

LATE

HB-1110

Submitted on: 2/4/2021 1:07:53 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Patterson	Hawaii Correctional System Oversight Commission	Support	No

Comments:

We believe the investment into the Commission will provide the Legislature with significant and

actionable direction to alleviate overcrowding through bail reform and effective release programs. Without professional staff, the commission's mandate cannot be fully implemented. We urge this committee to approve this measure and move it forward.

LATE



House Committee on Corrections, Military, & Veterans

Pō‘alima, Pepeluali 5, 2021

Via Wikiō

Ke Kapikala Moku‘āina

415 South Beretānia Street

Re: HB1110 - Relating to the Hawaii Correctional System Oversight Commission

Aloha Luna Ho‘omalu Takashi Ohno, Hope Luna Ho‘omalu Sonny Ganaden and members of the House Committee on Corrections, Military, & Veterans:

The Association of Hawaiian Civic Clubs **SUPPORTS** HB1110. This bill for an act would appropriate funds for an oversight coordinator position and necessary staff support positions for the Hawaii correctional system oversight commission to hire a coordinator and staff to perform and execute the functions of the commission.

At its 61st annual convention, the Association adopted resolution 2020-35, urging the governor and the Hawai‘i State Legislature to fund the Hawai‘i Correctional Systems Oversight Commission to hire a coordinator.

Thus, the Association respectfully urges the committees to **PASS** HB1110.

The civic club movement was founded in 1918 by Congressional Delegate Prince Jonah Kūhiō Kalaniana‘ole with the creation of the Hawaiian Civic Club; the Association was formally organized in 1959 and has grown to a confederation of over sixty (60) Hawaiian Civic Clubs located throughout the State of Hawai‘i and the United States. The Association is the oldest Hawaiian community-based grassroots organization. The Association is governed by a 16-member Board of Directors; advocates for improved welfare of Native Hawaiians in culture,

health, economic development, education, social welfare, and nationhood; and perpetuates and preserves language, history, music, dance and other Native Hawaiian cultural traditions.

Mahalo for allowing us to share our *mana* 'o.

Me ka 'oia 'i 'o,

A handwritten signature in black ink, appearing to read 'Hailama Farden', written in a cursive style.

Hailama Farden

Pelekikena

ASSOCIATION OF HAWAIIAN CIVIC CLUBS

A RESOLUTION

NO. 2020 - 35

URGING THE GOVERNOR AND THE HAWAI'I STATE LEGISLATURE TO FUND THE HAWAI'I CORRECTIONAL SYSTEMS OVERSIGHT COMMISSION TO HIRE A COORDINATOR AND STAFF TO PERFORM AND EXECUTE THE FUNCTIONS OF THE COMMISSION

WHEREAS, Hawai'i's criminal system is failing, as in just four decades, Hawai'i's combined jail and prison population increased 670% and its incarceration rate grew 400%, resulting in overcrowding, as the collective capacity of Hawai'i's facilities are 2491, while Hawai'i has 3527 inmates in state; and

WHEREAS, in the mid-1990s, Hawai'i sent inmates out of state to private correctional facilities as a solution to the state's overcrowded and dilapidated facilities; and

WHEREAS, as of the end of August 2020, Hawai'i had an additional 1,083 or 30% of its prison population at the Saguaro Correctional Center in Eloy, Arizona; and

WHEREAS, Hawai'i is only one of just a handful of states that send more than 20% of the prison population out of state; and

WHEREAS, even with all the outsourcing, Hawai'i's prisons and jails are severely overcrowded; and

WHEREAS, Hawai'i's correctional system disproportionately incarcerates Native Hawaiians who make up 37% of the prison population while only 21% of the general population; and

WHEREAS, an Office of Hawaiian Affairs study in 2010 found that Native Hawaiians were overrepresented at every stage of the criminal justice system; and

WHEREAS, the State of Hawai'i has not taken effective steps to address this overrepresentation, despite numerous studies and recommendations; and

WHEREAS, Hawai'i spends hundreds of millions of dollars on corrections each year while recidivism rates are poor, for parolees 53.3% and those that max out, the rate is 66%; and

