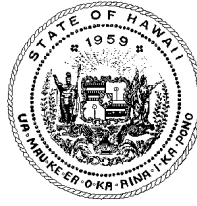


DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

1177 Alakea Street, 6th Floor
Honolulu, Hawaii 96813

MAX N. OTANI
DIRECTOR

Maria C. Cook
Deputy Director
Administration

Tommy Johnson
Deputy Director
Corrections

Jordan Lowe
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON HOUSE BILL 1776, HOUSE DRAFT 2
RELATING TO PUBLIC SAFETY.

by
Max N. Otani, Director

House Committee on Finance
Representative Sylvia Luke, Chair
Representative Kyle T. Yamashita, Vice Chair

Wednesday, February 23, 2022; 2:30 p.m.
Via Videoconference

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

The Department of Public Safety (PSD) has reviewed House Bill (HB) 1776, House Draft (HD) 2, which seeks to require PSD to make available community-based work furlough programs for incarcerated women and appropriates an unspecified amount of funding for FY 2022-23 to continue and expand the program.

PSD supports the intent of this measure and welcomes the infusion of funding for this program, with the recognition that it is one component in the array of treatment, rehabilitation, and reentry programs necessary for female inmates to undertake to successfully reintegrate into the community.

Thank you for the opportunity to provide testimony on HB 1776, HD 2.

DAVID Y. IGE
GOVERNOR



CATHY BETTS
DIRECTOR

JOSEPH CAMPOS II
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

P. O. Box 339
Honolulu, Hawaii 96809-0339

February 22, 2022

TO: The Honorable Representative Sylvia Luke, Chair
House Committee on Finance

FROM: Cathy Betts, Director

SUBJECT: **HB 1776 HD2 – RELATING TO PUBLIC SAFETY.**

Hearing: February 23, 2022, 2:30 p.m.
Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports the measure's intent, offers comments, requests clarifications, and defers to the Department of Public Safety. The Department requests that any appropriation not reduce or replace priorities identified in the executive budget.

PURPOSE: The purpose of this bill is to mandate a community-based work furlough program for female offenders. Requires the expansion of community-based work furlough and reentry programs for female offenders. Requires state agencies that contract with these programs to submit an annual report to the Legislature. Appropriates funds. Effective 7/1/3000. (HD2) The HD2 amended the measure by:

- (1) Requiring the expansion of community-based work furlough and reentry programs for female offenders, regardless of whether the program is funded by the Department of Public Safety or another state agency;
- (2) Requiring the Department of Public Safety and any other state agency that contracts with community-based work furlough and reentry programs for female offenders to submit an annual report to the Legislature that includes the amount of funding expended for community-based work furlough and reentry programs, the number of

- women served by the programs, a description of the services provided by the programs, and program participation outcomes; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Currently, DHS does not fund reentry programs or programs that target the reentry population. However, DHS has existing programs that may serve the population, such as the First To Work programs for families with children, Supplemental Nutrition Assistance Program's Employment & Training, child care subsidies, and rehabilitation services for individuals with disabilities. In addition, the Med-QUEST division works with PSD to facilitate Medicaid applications so eligible individuals exit prison with Medicaid coverage. The Department would need additional outreach resources to facilitate a more seamless transition to all programs.

Successful diversion, reentry, and rehabilitation services need collaboration with community-based organizations to support returning individuals and their families. Therefore, the Department will continue to work with the Department of Public Safety, the Judiciary, and community organizations to assist individuals with accessing available public benefits as soon as they are released.

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

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON FINANCE
ON
HOUSE BILL NO. 1776, H.D. 2

February 23, 2022
2:30 p.m.
Room 308 and Videoconference

RELATING TO PUBLIC SAFETY

The Department of Budget and Finance (B&F) offers comments on House Bill (H.B.) No. 1776, H.D. 2.

H.B. No. 1776, H.D. 2: amends Section 353-6.5, HRS, by mandating a community-based work furlough program for incarcerated women in the State and requiring the Department of Public Safety (PSD) and any other State agency that contracts with community-based work furlough and reentry programs for female offenders to submit an annual report to the Legislature which shall include the amount of funding expended for community-based work furlough and reentry programs, the number of women served by the programs, a description of the services provided by the programs, and program participation outcomes; and appropriates an unspecified amount of general funds to PSD for FY 23 to ensure the continuation and expansion of community-based work furlough for women. This bill intends to ease family reunification efforts and provide for gender-responsive, community-based programs for the eventual integration of incarcerated women back into the communities.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

COMMUNITY ALLIANCE ON PRISONS

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

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



COMMITTEE ON FINANCE

Representative Sylvia Luke, Chair

Representative Kyle Yamashita, Vice Chair

Wednesday, February 23, 2022

2:30 PM

HB 1776 HD2 - STRONG SUPPORT FOR STATEWIDE WOMEN'S WORK FURLOUGH

Aloha Chair Luke, Vice Chair Yamashita 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 4,052 Hawai'i individuals living behind bars or under the "care and custody" of the Department of Public Safety or the corporate vendor on any given day. We are always mindful that 1,111 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 for statewide work furlough programs for women. The HD2 requires the expansion of work furlough and reentry programs for women and an annual report to the legislature from DPS or any other agency that includes the amount of funding expended for community-based work furlough and reentry programs, the number of women served by the programs, a description of the services provided by the programs, and program participation outcomes.

