waste of taxpayer dollars at a time when we don’t have money to spare. The new jail in HÄ• lawa is conservatively estimated to cost \$525 million. I am appalled that this is something being considered at a time when families are struggling to simply eat.

Instead of building facilities to lock more people up, we should implement “community justice” solutions that can reduce our incarcerated population without doubling down on a failed policy of mass incarceration. Hawai’i should:

- End the use of monetary bail.
- Legalize (and therefore decriminalize) cannabis use.
- Expand community supervision for nonviolent offenders, including parole and probation.
- Divert people to mental health and drug treatment services whenever possible.
- End mandatory sentencing and “Three Strikes” laws.

The United States now has the highest incarceration rate in the world. Between 1970 and 2010, the number of people incarcerated in the United States grew by 700 percent. We now incarcerate almost a quarter of the prisoners in the entire world, while representing only 5 percent of the world’s population. At no other point in U.S. history—even when slavery was legal—have so many people been deprived of their liberty. If we have any conscience and hope for a society where all its people can thrive, it is imperative that we change our systems that allow this to happen.

Thank you for your consideration and the opportunity to submit testimony in opposition to SB664.

**SB-664-HD-1**

Submitted on: 3/30/2021 1:53:41 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
May Nachum	Individual	Oppose	No

Comments:

We don't need more jails. We need rehab facilities and community centers.

**SB-664-HD-1**

Submitted on: 3/30/2021 2:25:15 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Raelyn Reyno Yeomans	Individual	Oppose	No

Comments:

I am writing in Strong Opposition to this bill as building a huge new jail is not the priority.

The State Legislature's own HCR 85 Task Force wrote " We strongly recommend that Hawai'i join the national trend. We should immediately stop the costly planning for a huge new jail and form a collaborative working group of stakeholders and government officials to plan and design a jail that is smaller, smarter, and less expensive than the one now under consideration."

The HI Correctional Oversight Commission says - "The Commission strongly recommends that DPS immediately pause the planning for the new jail and create an Advisory Committee to review, and if necessary revise, the planning that has been done to date, and to actively participate in the planning process going forward."

This bill contradicts the hard work and experience of the Task Force and Commission. Both of which were tasked by the HI State Legislature with researching and recommending the best next steps for our State and it's residents.

Please do not pass this bill requiring the building of a new jail.

Sincerely-

Raelyn Reyno Yeomans



**LATE**

**SB-664-HD-1**

Submitted on: 3/30/2021 2:38:49 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Natasha White	Individual	Oppose	No

Comments:

Mahalo for the opportunity to testify in opposition to SB664.

The hundreds of millions of dollars that would be required to build a new correctional facility would be much more valuable if invested in the community instead.

We must implement community justice solutions that can reduce our incarcerated population without doubling down on a failed policy of mass incarceration. Hawai'i should: end the use of monetary bail; legalize (and therefore decriminalize) cannabis use; divert people to mental health and drug treatment services whenever possible; and end mandatory sentencing laws.

Adding a new jail will not be a net positive to our community, and we must oppose this measure that will lead to further unjust incarceration.

Mahalo,  
Natasha White

**LATE**

**SB-664-HD-1**

Submitted on: 3/30/2021 2:48:31 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dina Shek	Individual	Oppose	No

Comments:

Dear Committee Members,

I **oppose** SB 664, SD1 that mandates the building of a new jail. During this time of great need and increased awareness of racial reckoning and economic justice, we need solutions to stabilize and uplift people. Expanding sites of incarceration takes funds away from the immediate supports that Hawai'i needs to thrive.

Thank you,

-Dina Shek.

**LATE**

**SB-664-HD-1**

Submitted on: 3/30/2021 3:14:41 PM  
Testimony for FIN on 3/31/2021 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Malina Kaulukukui	Individual	Oppose	No

Comments:

*Aloha, my name is Malina Kaulukukui and I'm in strong **opposition** to SB664. I join the Hawaii Correctional System Oversight Commission in believing we need community-based solutions and alternatives to incarceration. If we committed to bail, sentencing, and restorative justice reforms we'd see a significant decrease in our incarcerated population eliminating the need for a costly new jail. A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that lock people and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to build up people not prisons. Please vote NO on SB664. Thank you for the opportunity to testify.*

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**LATE**

**SB-664-HD-1**

Submitted on: 3/30/2021 3:28:23 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Barbara L. George	Individual	Oppose	No

Comments:

OPPOSE IN THE STRONGEST TERMS!!! NO! NO! NO!!!!!! This path is WRONG, a failure of vision and creativity, A FAILURE OF ALOHA!!!!!!