WHEREAS, one widely known reason for the recidivism rates is the lack of relevant programming available to inmates as part of a transition or re-entry into community; and

WHEREAS, for decades social justice advocates in Hawai'i promoted and encouraged Hawai'i to make a paradigm shift in philosophy and approach from its archaic punitive framework of corrections to a rehabilitative or restorative one, much like other states in the union; and

WHEREAS, in 2016, the Hawai'i State Legislature adopted House Concurrent Resolution 85 (HCR 85) and requested the formation of a task force to make recommendations to the legislature on ways to improve Hawai'i's correctional system, known as HCR 85 Task Force; and

WHEREAS, in December 2018, the HCR 85 Task Force completed its study and the report entitled "Creating Better Outcomes, Safer Communities: Final Report of the House Concurrent Resolution 85 Task Force on Prison Reform" was presented to the Hawai'i State Legislature 2019 Regular Session; and

WHEREAS, one recommendation from the report got momentum, and House Bill 1552, was introduced to establish the Hawai'i Correctional System Oversight Commission, create a position for an Oversight Coordinator, extend the sunset date of the Reentry Commission to January 1, 2020, repeal the Reentry Commission and Corrections Population Management Commission on January 1, 2020, and transfer all rights, powers, functions and duties of those commissions to the Hawai'i Correctional System Oversight Commission; and

WHEREAS, this bill was accepted and passed, and on July 2, 2019 Governor Ige signed this bill into law and became Act 179, Session Laws of Hawai'i 2019; and

WHEREAS, the Hawai'i Correctional System Oversight Commission was established with five members appointed; and

WHEREAS, one of the commission's first items of business was to hire a coordinator as prescribed by Act 179, but the commission is about a year behind schedule and has not received funding to hire this essential position; and

WHEREAS, that the funding of this commission will be the beginning of the transformation that the State of Hawai'i's criminal justice system is in dire need of, similar to that of other states; and

WHEREAS, that the funding of this commission will allow for the prison population management methods recommended by the HCR 85 Task Force; and

WHEREAS, without holding the State accountable to its own laws, Hawai'i's criminal justice system will remain in disarray while people and families are affected.

NOW, THEREFORE, BE IT RESOLVED, by the Association of Hawaiian Civic Clubs at its 61st Annual Convention in held online, in the malama of Makali'i and the rising of 'Olekūkolu, this 22nd day of November 2020, urging the Governor and the Hawai'i State Legislature to fund the Hawai'i Correctional Systems Oversight Commission to hire a coordinator and staff to perform and execute the functions of the commission; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to Hawai'i Correctional System Oversight Commission, as well as the Governor of the State of Hawai'i, President of the State Senate, Speaker of the State House of Representatives, Chair of the State Senate subject matter committee on Hawaiian Affairs, Chair of the State House subject matter committee on Hawaiian Affairs, Chair of the Board of Trustees of the Office of Hawaiian Affairs, and all County Mayors.



The undersigned hereby certifies that the foregoing Resolution was duly adopted in the malama of Makali'i and the rising of 'Olekūkolu on the 22nd day of November 2020, at the 61st Annual Convention of the Association of Hawaiian Civic Clubs held online.

Handwritten signature of Hailama V.K.K. Farden in black ink, written in a cursive style. The signature is positioned above a horizontal line.

Hailama V.K.K. Farden, President

COMMUNITY ALLIANCE ON PRISONS

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

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



COMMITTEE ON CORRECTIONS, MILITARY AND VETERANS

Rep. Takashi Ohno, Chair

Rep. Sonny Ganaden, Vice Chair

Friday, February 5, 2021

10:00 AM

STRONG SUPPORT FOR HB 1110 HAWAII SYSTEMS CORRECTIONAL OVERSIGHT COMMISSION

Aloha Chair Ohno, Vice Chair Ganaden, 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 more than 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 1,000 of Hawai`i’s imprisoned people are serving their sentences abroad thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

Community Alliance on Prisons is in strong support of this measure that seeks the appropriation granted in 2019 (and never received) when the Legislature passed HB 1552 that became Act 179 and created the Correctional Oversight Commission and the Criminal Justice Research Institute.

