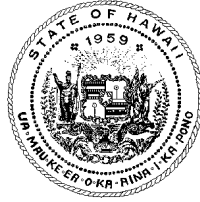


DAVID Y. IGE
GOVERNOR



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 1778, HOUSE DRAFT 1
RELATING TO THE COMPREHENSIVE OFFENDER REENTRY SYSTEM.

by
Max N. Otani, Director

House Committee on Judiciary and Hawaiian Affairs
Representative Mark M. Nakashima, Chair
Representative Scot Z. Matayoshi, Vice Chair

Thursday, February 17, 2022; 2:00 p.m.
State Capitol, Conference Room 325 & Via Videoconference

Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee:

House Bill (HB) 1778, House Draft (HD) 1 seeks to require the Department of Public Safety's (PSD) Offender Reentry Office to develop and implement a risk assessment tool specifically to assess the needs of female offenders and to provide a report to the Legislature regarding this matter.

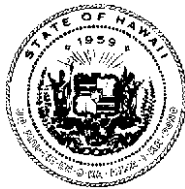
The Department supports the intent of this measure, but would ask that PSD be given the opportunity to implement our internal changes. We offer the following information on initiatives currently underway as affirmation of that support. In recognition of the importance of addressing the specific needs of female offenders, PSD has completed the redescription of a Corrections Program Specialist II position assigned to the Reentry Coordination Office to be dedicated to work on the assessment, program, treatment, and reentry needs of female offenders.

Part of this CPS II's responsibilities will be review nationally well-regarded offender assessment instruments nationwide, including conducting research with the National Institute of Corrections (NIC), American Correctional Association (ACA),

and other entities to help evaluate the effectiveness of the Level of Service Inventory – Revised (LSI-R) assessment instrument currently in use and to review other instruments to determine if more accurate and effective instruments specifically for female offenders may be available.

PSD has already made substantial progress towards accomplishing the purpose of HB 1778, HD 1 and respectfully suggests that the measure may not be needed. The Department will be certain to include ongoing progress reports as a part of its Annual Report to the Legislature, to include key performance indicators, as required under section 353G, Hawaii Revised Statutes.

Thank you for the opportunity to submit testimony on HB 1778, HD 1.



**STATE OF HAWAII
HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**

February 17, 2022

TO: The Honorable Representative Mark M. Nakashima, Chair
House Committee on Judiciary & Hawaiian Affairs

The Honorable Representative Scot Z. Matayoshi, Vice-Chair
House Committee on Judiciary & Hawaiian Affairs

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

SUBJECT: **HB1778, Relating to the Comprehensive Offender Reentry System**

POSITION: STRONGLY SUPPORT

Chair Nakashima, Vice Chair Matayoshi and Members of the Committee

The Hawaii Correctional Systems Oversight Commission supports Senate Bill 2639, Relating to the Comprehensive Offender Reentry System, which amends Section 353H-2.5, HRS, to require a risk/needs assessment specifically intended to assess the needs of female offenders returning to the community.

Criminal justice policies, practices and programs have traditionally been designed for men and applied to women without regard to the unique needs of women. Gender responsive risk/needs assessment tools better identify interventions which connect women to programs and treatment to address their needs and reduce the incidence of recidivism. It has long been established that women's pathways to crime differ significantly from those of men, too often beginning in childhood physical and sexual abuse. Women are far more likely than men to commit crimes related to poverty (prostitution, credit card fraud) and substance abuse (drug-related offenses). Dysfunctional relationships lead to a lack of self-worth and any sense of control over their own lives, and contribute to the high rates of depression among women offenders. As women are the primary caretakers of children, parental issues present unique challenges for impoverished women. Gender responses programs and treatments best address the needs of women.

We urge you to pass this measure to ensure proper interventions are identified and designed to assist the successful

Mark Patterson
Chair
Hawaii Correctional System Oversight Commission



HB1778 Risk Assessment WCCC for Offender Reentry

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. Mark M. Nakashima, Chair

Rep. Scot Z. Matayoshi, Vice Chair

Thursday, Feb 17 2022: 2:00 pm : Videoconference

Hawaii Substance Abuse Coalition Supports HB1778:

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.

HSAC believes it is a great idea to develop and implement risk needs assessment tools to properly place offenders in programs and services including a risk needs assessment tool that is specifically intended to assess the needs of female offenders;

HSAC supports and recommends adding nationally standardized treatment screening and assessments to guide the development of reentry plans that would include various levels of treatment such as substance use disorder residential or and outpatient that address criminality issues, as well as co-occurring mental health.

If there is not a chronic issue of substance abuse, then the assessment would recommend recovery-oriented services such as medication management and case management.

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

TESTIMONY IN SUPPORT OF HB 1778, HD1

TO: Chair Nakashima, Vice Chair Matayoshi, & Committee Members

FROM: Nikos Leverenz
Grants & Advancement Manager

DATE: February 17, 2022 (2:00 PM)

Hawai'i Health & Harm Reduction Center (HHRC) supports HB 1778, HD 1, which requires the Offender Reentry Office of the Department of Public Safety (PSD) to develop and implement a risk and needs assessment tool that is specific to female offenders.

