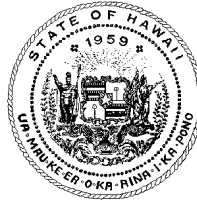


DAVID Y. IGE
GOVERNOR



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
RELATING TO PUBLIC SAFETY.**

by
Max N. Otani, Director

House Committee on Corrections, Military, and Veterans
Representative Takashi Ohno, Chair
Representative Sonny Ganaden, Vice Chair,

Friday, February 4, 2022; 10:00 a.m.
State Capitol, Room 430 & Via Video Conference

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

The Department of Public Safety (PSD) has reviewed House Bill (HB) 1776, which seeks to mandate community-based work furlough programs for all incarcerated women in the State and appropriates an unspecified amount of funding for this purpose.

PSD supports the intent of this measure and notes that most the items/services listed in Section 2 of HB 1776 are already being provided during the offender's term of incarceration. The Department will continue its efforts to address further concerns in these areas and ensure the treatment, rehabilitative, and reentry needs of female offender are being met.

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



STATE OF HAWAII
HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION

February 4, 2022

TO: Honorable Representative Takashi Ohno, Chair
House Committee on Corrections, Military, and Veterans

FROM: Mark Patterson, Chair, Hawaii Correctional System Oversight
Commission

SUBJECT: **HB 1776, RELATING TO PUBLIC SAFETY**

POSITION: STRONG SUPPORT

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

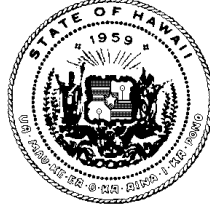
The Hawaii Corrections System Oversight Commission was created by Act 179, SLH 2019, to provide independent oversight over our correctional system. The Commission's statutory responsibilities include monitoring and reviewing the comprehensive offender reentry program of the Department of Public Safety and 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. [See Hawaii Revised Statutes 353L-3(b).]

The Commission strongly supports HB 1776, which would require community-based work furlough programs for incarcerated women in Hawaii. This mandate would be consistent with the requirement in HRS 353H-3 that the Department of Public Safety develop a "comprehensive network of transitional programs to address the needs of individuals exiting the correctional system." Such a network promotes community safety by facilitating the adjustment from the highly structured prison setting to independent living. These transitional services work best when located in the communities into which the inmates will return. In these settings programs can provide navigational supports as the inmate adjusts to the demands of life in the community; and much needed emotional support.

Very frequently, such services are best provided by non-profit agencies whose focus is on assisting inmates within their communities. Hawaii has a rich history of such services. They include the Fernhurst YWCA in Honolulu; the Maui Best program on Maui, and the Going Home Consortium on Hawaii Island. These agencies have been a critical part of the correctional system "infrastructure" for years. For example, the Fernhurst program and its predecessors have provided services since the 1970s. They

have struggled, and often they are underutilized. But they remain resilient because they are dedicated to their mission and many in the communities recognize their value.

HB 1776 will be an important step toward ensuring that this network of community-based services can not only survive, but perhaps thrive. They will play a central role as Hawaii moves to a rehabilitative and therapeutic model of corrections. We urge you to pass this bill.



‘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 HB1776
February 3, 2022

Dear Chair Quinlan, Chair Holt and Honorable Members:

The Hawai‘i State Commission on the Status of Women supports HB1776, 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 HB1776.

Sincerely,

Khara Jabola-Carolus, Executive Director

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

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

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

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 CORRECTIONS, MILITARY, & VETERANS
ON
HOUSE BILL NO. 1776

February 4, 2022
10:00 a.m.
Room 430 and Videoconference

RELATING TO PUBLIC SAFETY

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

H.B. No. 1776 amends Section 353-6.5, HRS, by mandating a community-based work furlough program for all incarcerated women in the State; and appropriates an unspecified amount of general funds to the Department of Public Safety for FY 23 to ensure the continuation of community-based work furlough for women and its expansion to all incarcerated 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.

Statement Before The
HOUSE COMMITTEE ON CORRECTIONS, MILITARY, & VETERANS
Friday, February 4, 2022
10:00 AM
Via Video Conference & Conference Room 430

in consideration of
HB 1776

RELATING TO PUBLIC SAFETY.

Chair OHNO, Vice Chair GANADEN, and Members of the House Corrections, Military, & Veterans Committee

Common Cause Hawaii supports HB 1776, which mandates that there be a community-based work furlough program for all incarcerated women in the State and appropriates funds.