Commission has consistently met monthly over 2020 holding meetings to which the community was welcomed and encouraged to participate in its deliberations.

It has not escaped the community’s consciousness that the CJRI has been operating in a black box. We only recently discovered that the CJRI has a 5-member board. Judge Viola is the Chair and there are 4 members (2 seats are vacant because the Federal Public Defender was not replaced and Speaker Scott Saiki never appointed anyone to the Board. (Demonstrating his concern for this the state incarcerates, Saiki was also the last to appoint a member to the Oversight

Commission, which he finally did in November 2019 delaying their work.) Sadly the 2 other members of the CJRI Board of both employees of PSD! This is a pretty clear indication of the government's concern for the people in their 'care and custody.'

Ironically, the Commission has not received one penny in funding and with minimal support from the AG's office to which it is administratively attached, while the CJRI has a well-funded Executive Director from the U.S. continent and an office next to the Chief Justice.

After their first year, the Oversight Commission submitted their 136-page 2020 Annual Report to the Legislature that can be accessed at: <https://ag.hawaii.gov/wp-content/uploads/2021/01/HCSOC-Final-Report.pdf>

In contrast, the well-funded and situated Criminal Justice Research Institute submitted a 2-page 'report' as their 2020 Report to the Legislature that can be accessed at:

https://www.courts.state.hi.us/wp-content/uploads/2020/12/ACT-179_SLH2020_annual-report_FINAL-1.pdf

What's wrong with this picture???

Community Alliance on Prisons urges the committee to do the right thing and pass this legislation to fully fund the Oversight Commission.

Mahalo for this opportunity to testify.



Hawai'i

Committees: House Committee on Corrections, Military, & Veterans
Hearing Date/Time: Friday, February 5, 2021, 10:00 a.m.
Place: Via videoconference
Re: Testimony of the ACLU of Hawai'i in Support of H.B. 1110, Relating to the Hawaii Correctional System Oversight Commission

Dear Chair Ohno, Vice Chair Ganaden, and members of the Committee,

The American Civil Liberties Union of Hawai'i ("ACLU of Hawai'i") writes **in support of H.B. 1110**, which appropriates funds to staff the Hawai'i Correctional System Oversight Commission ("Oversight Commission") so it can fulfill its mission. A fully funded and staffed Oversight Commission is critical to the future of reentry programs, which help facilitate the successful reintegration of formerly incarcerated individuals back to their families and communities, and which have been proven effective in reducing recidivism.

The Hawai'i Correctional System Oversight Commission was created by Act 179 (SLH 2019) and is tasked with:

- (1) Overseeing the State's correctional system, investigating complaints at correctional facilities, and facilitating a correctional system transition to a rehabilitative and therapeutic model;
- (2) Establishing maximum inmate population limits for each correctional facility and formulating policies and procedures to prevent the inmate population from exceeding the capacity of each correctional facility;
- (3) Working with the department of public safety in monitoring and reviewing the comprehensive offender reentry program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii paroling authority's oversight of parolees. The commission may make recommendations to the department of public safety, the Hawaii paroling authority, and the legislature regarding reentry and parole services; and
- (4) Ensuring that the comprehensive offender reentry system under chapter 353H is working properly to provide programs and services that result in the timely release of inmates on parole when the maximum terms have been served instead of delaying the release for lack of programs and services.

The Oversight Commission also absorbed the powers and duties of Corrections Population Management Commission and the Reentry Commission, which was created by the Legislature to “work with [PSD] in monitoring and reviewing the comprehensive offender reentry program.”¹ The Hawai‘i Department of Public Safety (“PSD”) is required to provide comprehensive reentry and support services,² but has failed to meet its obligations. For example, PSD has failed to provide people leaving facilities with civil identification documents pursuant to a 2017 law,³ which are necessary to secure housing, enroll in many benefit programs, and fill prescriptions for medication. Between October 2018 and November 2019, more than half (56 percent) of people exiting jails and nearly as many (46 percent) exiting prison statewide left without state identification cards.⁴

Comprehensive reentry services are more important now than ever because those exiting jails and prisons in the time of COVID-19 face incredible challenges, including high unemployment rates⁵ and an increase in the number of people requiring housing assistance because of increased homelessness. Prioritizing reentry planning is not only humane—it makes our communities safer. Ninety-five percent of people incarcerated in state prisons will eventually be released.⁶

¹ Act 24, First Special Session 2009, § 3,

https://www.capitol.hawaii.gov/slh/Years/SLH2009/SLH2009SS_Act24.pdf.