The system is normed to medium security, violent males, so their numbers (3,659) are far greater, therefore, males get more attention than incarcerated women (393). The February 14, 2022 population reported that women represent about 9.7% of the total incarcerated population (4,052).

We know that many of the women are mothers, therefore, helping them develop work skills to facilitate their reentry is a win-win situation for all. Work Furlough programs must help women develop marketable skills so they are able to support themselves and their families upon release. This bill helps strengthen families!

We urge the committee to pass this measure with appropriate funding.

Mahalo for this opportunity to testify.



HB1776 HD2 Women Work Furlough for Offenders

COMMITTEE ON FINANCE

Rep. Sylvia Luke, Chair

Rep. Kyle T. Yamashita, Vice Chair

Wednesday, Feb 23 2022: 2:30 pm : Videoconference

Hawaii Substance Abuse Coalition Supports HB1776 HD2:

ALOHA CHAIR, VICE CHAIR AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization for substance use disorder and co-occurring mental health disorder treatment and prevention agencies.

We are hopeful that this funding would allow PSD to restart a women's work furlough program:

- If the substance use disorder is chronic to severe, then some form of substance use disorder treatment is needed, and it is important for outcomes to be sustained that it be followed by a reentry furlough program to practice the behavioral tools while transitioning back into their community. If substance is mild, then treatment may be less, but a transition program is still important to make life changes.
- A furlough program includes a residential housing component, which is a needed transition time for women with substance abuse to practice what they learned from formalized substance use disorder treatment such as social learning, cognitive, and recovery skills,
- Transitioning into the community would include family therapy, psychological services, job development/employment services, education.
- The furlough program would include aftercare as is done after completing treatment in a substance use disorder program. Aftercare is critical for follow-up after residential and outpatient treatment, which can address any issues with cravings and triggers. If challenges arise, the woman could be referred to formalized treatment for additional outpatient treatment.

We appreciate the opportunity to provide testimony and are available for further questions.



February 22, 2022

Representative Sylvia Luke, Chair
House Committee on Finance

Re: H.B. 1776, HD 2 Relating to Public Safety

Hearing: Wednesday, February 23, 2022, 2:30 PM, Via Videoconference

Dear Chair Luke and Members of the Committee on Finance:

Hawaii Women Lawyers submits testimony in **strong support of H.B. 1776, HD 2**, which mandates that there be a community-based work furlough program for incarcerated women in the State of Hawaii.

The mission of Hawaii Women Lawyers is to improve the lives and careers of women in all aspects of the legal profession, influence the future of the legal profession, and enhance the status of women and promote equal opportunities for all.

Hawaii Women Lawyers submitted its support for the initial draft of H.B. 1771, HD 1. We appreciate that the revisions included in H.B. 1776, HD 2 provide clarity and ensure that existing programs will be expanded regardless of their individual source of funding. Hawaii Women Lawyers further reaffirms its concurrence with the Legislature's findings that community-based work furlough programs for women transitioning back into the community are extremely important.

Hawaii Women Lawyers recognizes the value of such programs in easing the transition from prison life to independent living and promoting and emphasizing community safety, especially when these programs are located in the communities into which the inmates will return. Hawaii Women Lawyers agrees with the Department of Public Safety's comments that these programs are an integral component in the array of treatment, rehabilitation, and reentry programs necessary for women offenders to successfully reintegrate into the community.

The provisions of H.B. 1776, HD 2 are consistent with the current requirements of Hawaii Revised Statutes Section 353H-3 and the Department of Public Safety's obligation to develop a "comprehensive network of transitional programs to address the needs of individuals exiting the correctional system" and appear to serve largely as a way to further the intent of the statute and expand its impact.

For the above reasons, we strongly support H.B. 1776, HD 2 and respectfully request that the Committee pass this measure.

Thank you for the opportunity to testify in strong support of this measure.

House Committee on Finance
Wednesday, February 23, 2022, 2:30pm
Conference Room 308, Via Videoconference

Testimony in Support of HB 1776 HD 2

Chair Luke, Vice Chair Yamashita, and members of the committee,

Thank you for the opportunity to testify in **strong support of HB 1776 HD2**, mandating that there be a community-based work furlough program for all incarcerated women in the State.

YWCA O'ahu is dedicated to eliminating racism, empowering women and promoting peace, justice, freedom, and dignity for all. In 1900 we opened our doors to provide opportunity to women for growth, leadership and power to change. Today, over a century later, the YWCA O'ahu is the largest and oldest women's membership organization in the State of Hawaii. We are a charter member of the YWCA USA and is one of more than 200 community associations nationwide that share the mission of empowering women and eliminating racism.

