

**HB-2257**

Submitted on: 2/2/2022 9:04:42 PM

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

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

Comments:

Hawaii Health & Harm Reduction Center supports HB 2257.

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.



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COMMITTEE ON CORRECTIONS, MILITARY & VETERANS AFFAIRS  
Honorable Representative Takashi Ono, Chair  
Honorable Sonny Ganaden, Vice Chair

HEARING DATE: Friday, February 4, 2022  
TIME: 1:00 PM, Via Videoconference

**SUPPORT FOR HB2257 RELATING TO WOMEN'S COMMUNITY CORRECTIONAL CENTER (WCCC)**

Hawai'i Friends of Restorative Justice (HFRJ) strongly supports this measure appropriating \$200,000 to provide a reentry planning process to women incarcerated at WCCC. HFRJ developed the process known as huikahi circles in Hawai'i for the loved ones of individual incarcerated people, and the incarcerated, to address shame and heal from harm caused by crime and incarceration. The circle process uses [public health learning principles](#), and are an opportunity for an incarcerated person to make meaningful amends, to set goals, and to plan for their futures. Individuals transitioning from prison back into the community need to be involved in their reentry planning ([Taxman, 2004](#)).

HFRJ has provided 179 reentry circles and researched the outcomes. They help [loved ones](#) and the [children](#) of the incarcerated to address harm and trauma that crimes and imprisonment can cause, and they [reduce repeat crime](#) that can reduce our prison population. An independent evaluation of the HJRF reentry planning circles conducted in 2016 showed that those receiving a circle had a 26% lower rate of recidivism than a control group of incarcerated people who wanted a circle, but did not get one mainly due to the lack of resources to provide them. The recidivism rate for the control group was approximately the same as the statewide rate.



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We evaluated the cost and the benefits of reducing recidivism by constructing and employing a simulation model to capture the aggregate flow of people into, out of, and back into prison. Simulation models are well known to be useful in studying population dynamics and have previously been applied to criminal justice systems in research as well as by state agencies to forecast prison populations. Considering the voluntary nature of the huikahi circle program and likely differences within the population, for the cost-benefit analysis we used 50% participation in the program. The model shows that a 26% reduction in recidivism among the participants results in a 9% reduction in prison population over 15 years. HJRF estimates \$850 per inmate and \$90,000 annual fixed cost to provide the program. We used as a marginal cost savings the Hawai'i PSD contract cost of housing a person with CoreCivic in Arizona of \$30,153 per prisoner per year. The net savings is positive by year two of the program and the 15-year cumulative savings is over \$69 million. The paper describing this research is being peer reviewed currently, but a summary of it is attached.

The huikahi circles have been provided *pro bono* and with private grants to the state prisons since 2005, except for the state's federal [2021 GEER grant](#). The US District Court for Hawai'i [specialty court pilot](#) has provided the circles since 2015.

We urge the Committee to please pass this bill. If you have any questions about HFRJ's support please contact Lorenn Walker, JD, MPH, at [lorenn@hawaii.edu](mailto:lorenn@hawaii.edu) or (808) 218-3712. Mahalo for your public service.

## **Research Summary: Estimated net benefits of a restorative reentry program**

Richardson, James & Walker, Lorenn (2021) “The cost of recidivism: a prison population model to evaluate the benefits of a restorative reentry program,” working paper.

Hawai‘i Friends of Restorative Justice (HFRJ), a small non-profit organization, developed and provides a reentry planning process for incarcerated individuals who want to meet with their loved ones to make amends for any harmful behavior. The reentry planning circles have been provided in Hawai‘i prisons since 2005 (Walker, 2010) and the federal court in Hawai‘i has been successfully experimenting with them since 2015 (Walker & Kobayashi, 2020). To date, HFRJ has provided 175 circles with 775 participants. All but one of the 775 participants reported the process was positive. The circle model has been replicated in other states and countries.