² Haw. Rev. Stat. § 353H-3(a) provides, “[t]he department of public safety shall develop a comprehensive and effective offender reentry system plan for adult offenders exiting the prison system.”

³ Act 56, Session Laws of Hawai‘i 2017; Haw. Rev. Stat. § 353H-32.

⁴ Hawai‘i Department of Public Safety, *Reentry Coordination Office Annual Report on Civil Identification Documents* (December 2019), <https://dps.hawaii.gov/wp-content/uploads/2019/12/RCO-Annual-Report-on-Civil-Identification-Documents-Transmittal.pdf>.

⁵ *Hawaii’s unemployment rate ties for third-worst in nation*, Associated Press (September 18, 2020), <https://apnews.com/article/virus-outbreak-archive-hawaii-cc0f4e3fcdcafb3cc5f80f0b35347cea>.


⁶ Timothy Hughes and Doris James Wilson, *Reentry Trends in the United States*, U.S. Dep’t of Justice, Office of Justice Programs, Bureau of Justice Statistics (last revised Dec 29, 2020), <http://www.bjs.gov/content/reentry/reentry.cfm>.

Chair Ohno and Members of the Committee on Corrections, Military, & Veterans
February 5, 2021
Page 3 of 3

Reentry programs that help people secure jobs, treatment, housing,⁷ and education,⁸ have proven effective in facilitating the successful transition of formerly incarcerated people out of jail/prison and back to their families and communities, and reducing recidivism.

To ensure that the Oversight Commission has the capacity to achieve its purpose, Act 179 requires the appointment of an Oversight Coordinator by the Governor, to be selected from a list of three nominees submitted by the Oversight Commission.⁹ Among other responsibilities, the Oversight Coordinator act as secretary and executive officer of the Oversight Commission. Despite the Legislature's appropriation of \$158,946 for fiscal year 2019-2020, and \$330,000 for fiscal year 2020-2021 for the Oversight Commission's operations, and despite having received the names of three nominees for the coordinator position, funds have yet to be released and Governor Ige *still* has not selected a coordinator.

As we approach the end of fiscal year 2020-2021, a new appropriation may be necessary. For these reasons, we request that the Committee support this measure. Thank you for the opportunity to testify.

Sincerely,

Mandy Fernandes
Policy Director
ACLU of Hawai'i

The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving Hawai'i for over 50 years.

⁷ Nathan James, *Offender Reentry: Correctional Statistics, Reintegration into the Community, and Recidivism*, Congressional Research Service (2015), <https://fas.org/sgp/crs/misc/RL34287.pdf>.

⁸ Patrick Oakford, Cara Brumfield, Casey Goldvale, Laura Tatum, Margaret diZerega, and Fred Patrick. *Investing in Futures: Economic and Fiscal Benefits of Postsecondary Education in Prison*. New York: Vera Institute of Justice, 2019, <https://www.vera.org/downloads/publications/investing-in-futures.pdf>.

⁹ Haw. Rev. Stat. § 353L-2 provides, “[t]he governor shall appoint an oversight coordinator from a list of three nominees submitted by the commission.”

American Civil Liberties Union of Hawai'i
P.O. Box 3410
Honolulu, Hawai'i 96801
T: 808.522.5900
F: 808.522.5909
E: office@acluHawai'i.org
www.acluHawai'i.org

LATE

HB-1110

Submitted on: 2/4/2021 2:57:24 PM
Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeff Nash	Habilitat	Support	No

Comments:

Aloha,

We fully support HB1110. Appointing an oversight commission without funding is an interesting concept. For over a year we have heard about their efforts to hire talent, yet no progress. We believe the concept of a corrections oversight committee is a very good idea. They have a diverse group of very experienced people with lifetime experience, however, unless they are funded, unless they can attract talented people, unless their wise counsel has weight, the entire idea is somewhat of an illusion.