OPPOSE!!!!!!

**LATE**

**SB-664-HD-1**

Submitted on: 3/30/2021 3:52:20 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
cathy lee	Individual	Oppose	No

Comments:

Why do we insist on envisioning a punitive, carceral state as our only future? If we have the funds to build new jails, we should be thinking about using those funds to take care of the PLETHORA of issues our community faces such as homelessness, lack of job training opportunities, mental health programs and substance abuse treatment services. We should be thinking about exhaustive healthcare systems that are inclusive of everyone who lives on our islands instead of automatically reverting to throwing and keeping people in jails. Further, if these past few years have shown us anything, it is that our systems are designed to disproportionately target and criminalize the poor and the marginalized with any and all efforts at accountability to resist this bias and corruption going unfunded. Fund the Hawai'i Correctional System Oversight Commission instead. We absolutely do NOT need another jail. For a state that claims to be progressive, Hawai'i continues to fall behind in a vision for a more just society.

**SB-664-HD-1**

Submitted on: 3/30/2021 6:53:41 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lucie Schragger	Individual	Oppose	No

Comments:

Aloha Members of the Finance Committee,

I write to you all today in opposition to SB664. Before rushing to build new jails and correctional facilities, Hawai'i needs community-based solutions and better alternatives to incarceration. These facilities do not serve to rehabilitate or benefit communities. Act 179 which was passed in 2019, required that the State's corrections system move to a rehabilitative model. The State should fund the Hawai'i Correctional System Oversight Commission, not funnel half a billion dollars into a new jail. This commission has yet to be funded properly. Funding a system that serves to rehabilitate would mean; job training programs and a living wage, expanding access to health care and medical services to those who are in need, increasing funding for residential treatment programs, outpatient mental health, and substance abuse treatment programs, as well as community-based solutions and/or alternatives to mass incarceration and detention. Rather than solving the problem of overcrowded prisons by simply building another jail, the State should invest in alternatives that benefit the communities that need them most.

I urge you to oppose this bill and create a new future for Hawai'i.

Mahalo for your time and consideration,

Lucie Schragger

**SB-664-HD-1**

Submitted on: 3/30/2021 7:42:01 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ashley Galacgac	Individual	Oppose	No

Comments:

Chair Luke, Vice Chair Cullen, and members of the Committee on Finance,

I strongly oppose SB 664 because we need community-based solutions and alternatives to incarceration and detention. I urge you to fund the Hawai'i Correctional System Oversight Commission, not a new jail.

Building a new jail is not an investment in building a safer and healthier community. Prioritizing rehabilitation programs prioritizes healing and supporting the transition of life after incarceration. Increased funding for residential treatment programs and outpatient mental health and substance abuse treatment services will bring positive outcomes for not only incarcerated people but also their loved ones and community. Effective community-based solutions also include job training programs and living wage jobs for all workers and health care access and support connecting to medical care.

Thank you for your time and leadership in reinvesting in our community's healing.

**SB-664-HD-1**

Submitted on: 3/30/2021 8:44:03 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lianne Pang	Individual	Oppose	No

Comments:

Aloha, my name is Lianne Pang and I'm in strong opposition to SB664. I join the Hawaii Correctional System Oversight Commission in believing we need community-based solutions and alternatives to incarceration. If we committed to reforms to bail and sentencing, and focused on restorative justice, I believe we'd see a significant decrease in our incarcerated population, which would eliminate the need for a costly new jail. A new jail incentivises policy makers and private prison corporations to lobby for tough on crime measures that lock people up and justify wasteful spending on new jails instead of addressing harm and violence in our communities. Our state needs to invest in people, not prisons. Please vote NO on SB664. Thank you for the opportunity to testify.



March 30, 2021

**TO: House Committee on Corrections, Military, & Veterans**

**RE: Testimony in Opposition of SB664**

Dears Chair Ohno, Vice-Chair Ganaden, and members of the Committee,

My name is Raymond Chan, and I am opposed to SB664 which would require the Department of Public Safety to construct a new jail in Halawa, conservatively estimated to cost \$525 million during the pandemic and economic crisis.

We are at the perfect moment to think or make a change about how we address and reduce crime and resolve the overcrowding of jails and prisons in Hawaii. A larger jail would not reduce overcrowding if the mass incarceration policies defined in our criminal justice system drifted away from health, rehabilitation, and restorative justice.