The reentry planning circles seek to provide a number of benefits to the incarcerated, their families, and the community, including reconciliation. The incarcerated individual who applies for a reentry circle seeks to make amends with those harmed by their behavior, and to make a plan to support their desistance from crime. An independent evaluation of the HFRJ reentry planning circles was conducted in 2016 (Davidson, 2016; Walker & Davidson, 2018). It showed that those receiving a circle had a 26% lower rate of recidivism than a control group. The recidivism rate for the control group was approximately the same as the statewide rate (Wong, 2017).

In order to evaluate the cost-effectiveness or cost-benefit of the HFRJ circles, we focus on the benefits of reducing recidivism. Across the US, 82% of those released from state prisons are rearrested within 10 years (78% in Hawaii) and  $\frac{3}{4}$  of those are reincarcerated (Antenangeli & Durose, 2021). These high rates of recidivism are widely recognized as a problem and have become an important measure of the success, or failure, of our prisons. In this study we estimate the direct effects of reduced recidivism on prison populations. We construct and employ a simulation model to capture the aggregate flow of people into, out of, and back into prison. In particular, we use a system dynamics model of stocks and flows. Simulation models are well known to be useful in studying population dynamics and have previously been applied to criminal justice systems in research as well as by state agencies to forecast prison populations. The model enables us to directly assess the effect of a change in recidivism on total prison population.

### **Method**

The method of using a simulation model to estimate the effects of reduced recidivism involves three steps: 1) building and calibrating the model so that it reproduces the behavior of the actual system, 2) reducing the rate of recidivism in the model to see the effect on prison population, and 3) calculating the reduced cost and net benefits of the population reduction. The simulation model was calibrated using the stocks and flows of sentenced felons in Hawaii prisons from 2008 through 2019 and the recidivism experience of the 2008 release cohort through 2019. The model produced outputs that track very closely with the actual stocks and flows, giving confidence in its usefulness for estimating the effects of reduced recidivism.