We support the idea of an oversight commission. But unless they are funded its really only an idea. Ideas don't facilitate change without action. Please pass HB 1110 and give these experienced experts authority to do actual oversight so we can solve some of Honolulu's social ills. There are evidenced based methods to reduce recidivism, Habilitat has been doing it for 50 years.

Respectfully,

Jeff Nash

Habilitat, Inc

HB-1110

Submitted on: 2/3/2021 2:46:42 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
John NAYLOR	Individual	Support	No

Comments:

ALOHA,

Please fund this!

Mahalo

HB-1110

Submitted on: 2/3/2021 3:17:54 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica dos Santos	Individual	Support	No

Comments:

Human rights are human rights. If there is not adequate oversight, how can we ensure that human rights are being protected?

HB-1110

Submitted on: 2/3/2021 3:45:39 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Luella Nohea Crutcher	Individual	Support	No

Comments:

Aloha, my name is Luella Nohea Crutcher and I'm in strong support of HB 1110.

Building community-based solutions that are alternatives to incarceration, such as a Pu`uhonua in each district, would support individuals in becoming positive, productive citizens, rather than filling up our jails. Please vote YES in support of HB 1110 Thank you for the opportunity to testify.

HB-1110

Submitted on: 2/3/2021 4:08:22 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Will Caron	Individual	Support	No

Comments:

Aloha committee members,

Please support HB1110. For too long, mass incarceration has made a mockery of our justice system, worsening racial inequality, destroying communities, and utterly failing to reduce crime in any effective way. It's time we took the critical steps to move us toward a more effective and less costly (in every sense of the word) restorative justice system.

Ending mass incarceration will cost less in every sense of the word. We can use the money that save to improve our schools and to create opportunities for the people of Hawai'i to thrive, which will do far more to reduce crime than incarceration, with its high rates of recidivism, is capable of doing.

Part of achieving that goal requires an oversight commission that is properly staffed and can carry out its mission of reporting on the aspects of our current system that need to be changed to move forward. That is why this bill to properly fund those staff positions is important and should be moved forward.

Mahalo for the opportunity to testify,

I

e s t i m o n y H B 1 1 1 0 0 n

S
t
a
t
e
A
u
d
i
t
o
r
F
u
n
d
s

My name is Roger Epstein, I am a retired Hawaii lawyer, and 50 year resident of Honolulu.

I am very disturbed about the 50% cut back of funds for the State Auditor in this Bill. This looks like a political attack, reminding one of the actions of former President Donald Trump.

The purpose of the State Auditor is to independently evaluate the results of various government programs and activities, and it is not appropriate to gut funding so substantially that the Auditor's office cannot do its job.

Now more than ever, when we have to come together to move past the

incredible difficulties from 2020 and Covid, we cannot afford to lose an independent voice to monitor whether we are succeeding or must course correct in so many areas of need.

Please don't unnecessarily create a situation where the average person has less trust in government because they see that decisions are not made on the basis of what's best for our community.

Thank you for considering my opinion.

With aloha, Roger Epstein

HB-1110

Submitted on: 2/3/2021 4:18:07 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara L. George	Individual	Support	No

Comments:

SUPPORT!

HB-1110

Submitted on: 2/3/2021 4:44:08 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

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

Comments:

Strong support for HB1110.

HB-1110

Submitted on: 2/3/2021 5:41:18 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Colleen Rost-Banik	Individual	Support	No

Comments:

Aloha, my name is Colleen Rost-Banik and I'm in strong support of HB1110. I believe 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 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 YES in support of HB1110. Thank you for the opportunity to testify.

HB-1110

Submitted on: 2/3/2021 5:51:13 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Blair	Individual	Support	No

Comments:

Support this bill.