Numerous studies show higher incarceration rates are not associated with lower violent crime rates, because expanding incarceration primarily means that more people convicted of the non-violent or marginal offense and infrequent offense are imprisoned. We rather invest and develop programs to help those ends by diverting non-violent offenders into social services or probation instead of incarceration. Also, we can divert people to mental health and drug treatment services whenever possible. Therefore constructing and operating a costly new facility will therefore be a waste of taxpayer dollars when we don't have any to spare with.

Instead of spending over \$50,000 per year per inmate locked up in Hawaii or Arizona. I believe we rather figure out more funding for community justice and harm reduction programs

We should generate more community justice policies:

1. Use incarceration sparingly
2. Expand alternatives to incarceration and invest in community-based treatment and services
3. Coordinate social service delivery and reentry planning
4. Engage community and family members in solutions

Community justice policies will be far more effective at reducing our incarcerated population and saving taxpayer money. Also, it keeps communities safer and achieving justice through resilience. This restorative (rather than punitive) solutions seek to heal and restore in-troubled people, returning them to society in a condition in which they can contribute and live purposely lives.

Building a new larger jail represents a double failure on a failed policy. Continuing to mass incarcerate is not the way out of this mess.

Mahalo,

Raymond Chan

A Resident of Hawaii

**SB-664-HD-1**

Submitted on: 3/30/2021 10:39:37 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Emma Ishihara	Individual	Oppose	No

Comments:

Dear Chair, Vice-chair, and esteemed members of the committee,

My name is Emma and I would like to submit my testimony in opposition to this bill. Rather than creating new facilities and increasing the capacity to jail people, it would be more beneficial and cost-effective to put effort into behavioral, educational, and substance use programs that would prevent the need for individuals to be institutionalized.

Thank you very much for this opportunity to submit testimony in opposition to this bill,

Emma Ishihara.

COMMITTEE ON FINANCE  
Rep. Sylvia Luke, Chair  
Rep. Ty J.K. Cullen, Vice Chair  
Wednesday, March 31, 2021  
2:30 p.m.

**RE: OPPOSE SB 664 SD1 HD1 RELATING TO PUBLIC SAFETY**

Dear Chair Luke, Vice Chair Cullen, and Committee Members:

My name is Carrie Ann Shirota, and I am writing in opposition to SB 664 SD1 HD1 that mandates that the Department of Public Safety develop the new OCCC jail. However, I support Part III of the bill that provides full funding for the Hawaii Correctional Oversight Commission.

As background, I am a civil rights attorney and have previously served as the Director for Maui Economic Opportunity's Reintegration Program, a Public Defender and as a Counselor for a Native Hawaiian Program at UH Maui College.

Building new jails and prisons are not a solutions to overcrowding because it does NOT address the drivers of mass incarceration. Reimagining public safety requires us to divert and significantly reduce the number of youth and adults in our criminal legal system. It also means shifting the state's budget priorities away from mass criminalization and incarceration towards health and human services, housing, education, rehabilitation and restorative justice to ensure that individuals and families needs are met in our community.

**Rather than spending millions more on planning and design consultants and contractors who profit from building a new jail, Hawaii should hire Consultants with a proven track record of helping states to decrease their incarcerated population through evidence based policies and practices.**

We have already wasted \$10 MILLION on consultants working on the proposed new OCCC, and should not spend an estimated \$500-600 MILLION to build a new jail where clear alternatives to exist, and would cost tax payers less money! (Not to mention the added fiscal costs of operating a jail annually).

We can look to other jurisdictions that have successfully and significantly reduced their incarcerated population by implementing evidence based strategies at different entry and exit points within the criminal legal system.

**Other Jurisdictions Have Safely Reduced their Incarcerated Population While Reducing Crime Rates: From New York to Rhode Island**

**New Jersey Outcomes**

- Between 1999-2012, NJ state prison population reduced by 26%, while the nationwide state prison population increased by 10%
- The population went from 31,493 persons to 23,225 persons (decrease of 8,268)
- NJ's violent crime rate fell by 30%, while the national rate decreased by 26%
- NJ's property crime rates also decreased by 31% compared to the national decline of

24%

### New York Outcomes

- Between 1999-2012, New York reduced its prison population by 26%, while the nationwide state population increased by 10%.
- Incarcerated population went from 72,896 persons to 54,268 persons (decrease of 18,268)
- NY's violent crime rate fell by 31%, compared to the national rate which decreased by 26%.
- NY's property crime rate fell by 29% compared to the national decline of 24%.