As a new core of women are preparing for our future, we are committed to reinventing the YWCA for the 21st century so it remains relevant to all women as their lives and needs change. The YWCA offers a unique place – a place where women and girls can build relationships for life and have opportunities to move forward in life and give back to their community. Our three centers at the YWCA, Fernhurst, Kokokahi and Laniakea, provide valuable programs and services that develop women and girls' social, economic, leadership and community skills.

In December of 2018, HCR 85 Task Force released its findings and final report to the legislature. In this report they stated that while they came from diverse backgrounds and viewpoints that they all agreed that "Hawaii's correctional system is not producing acceptable, cost-effective, or sustainable outcomes and needs immediate and profound change". The primary recommendation from the task force was to "begin to transition from a punitive to a rehabilitative correctional system".

This bill is essential in our transition from a punitive to a rehabilitative correctional system by mandating that there be a community-based work furlough option for women in Hawaii. We currently hold the only contract for community-based work furlough for women in our state but are hopeful that programs such as ours can be accessed on all islands in the near future. We see the power of change, healing, and opportunity that community-based work furlough can have in assisting women with their successful re-entry into their community.

Thank you for the opportunity to testify in support of HB 1776 HD2.

Jen Wilbur
Director of Advocacy
YWCA O'ahu

COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair

HEARING DATE: Wednesday, February 23, 2022

TIME: 2:30 PM, Via Videoconference

SUPPORT FOR HB1776 RELATING TO PUBLIC SAFETY

The Women's Prison Project is in **STRONG SUPPORT** of HB1776 RELATING TO PUBLIC SAFETY which would ensure community-based work furlough programs are provided by the Department of Public Safety for all women under its supervision.

To desist from crime, a formerly incarcerated person is helped when she has employment that is meaningful to her, relationships with law abiding others, and a self-narrative that is positive and strength-based (Maruna, 2001). Because most incarcerated women come from families that are economically disadvantaged and many are single parents who will be raising children, it is especially important that they have and can keep employment. Opportunities to work, and having practice being an employee after being incarcerated are vital for individuals to succeed in desisting from crime (McNeill, et al, 2012).

Work furlough programs for women are most successful when they include therapeutic interventions that address, in a gender responsive manner, the issues of trauma, relationships, parenting, and the substance abuse and mental health needs of women. Community-based programs offer the formerly incarcerated positive employment opportunities as seen from the success of programs on O`ahu . The Fernhurst YWCA,'s work furlough program has demonstrated that gender responsive programs can achieve a low rate of recidivism among graduates.

Please support HB1776 to ensure more gender responsive work furlough opportunities are developed and sustained by our community to help make our community safer and healthier.

Linda Rich

Women's Prison Project

HB-1776-HD-2

Submitted on: 2/22/2022 2:33:57 PM

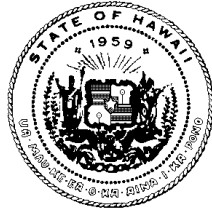
Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Diana Bethel	Individual	Support	No

Comments:

HB1776 mandates a community-based work furlough program for female offenders. It requires the expansion of community-based work furlough and reentry programs for female offenders and requires state agencies that contract with these programs to submit an annual report to the legislature. It also appropriates sufficient funds to support these programs.

Community-based furlough programs have a high success rate of reintegrating incarcerated individuals back into society. There is ample evidence to show that these kinds of programs are cost-effective and help prepare inmates for reintegration into society. This will be money well spent.



‘O kēia ‘ōlelo hō’ike no ke
Komikina Kūlana Olakino o Nā Wāhine

Testimony on behalf of the
**Hawai‘i State Commission on the Status of
Women**

Support for H.B. 1776 HD2
February 23, 2022

Dear Chair Luke, Vice Chair Yamashita, and Honorable Members:

The Hawai‘i State Commission on the Status of Women supports H.B. 1776 HD2, which mandates that there be a community-based work furlough program for all incarcerated women in the State.

This bill will institutionalize a critical program that advances gender and racial equity that is owed by the State to disenfranchised communities. Women’s agencies, services and programs are often the first to be cut and last to receive adequate investment when economic crisis hits. This was clear during the COVID-19 crisis when the Fernhust program for women transitioning to post-prison life was inaccurately dubbed a “casualty” of the pandemic. This is sexism, not scarcity.

Accordingly, the Commission asks that the Committee pass H.B. 1776 HD2.

Sincerely,

Khara Jabola-Carolus, Executive Director

HB-1776-HD-2

Submitted on: 2/23/2022 12:24:08 PM

Testimony for FIN on 2/23/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Nanea Lo	Individual	Support	No

Comments:

Hello,

Please support HB1776.

me ke aloha 'āina,

Nanea Lo.