HB-1110

Submitted on: 2/3/2021 5:53:27 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

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

Comments:

I strongly support HB1110 to provide funding for the HI Correctional Oversight Commission. While the Legislature passed HB 1552, which became Act 179, and included the Correctional Oversight Commission and the Criminal Justice Research Institute, the Commission has not received funding while the CJRI has a well-funded Executive Director from the U.S. continent. Our Governor & administration have failed to release the funds and appoint an Oversight Coordinator to the Commission. The Commission has lacked the staffing and capacity to fulfill its purpose. HB1110 would ensure the Commission is adequately funded and staffed which, in turn, ensures that the Hawai'i Department of Public Safety (PSD) complies with its legal obligations to provide comprehensive reentry planning. Please support HB1110. Thank you!

HB-1110

Submitted on: 2/3/2021 6:15:40 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
cathy lee	Individual	Support	No

Comments:

We need to properly fund boards/commissions that will evaluate existing systems with the community in mind.

HB-1110

Submitted on: 2/3/2021 7:01:23 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sandra Fujita	Individual	Support	No

Comments:

I support HB1110. Funds should be released and staffing matters resolved for the Hawai'i Corrections Oversight System.

HB-1110

Submitted on: 2/3/2021 7:09:41 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kiana Otsuka	Individual	Support	No

Comments:

Aloha,

My name is Kiana Otsuka and I'm in strong support of HB 1110. It is important to adequately fund and staff the Hawai'i Corrections Oversight System, which in turn ensures that the Hawai'i Department of Public Safety (PSD) complies with its legal obligations to provide comprehensive reentry planning.

I believe 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. Please vote YES in support of HB 1110. Thank you for the opportunity to testify.

Mahalo,

Kiana Otsuka

HB-1110

Submitted on: 2/3/2021 7:50:46 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carolyn Eaton	Individual	Support	No

Comments:

Aloha, my name is Carolyn Eaton and I'm strongly in support of HB 1110. This legislature established and funded the Hawai'i Corrections Oversight Commission. I have followed the Commission's consistent, faithful efforts to track and improve compliance with legal obligations at the Hawai'i Dept. of Public Safety. It's time to provide the funding intended for the Commission's Oversight Coordinator and staff support.

HB-1110

Submitted on: 2/3/2021 8:21:27 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
R Siciliano	Individual	Support	No

Comments:

I support this bill.

HB-1110

Submitted on: 2/3/2021 8:23:52 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jessica hernandez	Individual	Support	No

Comments:

In order to set people up for success (and reduce recidivism) we need to ensure the re-entry program is sufficiently funded and is actually ensuring people have their basic needs met when released from jail or prison.

HB-1110

Submitted on: 2/3/2021 8:33:17 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alani Bagcal	Individual	Support	No

Comments:

Representative Takashi Ohno, Chair

Representative Sonny Ganaden, Vice-Chair

House Committee on Corrections, Military, & Veterans

Dear Chair Ohno, Vice-Chair Ganaden, and esteemed members of the committee

My name is Alani Bagcal and I am writing today in support for HB 1110.

Transparency means everything for a constituent and community be able to trust elected officials and hold them accountable as so. Transparency in the budget during the time of COVID and knowing the huge budget cuts to very important institutions like education or health care, are very much deserved to the community as well. I highly support this bill that would help adequately fund and staff the Hawai'i Corrections Oversight System that ensures the Hawai'i Department of Public Safety complies with its legal obligations to provide comprehensive reentry planning.

Thank you for the opportunity to testify in support for this bill,

Alani Bagcal

96815

Marcella Alohalani Boido, M. A.
Hawaii State Judiciary Certified Court Interpreter, Tier 4

Resident & Voter, Senate District 10, House District 21, Moili'ili, Honolulu, Hawaii 96826

To: Chair, Takashi Ohno, Vice Chair Sonny Ganaden
Members, House Committee on Corrections, Military, & Veterans

Re: HB 1110, **SUPPORT**

Date: 2/5/21, 10 a.m., via teleconference

Thank you for hearing this bill. Passing it will make possible the important work that we need to have done by the Hawaii Correctional System Oversight Commission. Common sense says that paid staff positions are essential to the work of this Commission. The dollar amount requested is *manini* in comparison to the importance of the work that Hawaii law says must be done.