### California Outcomes

- Between 2006 and 2012, California downsized its prison population by 23%, compared to the nationwide state prison population decrease of 1% from 173,942 to 134,211 (decrease of 39,731)
- CA's violent crime rate drop of 21% exceeded the national decline of 19%.
- California's property crime rate dropped by 13%, but that rate was slightly lower than the national reduction of 15%.

More recently, Rhode Island, Connecticut, Michigan, Michigan and South Carolina achieved prison population reductions of 14-23%. This produced a cumulative toll of 23, 646 fewer people in prison with no adverse effects on public safety. See, <https://www.sentencing-project.org/publications/decarceration-strategies-5-states-achieved-substantial-prison-population-reductions/>

### Rhode Island Outcomes

Since Rhode Island's incarcerated population is most similar to Hawai'i in size, their data demonstrates the reductions we can achieve through targeted strategies.

Peak Year 2008	Population	Decrease	% Change
	4, 045	3,103 (-942)	23%

The Sentencing Project concluded that all five states achieved significant reductions through the following strategies:

1. Measures to Get Justice Reforms Underway and Maintain Momentum
2. Decreased Prison Admissions via Fewer New Prison Commitments
3. Decreased Prison Admissions via Reduced Incarceration for Failure on Community Supervision
4. Increased Prison Releases via Increasing the Feasibility and/or Efficiency Of Release
5. Increased Prison Releases via Requiring Less Time Served Before Eligibility for Release

### **PSD's Proposed Rationale to Build a New Jail is Not Supported by Evidence Based Research**

The Department of Public Safety is pushing a proposal to create a new jail for 1000+ beds based on an outdated projected inmate analysis. The consultants hired to conduct this study were relying upon rising incarceration rates and trends, both of which are no longer valid. Amidst COVID-19, the jail population rates statewide have decreased - through a combination of court orders and collaboration between the Judiciary, Police, Attorney Generals, prosecutors

and Public Defenders. This demonstrates the efficacy of targeted strategies to safely reduce the incarcerated population.

The consultants involved with pushing for a new jail did not consider meaningful alternatives in their EIS study. A review of the lengthy EIS study reveals that less than 2 paragraphs were dedicated to alternatives to building a new jail - even though the data from other jurisdictions confirm the cost-effectiveness of implementing criminal justice reforms to reduce the incarcerated populations while simultaneously reducing crime rates.

Please hold SB 664 or pass this measure by striking PART II, and keeping ONLY PART III to fully fund the Hawaii Correctional System Oversight Commission.

Sincerely,

Carrie Ann Shirota, JD  
Honolulu, Hawaii  
(808) 269-3858  
cashirota808@gmail.com

<https://www.sentencingproject.org/publications/decarceration-strategies-5-states-achieved-substantial-prison-population-reductions/>

## I. Executive Summary

From 1980 until its peak in 2009, the total federal and state prison population of the United States climbed from about 330,000 to more than 1.6 million – a nearly 400% increase – while the total general population of the country grew by only 36%, and the crime rate fell by 42%.<sup>1)</sup> The catalyst of this prison expansion was policy changes that prioritized “getting tough” on crime.

The national prison population began a gradual descent after 2009, lessening by nearly 113,000 (6%) from 2009 through 2016. Several factors contributed to this decline: ongoing decreases in crime rates leading to fewer felony convictions; scaling back “war on drugs” policies; increased interest in evidence-based approaches to sentencing and reentry; and growing concerns about the fiscal cost of corrections and its impact on other state priorities. The state of California alone was responsible for 36% of the overall population decline, a function of a 2011 U.S. Supreme

Court ruling declaring its overcrowded prison system to be unconstitutional and subsequent legislative responses to reduce the use of state incarceration.

Despite the decline, the overall pace of change is quite modest. A recent analysis documents that at the rate of change from 2009 to 2016 it will take 75 years to reduce the prison population by half. And while 42 states have experienced declines from their peak prison populations, 20 of these declines are less than 5%, while 8 states are still experiencing rising populations.<sup>2)</sup>

To aid policymakers and criminal justice officials in achieving substantial prison population reductions, **this report examines the experience of five states – Connecticut, Michigan, Mississippi, Rhode Island, and South Carolina – that have achieved prison population reductions of 14-25%. This produced a cumulative total of 23,646 fewer people in prison with no adverse effects on public safety. (While a handful of other states have also experienced significant population reductions – including California, New York, and New Jersey – these have been examined in other publications, and so are not addressed here.**<sup>3)</sup>

The five states highlighted in this report are geographically and politically diverse and have all enacted a range of shifts in policy and practice to produce these outcomes. All five were engaged in the Justice Reinvestment Initiative process, spearheaded by the Pew Charitable Trusts and the Council on State Governments, which was designed to work with stakeholders to respond to the driving forces of prison expansion in each state and to develop strategies for change in policy and practice.