[As the HCR 85 Task Force Final Report notes](#), “female offenders tend to have a history of physical and/or sexual abuse, and they are the primary caretakers of young children at the time of arrest. Their involvement in criminal activity is often motivated by poverty and/or substance abuse, and they are less likely than men to have been convicted of a violent crime.” Reentry planning should commence when a person enters prison.

Prevailing prosecutorial practices, along with the continued absence of substantive bail reform, sentencing reform, and probation reform, set the stage for perennially overcrowded carceral facilities. The continued criminalization of personal drug use and possession significantly perpetuates lasting social, medical, and legal stigma. Criminalization subjects persons from under-resourced communities to prolonged periods of criminal legal supervision. [The enforcement of drug laws pertaining to personal use and possession of drugs has disproportionately impacted Native Hawaiians](#). In this regard, the criminal legal system’s enforcement of punitive drug laws embodies the structural [racism that this Legislature declared a public health crisis via HCR 112](#) just last year.

HHRC’s mission is to reduce harm, promote health, create wellness, and fight stigma in Hawai'i and the Pacific. We work with many individuals impacted by poverty, housing instability, and other social determinants of health. Many of our program clients and participants have also been deeply impacted by trauma, including histories of physical, sexual, and psychological abuse. Criminalization compounds their suffering and further jeopardizes their health and well-being.

Thank you for the opportunity to testify on this measure.



YWCA Laniākea
1040 Richards Street
Honolulu, HI 96813
(808) 538-7061

YWCA Fernhurst
1566 Wilder Avenue
Honolulu, HI 96822
(808) 941-2231

YWCA Kokokahi
45-035 Kāneʻohe Bay Drive
Kāneʻohe, HI 96744
(808) 247-2124

House Committee on Judiciary & Hawaiian Affairs
Wednesday, February 17, 2022, 2:00pm
Conference Room 325, Via Videoconference

Testimony in Support of HB 1778 HD1

Chair Nakashima, Vice Chair Matayoshi, and members of the committee,

Thank you for the opportunity to testify in **support of HB 1778 HD1**, which requires the offender reentry office of the department of public safety to develop and implement a risk needs assessment tool that is specifically intended to assess the needs of female offenders. Requires a report to the legislature.

YWCA Oʻahu 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 Oʻahu 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 assist in our state’s transition to a rehabilitative correctional system by identifying the risk needs of women before leaving incarceration. Assessment tools such as this, specifically designed to address the needs of women, should help to better identify and address the root cause/s of issues that led to incarceration thus reducing recidivism.

Thank you for opportunity to testify in support of HB 1778 HD1.

Jen Wilbur
Director of Advocacy
YWCA Oʻahu

HB-1778-HD-1

Submitted on: 2/16/2022 1:54:23 PM

Testimony for JHA on 2/17/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Linda Rich	Women's Prison Project	Support	Yes

Comments:

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Representative Mark M. Nakashima, Chair

Representative Scot Z. Matayoshi, Vice Chair

HEARING DATE: Thursday, February 17, 2022

TIME: 2:00 PM, Via Videoconference

SUPPORT FOR HB1778, HD1 (HSCR 125-22) RELATING TO COMPREHENSIVE OFFENDER REENTRY SYSTEM

HB1778 HD1 (HSCR 125-22) mandates that the Department of Public Safety's Offender Reentry Office develop and implement a gender-responsive risk and needs assessment tool for use in transition planning for women reentering the community from incarceration.

Research over many years and in many states has identified women's pathways to crime, which are often quite different than those of men. These pathways to crime are not adequately identified by risk and needs assessment tools validated with male populations.

Women's pathways to incarceration, according to the Hawaii Judiciary's Criminal Justice Research Institute (CJRI), are often related to social and economic marginalization and include poverty, lack of education, lack of access to mental health and substance abuse treatment,

histories of trauma including childhood abuse and domestic violence, parenting stress, and lack of access to safe and affordable housing.

These same factors are barriers to women's successful reentry and non-recidivism.

Property and drug related crimes, the majority of women's offenses, are often linked to poverty, dysfunctional relationships, and survival.

A 2018 study of women transitioning out of the Women's Community Correctional Center showed a recidivism rate of 51.3 percent, according to the Hawaii CJRI. This rate should not be acceptable and reflects a need to adopt new approaches.

CJRI's review of women's pathways to crime suggest that recidivism could be reduced and the lives of women and their families within our communities greatly enhanced by utilizing a validated gender responsive risk and needs assessment tool that would align assessment with women's pathway research to more accurately assess risk and identify women's needs and strengths so that women may be directed toward programs and services that will reduce recidivism.

The Women's Prison Project strongly supports because an accurate assessment is critical for an effective transition plan that would reduce recidivism and result in healthier families and safer communities.

Thank you for the opportunity to testify and for considering our thoughts on this important issue. If you have further questions about WPP's support for this measure, contact Linda Rich richl001@hawaii.rr.com

Linda Rich

On behalf of the Women's Prison Project