Today our prisons are overcrowded. Inmates are not being provided with the education, training, and identity documents and other support needed to create a good life and contribute to their families and communities upon leaving the prison system. This is a recipe for recidivism.

Does the state intend to shamelessly, unapologetically and intentionally run a revolving door system? If not, we need this commission to be funded and staffed. The state needs to comply with its legal obligations to the inmates. That would be a good example to those inmates. It would create greater trust and respect for state laws, and therefore, increase compliance.

Please pass this bill. Thank you.

HB-1110

Submitted on: 2/3/2021 9:33:52 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Greg Puppione	Individual	Support	No

Comments:

Aloha, my name is Greg Puppione and I'm in strong support of [HB 1110]. I believe 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 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 YES in support of [HB 1110]. Thank you for the opportunity to testify.

HB-1110

Submitted on: 2/4/2021 3:05:36 AM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
tia pearson	Individual	Support	No

Comments:

This would help adequately fund and staff the Hawai'i Corrections Oversight System, which in turn ensures that the Hawai'i Department of Public Safety (PSD) complies with its legal obligations to provide comprehensive reentry planning.

Governor Ige and his administration refuse to release these funds, nor to appoint an Oversight Coordinator to the Commission. The Commission has lacked the staffing and capacity to fulfill its purpose ever since.

HB-1110

Submitted on: 2/4/2021 8:56:35 AM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carrie Ann Shirota	Individual	Support	No

Comments:

Dear Chair Ohno, Vice Chair Ganaden and Committee Members:

My name is Carrie Ann Shirota, and I am writing in support of HB1110 that would appropriate funds for an oversight coordinator position and necessary support staff for the Hawaii Correctional System Oversight Commission.

Currently, the Oversight Commission has an extremely important, yet unfunded mandate. Please support this measure to provide the staffing and resources necessary for the Oversight Commission to fulfill their responsibilities: 1) overseeing the State's correctional system, investigating complaints at correctional facilities, and facilitating a transition to a rehabilitative and therapeutic model; 2) establishing maximum inmate population limits for each facility and 3) ensure the Comprehensive Offender Reentry System is working effectively.

Reimagining public safety requires us to create, invest and sustain institutions, policies and programs that meet the needs of our community to divert and significantly reduce the number of youth and adults in our criminal legal system.

It also requires us to ensure that we have a robust Oversight body in place to ensure that we adhere to the Standards on Treatment of Prisoners and protect the civil and human rights of incarcerated persons in our public jails and prisons, or when we contract with public and private out of state prisons.

Please pass HB1110.

Sincerely,
Carrie Ann Shirota, Esq.

\

HB-1110

Submitted on: 2/4/2021 9:23:41 AM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Polk	Individual	Support	No

Comments:

Chair Ohno and Vice Chair Ganaden,

Thank you for scheduling this bill. When the legislature set up the Instructional Oversight Commission two years ago, it anticipated that some of the money appropriated would be used to fund hiring of the Commission Executive Director, which was necessary for the Commission to fulfill the entire function specified in the legislative bill. However, the Commission was not funded by the Governor's Office. Nevertheless, it has continued to meet throughout the year and has submitted an extensive report to the legislature, even though the members did not have access to the incarceration facilities or other information.

Though DPS is responsible for those people who are incarcerated, it operates behind a veil of secrecy. Nevertheless, some information leaks out, suggesting that some of what goes on inside these buildings is not in the interest of the public and may even be illegal. Having an Oversight Commission is a way that most states have kept these issues to a minimum and identified needed improvements in the correctional system.

This Commission is important to the public, since we pay for the incarceration of certain people and must fund any judgements against DPS for improper behavior.

Please pass this bill funding the Commission explicitly.

Thank you,

Barbara Polk

LATE

HB-1110

Submitted on: 2/4/2021 12:58:33 PM
Testimony for CMV on 2/5/2021 10:00:00 AM

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

Comments:

Aloha Chair Ohno, Vice Chair Ganaden, and Members of the Committee,

I am writing in strong support of HB 1110 which appropriates long overdue funds for the Oversight Coordinator position and necessary staff support positions for the Hawaii Correctional System Oversight Commission.