This report seeks to inform stakeholders in other states of the range of policy options available to them for significantly reducing

their prison population. While we provide some assessment of the political environment which contributed to these changes, we do not go into great detail in this area since stakeholders will need to make their own determinations of strategy based on the particularities of their state. We note, though, that the leaders of reform varied among states, and emerged among governors, legislators, criminal justice officials, and advocacy organizations, often benefiting from media coverage and editorial support.

The prison population reductions in these five states were achieved through data-driven policy reforms that pursued bipartisan consensus. Changes were advanced in the areas of risk and needs assessment, community supervision, alternatives to incarceration, sentencing and sanctions, prison release mechanisms, prisoner reentry and community reintegration.

Five key strategies and practices that were employed in these states are summarized below, followed by extensive reviews for each of the five states.

## Five Key Strategies and Practices that Reduced Prison Populations

### 1. Measures to Get Justice Reforms Underway and Maintain Momentum

- High-profile leadership, bipartisanship and inter-branch collaboration (all 5 states).
- Leveraging outside technical assistance and research findings on evidence-based practices (all 5 states).
- Community engagement as a foundation of successful reentry and community reintegration (CT, MI, RI).
- Pilots or staged implementation as innovation incubators (CT, MI).

## 2. Decreased Prison Admissions via Fewer New Prison Commitments

- Crime reduction helped in all 5 states – but reduced crime is no guarantee of less imprisonment.
- Reductions in criminal penalties or adjusting penalties according to seriousness (all 5 states).
- Elimination of various mandatory minimum sentences, sometimes retroactively (CT, MI, RI, SC).
- Creation or expansion of specialty courts and/or other alternatives to incarceration (CT, MI, MS, SC).
- Modifications of responses to at-risk youth to disrupt school-to-prison pipeline (CT, SC).

## 3. Decreased Prison Admissions via Reduced Incarceration for Failure on Community Supervision

- Implementation of graduated intermediate sanctions for non-criminal violations (CT, MI, MS, SC).
- Engagement with community service providers and employers before release from prison (CT, MI, RI).
- State and local collaboration regarding case management and supervision (CT, MI, RI).
- Greater focus on intermediate outcomes (CT, MI, RI).
- Imposition of shorter terms of community supervision (MS, RI, SC).

## 4. Increased Prison Releases via Increasing the Feasibility and/or Efficiency Of Release

- Incorporation of dynamic risk and needs assessment into justice processes (all 5 states).
- Inclusion of releasing authorities in planning/implementation (CT, MI, RI, SC).
- Expanded initiatives to overcome barriers to the feasibility of release (CT, MI, RI, SC).



- Conditional release approval earlier in the process before eligibility for release (CT, MI, RI).
- Feedback to releasing authorities regarding outcomes to build trust in reentry (CT, MI, RI).
- Centralized reentry planning, trained specialists, and a goal of release at first opportunity (CT, MI, MS).
- Simplified and/or expedited release processing especially when backlogs in processing (CT, MI, RI).

#### 5. Increased Prison Releases via Requiring Less Time Served Before Eligibility for Release

- Allowance or expansion of sentence credits through a variety of measures (CT, MS, RI, SC).
- Reduction of criminal penalties even though still prison-bound (CT, MI, SC).
- Modifications to sentence enhancements for aggravating factors (MS, SC).
- Reductions in time served prior to eligibility for repeat paroles after revocation (MI, MS).

### Lessons Learned

Even with the population reductions achieved in these states, they continue to have prison populations that average more than three times those of 1980. Most of these jurisdictions expect to make additional gains based on current trends and justice reforms, but much of the changes enacted to date are experiencing diminishing returns and the next layer of effort will be even more challenging.

To advance decarceration further these and other jurisdictions will need to heed six lessons that we've learned from the states that have been successful in achieving effective and sustainable prison population reduction reforms:

- Adequate funding is critical to achieving reforms: Acquiring supplemental funding for implementation was a commonly

reported obstacle to compliance with statutory requirements enacted in the state reforms. Mandates without sufficient dollars for implementation inevitably meant that some reforms were delayed, failed to achieve the full benefits, or were never implemented.