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to reforming government and strengthening our representative democracy. We need a democracy that guarantees a more equitable and just society. The mass criminalization and incarceration of especially black and brown communities disenfranchises and disempowers millions of Americans and undermines the promise of a democracy that works for everyone.

Community-based work furlough programs provide benefits for incarcerated women. Studies show that “Offenders who worked for private companies while imprisoned obtained employment more quickly, maintained employment longer, and had lower recidivism rates than those who worked in traditional correctional industries or were involved in ‘other-than-work’ (OTW) activities.” See <https://web.connectnetwork.com/prison-work-programs/> (retrieved Jan. 31, 2022). Community-based work furlough programs also provide:

- preparation for handling responsibility outside of the correctional facility
- practical and functional life skills-training
- general technical skills knowledge

Id.

Thank you for the opportunity to testify in support of HB 1776. If you have questions for me, please contact me at sma@commoncause.org.

Very respectfully yours,

Sandy Ma
Executive Director, Common Cause Hawaii

COMMITTEE ON CORRECTIONS, MILITARY, & VETERANS
Representative Takashi Ohno, Chair
Representative Sonny Ganaden, Vice Chair

HEARING DATE: Friday, February 4, 2022
TIME: 10 AM, Via Videoconference

SUPPORT FOR HB1776 RELATING TO PUBLIC SAFETY

Aloha Chair Ohno, Vice Chair Ganaden, and committee members. The Women's Prison Project 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 an 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 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](#)).

Community based programs offer the formerly incarcerated positive employment opportunities as seen from the success of [programs on O'ahu](#).

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

Please contact Lorenn Walker at lorenn@hawaii.edu if you need more information about the Women's Prison Project's support for this bill.



UNIVERSITY
of HAWAII®
MĀNOA

COMMITTEE ON CORRECTIONS, MILITARY, & VETERANS
Representative Takashi Ohno, Chair
Representative Sonny Ganaden, Vice Chair

HEARING DATE: Friday, February 4, 2022

TIME: 10 AM, Via Videoconference

SUPPORT FOR HB1776 RELATING TO PUBLIC SAFETY

Hawai'i Friends of Restorative Justice (HFRJ) **STRONGLY SUPPORTS** 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. For almost two decades [HFRJ has developed and studied](#) the outcomes of programs to assist people involved with the legal system.

To desist from crime an 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 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](#)). Community based programs offer the formerly incarcerated positive employment opportunities as seen from the success of [programs on O'ahu](#).

Please support this measure to ensure more work furlough opportunities are developed and sustained by our community to help make our community safer and healthier. Please contact Loren Walker at lorenn@hawaiiifreinds if you need more information about HFRJ's support for this bill.

House Committee on Corrections, Military & Veterans
Friday, February 4, 2022, 10:00am
Conference Room 430, Via Videoconference

Testimony in Support of HB 1776

Chair Ohno, Vice Chair Ganadan, and members of the committee,

Thank you for the opportunity to testify in **support of HB 1776**, 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, the 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 will help 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 would like to offer a small amendment, deleting the word "all" from the bill, line 1, page 3. Community-based work furlough is an excellent option that should always be available in our state to incarcerated women but we realize that this option may not be the best option for all incarcerated women.

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

Jen Wilbur
Director of Advocacy
YWCA O'ahu



Hawai'i

Committees: House Committee on Corrections, Military & Veterans
Hearing Date/Time: Friday, February 4, 2022, 1:00 P.M.
Place: Via videoconference
Re: Testimony of the ACLU of Hawai'i; Comments on HB 1776 Relating to Incarcerated Women

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

The American Civil Liberties Union of Hawai'i ("ACLU of Hawai'i") provides comments on HB 1776 which mandates that there be a community-based work furlough program for all incarcerated women in the State.

The ACLU of Hawai'i advocates for the State to pass laws that will reduce the number of people incarcerated in our jails and prisons, by shifting the state's priorities away from mass criminalization and incarceration – which disparately impacts Native Hawaiians, Pacific Islanders and Blacks in Hawai'i – towards investments in our communities – in housing, food, health and human service, education and restorative justice.