The Legislature passed HB 1552 which became Act 179 in mid-2019. The bill included funding for the Correctional Oversight Commission and the Criminal Justice Research Institute.

The Correctional Oversight Commission, despite being denied funding and cooperation at every turn, has consistently met monthly for over a year and has proactively included community stakeholders in its meetings and deliberations. Even without funding, Commission members have taken it upon themselves to do research and make recommendations which have been consistent with previous studies. The Commission recently submitted a 136-page 2020 Annual Report to the Legislature which includes substantive material on correctional system violations as well as additional contributed material disputing in detail the misinformation spread by legislators and the previous public prosecutor, among others, about the release of inmates under the Hawaii Supreme Court's order. It also reiterates the common-sense, practical recommendations that will help Hawaii's criminal justice system transition to a fairer and more effective system that actually improves public safety.

In contrast, the well-funded Criminal Justice Research Institute submitted a 2-page 2020 Annual Report to the Legislature. Who is actually doing the work here? And who is more knowledgeable about Hawaii's criminal justice system? While the CJRI may eventually become more helpful in contributing research on Hawaii's criminal justice system, the sooner the Oversight Commission is funded, the sooner it will be able to fulfill its mandate to conduct independent oversight of the correctional system, as has been the trend in other states intent on improving transparency and accountability in their criminal justice systems.

We are in the middle of a COVID-19 crisis and the problems in Hawaii's criminal justice system need to be addressed as soon as possible. Please pass HB 1110 so the Oversight Commission can do its work in earnest.

Mahalo for your consideration,

Diana Bethel, Honolulu

LATE

HB-1110

Submitted on: 2/4/2021 5:04:22 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

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

Comments:

My name is Dan Mistak, and although I am not currently representing my nonprofit, I am the Director of Health Care Initiatives for Justice-Involved Populations at Community Oriented Correctional Health Services (COCHS). COCHS is a national thought leader in policy at the intersection of health and safety. I am writing today to strongly support HB 1110.

Frankly, I am disgusted that I even have to write a letter in support of this bill. The Correctional Oversight Commission has been so thoroughly disrespected by Gov. Ige that it demonstrates that his administration is wildly out of touch with the state of corrections in Hawaii.

The Legislature already created the oversight commission...The legislature appropriated funding for the oversight commission... I am happy that the legislature is now working to ensure that Gov. Ige cannot continue to disrespect those who are in jails, the legislature, and the Correctional Oversight Commission.

Corrections often operates in a black box that creates the perfect environment for bad actors to commit atrocities out of view of the public. The Correctional Oversight Commission protects the state by ensuring that we have the opportunity to identify and remedy challenges before they turn into expensive lawsuits. Please pass this bill in order to send a clear message that we value those in the justice system, we value our public servants who work on oversight commission, and we will not be bullied by an executive who flagrantly disregards the will of the legislature and the people they represent.

LATE

HB-1110

Submitted on: 2/4/2021 9:23:36 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michal Fentin Stover	Individual	Support	No

Comments:

I support HB1110 because I want to see the Hawai'i Corrections Oversight System adequately funded and staffed so that the Department of Public Safety may comply with its legal obligations to provide comprehensive reentry planning.

LATE

HB-1110

Submitted on: 2/4/2021 9:41:33 PM
Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Brown III	Individual	Support	No

Comments:

Aloha Chair and members of the Committee,

I offer testimony in STRONG SUPPORT of this measure. The Legislature created the Hawaii Correctional System Oversight Commission in 2019 because it understood the need for such an authority. As was stated at the time, and correctly so:

"The legislature finds that independent oversight of the State's correctional system ensures transparency, supports safe conditions for employees, inmates, and detainees, and provides positive reform towards arehabilitative and therapeutic correctional system."

That being said, the Commission cannot function appropriately or fulfill its mission without proper funding. I support this bill and ask that the Legislature appropriate all necessary funding for the Commission to be fully operational.

Sincerely,

Joey Brown,

Kailua, 96734