- Projected cost savings are difficult to achieve and actual savings are often overstated: Projections of the anticipated impact of reforms were occasionally off-the-mark. This was especially true of forecasts regarding expected cost savings, in part because of either faulty assumptions or overly optimistic projections of the benefits, but also because of offsetting cost increases in other areas that were either missed or unanticipated when calculating presumed impact – such as escalating prison health care costs.
- It is critical to target specific goals such as reduction of racial disparity: Explicit attention and goal setting must be focused on problems meant to be impacted by justice reform, as evidenced by only modest progress in these states on alleviating racial disparity (and primarily as a by-product of the reforms rather than because of directly addressing the problem). A couple of the states are now targeting the lessening of racial disparity as a new goal.
- The promise of Justice Reinvestment needs to be re-examined and augmented with other achievable and significant goals: The original concept of Justice Reinvestment referred to the goal of routing back into distressed communities the savings generated by closing prisons to address the precursors to crime and help neighborhoods recover from overuse of incarceration by financing housing, health care, education, and jobs. While most of these states have been successful in transferring resources within the justice system from prisons to community supervision, the goal of achieving broader redistribution of resources remains.

- Broad reforms require additional focus on issues beyond prison population reduction: Overcoming barriers to enable sustained or deeper prison population reductions include the need for:

-Post-incarceration employment solutions – still a struggling metric critical to reentry success.

-Release and reentry solutions for more serious or higher risk cases – typically excluded from reforms.

-Adequate community funding solutions – a poor stepchild compared to state-level reforms.

-Rigorous monitoring and evaluation of justice reform implementation to propel change.

**SB-664-HD-1**

Submitted on: 3/30/2021 11:35:07 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kelsea Armstrong	Individual	Oppose	No

Comments:

Thank you for the opportunity to present testimony on SB664 SD1- Relating to the Department of Public Safety and the Hawai'i correctional system.

My name is Kelsea Armstrong. I am a graduate student from the Political Science Department at the University of Hawai'i at Mānoa, and I oppose this measure and provide the following comments to highlight the significant impact this bill will have on our community on O'ahu and across Hawai'i. I stand against this bill which authorizes the Department of Public Safety to develop a new correctional facility on O'ahu.

There are a number of already existing social problems from our carceral system that have been severely heightened by the COVID-19 pandemic. According to ACLU Hawai'i, over 50% of those accused do not post bail. Money is required to bail out about 93% of the time on O'ahu and 88% statewide.

The state refused to respond to the COVID-19 pandemic, completely abandoning the safety for inmates during the health crisis. In the May 2020 issue of the Hawai'i Journal of Health & Social Welfare, Dr. Keawe'aimoku Kaholokula explains that one of the many systemic reasons why Native Hawaiian and Pacific Islander communities have been disproportionately impacted by COVID-19 is because of overrepresentation in both houseless and incarcerated populations.

Further, the state thought to exclude COVID-19 case numbers from our already existing prisons out of the state's official COVID-19 case count. Because the state spent less than 50% of the CARES Act coronavirus relief fund, we know that this neglect is inspired

Reinvesting in our community and our safety does not look like building another prison. It looks like community-based solutions and alternatives to incarceration. This includes job training programs and living wages for all workers, increased funding for residential treatment programs, outpatient mental health and substance abuse treatment services, and health care access and support connecting to medical care.

Because Act 179 required that the State's corrections system move to a new rehabilitative model, the commission is tasked with making sure that this happens with

proper funding. This is where our focus and resources need to be gathered, not creating a bigger version of the problem.

Mahalo for your dedication to anti-racism and civil rights in Hawai'i and the opportunity to testify on SB 664.

Kelsea Armstrong

**SB-664-HD-1**

Submitted on: 3/31/2021 7:30:51 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joseph Brown III	Individual	Oppose	No

Comments:

Aloha Chair, Vice Chair, and members of the Committee,

I write in **STRONG OPPOSITION** and respectfully urge you to defer this measure. Throwing money at a new jail will do nothing to solve the systemic issues plaguing our criminal legal system and will not serve the goal of public safety in any way.

Mahalo,

Joey Brown,

Kailua, 96734

**SB-664-HD-1**

Submitted on: 3/31/2021 8:21:35 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Paige Kaʻoahu Kawakami	Individual	Oppose	No

Comments:

I'm writing to express my strong **OPOSITION to SB 664**, Relating to "Public Safety."