Consequently, we should prioritize diverting women from jails and prisons in the first place. Many of the women at WCCC, most of whom are mothers and survivors of physical and sexual assaults – are better served in the community. Native Hawaiian women are 19% of the female population in Hawai'i, yet 44% of the female incarcerated population in Hawai'i. If we invest in comprehensive bail, diversion, probation and parole reform, the female population in our jails and prisons would be significantly reduced without comprising community safety.

Prioritizing reentry planning and comprehensive treatment, education and support services should start at day one of incarceration.¹ This reentry principle and best practice is not only humane – it makes our communities safer, and is essential now more than ever during the COVID pandemic.

¹ Interagency Council on Intermediate Sanctions, *State of Hawaii, FY 2016 Cohort, 2019 Recidivism Update*. Recidivism rates are highest for persons with maximum term releases compared to persons under probation or parole supervision. Recidivism is defined as a new arrest, or the revocation of probation or parole, within three years of the start of supervision. The total recidivism rate in 2015 was 53.8%, 54.6% for Probationers, 50.1% for Parolees and 57.1% for people with Maximum Term releases.

Reentry programs that help people secure jobs, treatment, housing² and education³, have proven effective in facilitating the successful transition of formerly incarcerated people out of jails and prisons, and back to their families and communities. Moreover, comprehensive support services have been shown to reduce recidivism.

Given that ninety-five percent of people incarcerated in our state jails and prisons will eventually be released and return home, we should invest in comprehensive reentry programs and services from day one of their incarceration.⁴

For these reasons, we urge the Committee to divert and release women from our jails and prisons, and in the rare circumstances where females are incarcerated, expand community-based work-furlough. Thank you for the opportunity to testify.

Sincerely,

Carrie Ann Shiota

Carrie Ann Shiota
Policy Director
ACLU of Hawai'i
cshiota@acluhawaii.org

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.

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@acluhawaii.org
www.acluhawaii.org

² Nathan James, Offender Reentry: *Correctional Statistics, Reintegration into the Community and Recidivism*, Congressional Research Service (2015). <https://sgp.fas.org/crs/misc/RL34287.pdf>

³ 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/publications/investing-in-futures-education-in-prison>

⁴ Timothy Hughes and Doris James Wilson, Reentry Trends in the United States, U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics (last revised Dec. 29, 2020), <https://bjs.ojp.gov/content/pub/pdf/reentry.pdf>



HB1776 Women Work Furlough for Offenders

COMMITTEE ON CORRECTIONS, MILITARY, & VETERANS

Rep. Takashi Ohno, Chair

Rep. Sonny Ganaden, Vice Chair

Tuesday, Feb 4 2022: 10:00 am : Videoconference

Hawaii Substance Abuse Coalition Supports HB1776:

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.

HB-1776

Submitted on: 2/2/2022 9:01:24 PM

Testimony for CMV on 2/4/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Nikos Leverenz	Hawaii Health & Harm Reduction Center	Support	No

Comments:

Hawaii Health & Harm Reduction Center supports HB 1776.

HHHRC's mission is to reduce harm, promote health, create wellness, and fight stigma in Hawaii and the Pacific. We work with many individuals impacted by poverty, housing instability, and other social determinants of health. Many have behavioral health problems, including those related to substance use and mental health conditions. Many of our program clients and participants have also been deeply impacted by trauma, including histories of physical, sexual, and psychological abuse.

Thank you for the opportunity to testify on this measure.

HB-1776

Submitted on: 2/3/2022 10:07:03 AM

Testimony for CMV on 2/4/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Trillium Simington	Individual	Support	No

Comments:

To: COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

My name is Trillium Simington and I am writing in strong support of **HB 1776** which mandates and appropriates funds for a community-based work furlough program for all incarcerated women in the State. Community-based work furlough programs have been shown to reduce recidivism and facilitate successful reentry upon release from prison. Programs that reduce recidivism and enable successful reintegration into the community are a major way to reduce costs to taxpayers and ensure greater public safety.

Mahalo for this opportunity to testify.

HB-1776

Submitted on: 2/3/2022 11:00:44 PM

Testimony for CMV on 2/4/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ann S Freed	Individual	Support	No

Comments:

Aloha Chair and members,

This initiative is long overdue and will move the state towards effective compliance with the 2006 law that the Hawaii State Legislature mandated through Hawaii Revised Statutes §367D-2: that the Department of Public Safety (PSD) foster a gender responsive environment by providing model gender-responsive programs for female offenders that are responsive to statewide needs.

Mahalo,

Ann S. Freed

Life-time Feminist in Mililani