I put "Public Safety" in quotation marks because more/larger jails and more/armed police categorically **DO NOT reduce crime or keep communities safer**. The state needs to stop its reliance on policing and jailing to address social and economic issues.

Nearly **HALF of Hawaii's jailed population is Native Hawaiian** and Pacific Islander. Similarly, about HALF the people jailed in Hawai'i today are there simply because they **cannot afford bail** (I checked). If you're so keen on resolving the "overcrowding in prisons" problem, maybe try ceasing cash bail or decriminalizing mental illness and houselessness.

The reason many people are in incarceration is because they lack housing, healthcare, and mental health services. **These are problems the state could probably resolve with their \$\$\$billion jail budget.**

We need increased funding for residential treatment programs & outpatient mental health and substance abuse treatment services. Prioritizing mental health and treatment should be a top priority for any county that values community stability, health, and wellbeing. Funding treatment programs not only prevents people from being arrested to begin with, but also helps those coming home transition more successfully back into the community.

**SB664 accomplishes none of this.** It worsens the problem of mass incarceration and criminalization of Native Hawaiians, Pacific Islanders, and working families. **SB664 continues the State's history of White, colonial violence inflicted upon Hawaiian and Pacific Islanders.** Please join me in opposing the bill and vote 'no' on Wednesday, March 31st in the House Finance hearing a 2:30pm.

**SB-664-HD-1**

Submitted on: 3/31/2021 9:11:36 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John Castillo	Individual	Oppose	No

Comments:

Thank you for the opportunity to present testimony on SB664 SD1- Relating to the Department of Public Safety and the Hawai'i correctional system.

I oppose this measure and provide the following comments to highlight the significant impact this bill will have on our community on O'ahu and across Hawai'i. I stand against this bill which authorizes the Department of Public Safety to develop a new correctional facility on O'ahu.

There are a number of already existing social problems from our carceral system that have been severely heightened by the COVID-19 pandemic. According to ACLU Hawai'i, over 50% of those accused do not post bail. Money is required to bail out about 93% of the time on O'ahu and 88% statewide.

The state refused to respond to the COVID-19 pandemic, completely abandoning the safety for inmates during the health crisis. In the May 2020 issue of the Hawai'i Journal of Health & Social Welfare, Dr. Keawe'aimoku Kaholokula explains that one of the many systemic reasons why Native Hawaiian and Pacific Islander communities have been disproportionately impacted by COVID-19 is because of overrepresentation in both houseless and incarcerated populations.

Further, the state thought to exclude COVID-19 case numbers from our already existing prisons out of the state's official COVID-19 case count. Because the state spent less than 50% of the CARES Act coronavirus relief fund, we know that this neglect is inspired

Reinvesting in our community and our safety does not look like building another prison. It looks like community-based solutions and alternatives to incarceration. This includes



job training programs and living wages for all workers, increased funding for residential treatment programs, outpatient mental health and substance abuse treatment services, and health care access and support connecting to medical care.

Because Act 179 required that the State's corrections system move to a new rehabilitative model, the commission is tasked with making sure that this happens with proper funding. This is where our focus and resources need to be gathered, not creating a bigger version of the problem.

Mahalo for your dedication to anti-racism and civil rights in Hawai'i and the opportunity to testify on SB 664.

John Castillo

**SB-664-HD-1**

Submitted on: 3/31/2021 9:59:32 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Zack Stoddard	Individual	Oppose	No

Comments:

Let's save money and implement justice system reforms instead! The Honolulu Police are on board with the policy of diverting people to mental health and drug treatment services. Let's make it happen!

**SB-664-HD-1**

Submitted on: 3/31/2021 11:28:45 AM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brandon Reis	Individual	Oppose	No

Comments:

Aloha,

My name is Brandon Reis and I am a resident of Hawai'i and I would like to formally oppose SB664, which would allow for a new correctional facility on O'ahu to be built. The last thing these islands need is another facility like this one. Instead, we should be focusing our resources, financial and otherwise, into creating institutions and programs that aim to help members of the community, not place them in cages for arbitrary offenses.

Mahalo for your time

With Aloha,

Brandon Reis

**SB-664-HD-1**

Submitted on: 3/31/2021 12:01:20 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
nadia perez	Individual	Oppose	No

Comments:

Thank you for the opportunity to present testimony on SB664 SD1- Relating to the Department of Public Safety and the Hawai'i correctional system.

I, Nadia firmly oppose[s] this measure and provide the following comments to highlight the significant impact this bill will have on our community on O'ahu and across Hawai'i. I stand against this bill which authorizes the Department of Public Safety to develop a new correctional facility on O'ahu.

This is not a progressive way forward for anyone for a propseruous future for our citizens when money should be spent in education- not a school to prison pipeline for capital gain

There are a number of already existing social problems from our carceral system that have been severely heightened by the COVID-19 pandemic. According to ACLU Hawai'i, over 50% of those accused do not post bail. Money is required to bail out about 93% of the time on O'ahu and 88% statewide.

The state refused to respond to the COVID-19 pandemic, completely abandoning the safety for inmates during the health crisis. In the May 2020 issue of the Hawai'i Journal of Health & Social Welfare, Dr. Keawe'aimoku Kaholokula explains that one of the many systemic reasons why Native Hawaiian and Pacific Islander communities have been disproportionately impacted by COVID-19 is because of overrepresentation in both houseless and incarcerated populations.

Further, the state thought to exclude COVID-19 case numbers from our already existing prisons out of the state's official COVID-19 case count. Because the state spent less than 50% of the CARES Act coronavirus relief fund, we know that this neglect is inspired

Reinvesting in our community and our safety does not look like building another prison. It looks like community-based solutions and alternatives to incarceration. This includes job training programs and living wages for all workers, increased funding for residential treatment programs, outpatient mental health and substance abuse treatment services, and health care access and support connecting to medical care.

Because Act 179 required that the State's corrections system move to a new rehabilitative model, the commission is tasked with making sure that this happens with proper funding. This is where our focus and resources need to be gathered, not creating a bigger version of the problem.

Mahalo for your dedication to anti-racism and civil rights in Hawai'i and the opportunity to testify on SB 664.

Nadia Perez C.M.T.

**SB-664-HD-1**

Submitted on: 3/31/2021 12:17:54 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jennifer Ruiz	Individual	Oppose	No

Comments:

Dear Chair Rhoads, Vice Chair Keohokalole,

and members of the Committee,

I am writing in strong opposition to SB 664. Please vote NO. Funding of over 500 million dollars does no need to go towards a new facility being built to incarcerate those in Hawai'i intercepted into the legal system. It won't end at the millions being spent. The costs associated with paying for an inmate is roughly \$30,000 or more a year for each individual that is housed and that's based off of the 2017 data from the federal register. However, this is not just about additional tax payers money that will contribute in overly excessive expenditure amounts to the prison industrial complex. This is also about the spending not being necessary during the pandemic. As well as, in general being aside from the global health crisis.

This money can go to more resources that will prevent incarceration because many that get stopped from law enforcement are non-violent offenders. Volunteering with the ACLU and observing pre-trial hearings in 2019 prior to Covid-19 affecting everything. I have witnessed people stand before the Judge for trespassing, driving with no insurance, petty theft (one man stole foot cream for an infection he had), and several substance abuse problems. Within these month of observation, there was only two serious offenders and the majority of everyone else were petty crime and non-violent acts. Many of these people could not afford cash-bail and had to request for a day in jail instead to satisfy the payment.

New detetention facility will not help fix this problem.

Housing, employment opportunities, mental health clinics, healthcare even in low-income clinic form, rehabilitation, and education is what's needed.

And the money allocated for this new jail to be established can go to these types of programs instead of creating this hamster wheel for the marginalized people in Hawai'i that turn to breaking the laws because they lack resources and being recycled in and

out of the system. This doesn't just hurt them, it hurts their families, and it hurts our communities. We pay for strangers we don't know to be locked away, then we can pay to help prevent this too. Most importantly, it's the right thing to do. That is our state motto--The life of the land is perpetuated in righteousness.

Please take this into consideration. And vote NO for SB 664.

Mahalo.

**SB-664-HD-1**

Submitted on: 3/31/2021 2:03:28 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Miller Royer	Individual	Oppose	No

Comments:

Aloha Representatives,

Please vote no on SB664. We do not need a new jail at this time of economic hardship. Before we rush to build a new jail, we should consider funding community programs and alternatives such as job training, health care access, add funding to treatment and rehabilitation programs and mental and substance abuse treatment programs, and redistributing funds towards social services solutions.

Act 179 requites that the State moves towards a rehabilitative model, and the comission to facilitate this has not yet been funded. Please see that this is addressed before resorting to a project which, in the end, will not resolve prison overcrowding.

**LATE**