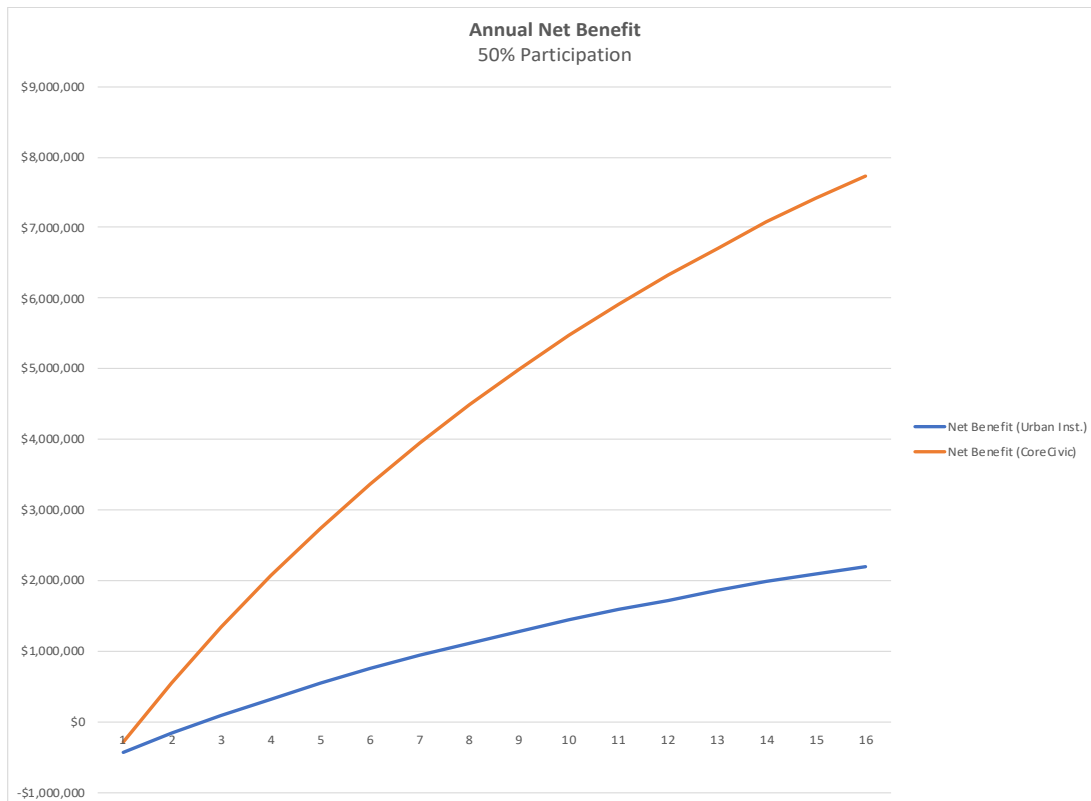
## Results

**Prison population reduction:** The model shows that a 26 percent reduction in recidivism results in a 17 percent reduction in the prison population over a period of 15 years as the number of recidivists in prison is reduced by 40 percent. These estimates are based on 100 percent participation of those being released from prison in the reentry circle program with the reported effect on recidivism. Considering the voluntary nature of the program and likely differences within the population, for the cost-benefit analysis we used 50 percent participation, which results in a 9 percent reduction in prison population over 15 years.

**Cost-benefit:** For cost reduction from reducing the prison population, we used two different estimates of marginal costs. The first is based on work by the Urban Institute which uses an average marginal cost over many states (Urban Institute, 2018) that can be calculated from the Hawaii Dept. of Public Safety (PSD) estimate of per diem cost. The second is the Hawaii PSD contract cost of housing an inmate with CoreCivic in Arizona (Prison Legal News, 2019). The first method gives a marginal cost of \$9592 per prisoner per year. This is considerably less than the CoreCivic annual cost of \$30,153 per prisoner.

The cost of providing the HFRJ program was estimated to be \$850 per inmate released with an annual fixed cost of \$90,000.

The figure below shows how the annual net benefit increases with time as the effect of reduced recidivism on prison population grows. The table below summarizes the cost-benefit analysis with average annual and cumulative net benefits.



## Annual net benefits from reentry circle program with different incarceration costs

### Cost-benefit summary

	Annual Average	15 Year Cumulative
Program Cost (50% participation)	\$450,085	\$7,201,366
Prison Population Reduction	155	266 (in Year 15)
Cost Reduction (Urban Inst. Formula)	\$1,532,495	\$24,519,917
Cost Reduction (CoreCivic Cost)	\$4,817,329	\$77,077,259
Net Benefit (Urban Inst. Formula)	\$1,082,409	\$17,318,551
Net Benefit (CoreCivic Cost)	\$4,367,243	\$69,875,893

### Conclusion

There are a number of ways to address the problem of large prison populations and the societal cost. Among them are sentencing policies, alternatives to incarceration, and rehabilitation programs. Given the very high rates of recidivism, a focus on programs to reduce recidivism seems warranted. The HFRJ Reentry Circle program has been shown to reduce recidivism, and here shown to provide net benefits by reducing incarceration costs. Reducing recidivism provides other benefits as well. These net benefits argue for the use of such a program to help address the high societal cost of prisons.

Acknowledgment: The authors would like to acknowledge and thank George King and the Hawaii State Department of Public Safety for providing data and continued support for this project.

### References

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Davidson, J.T. (2016), An Evaluation of Hawai`i Huikahi Reentry Circles & 12 Week Cognitive Class, <http://hawaiifriends.org/wp-content/uploads/2021/07/RJ-Hawaii-Evaluation-Davidson-10.3.16.pdf>

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HEARING DATE: Friday, February 4, 2022  
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The Women's Prison Project strongly supports this measure appropriating \$200,000 to provide a reentry planning process to women incarcerated at WCCC. HFRJ developed the process known as huikahi circles in Hawai'i for the loved ones of individual incarcerated people, and the incarcerated, to address shame and heal from harm caused by crime and incarceration. The circle process uses [public health learning principles](#), and are an opportunity for an incarcerated person to make meaningful amends, to set goals, and to plan for their futures. Individuals transitioning from prison back into the community need to be involved in their reentry planning ([Taxman, 2004](#)).

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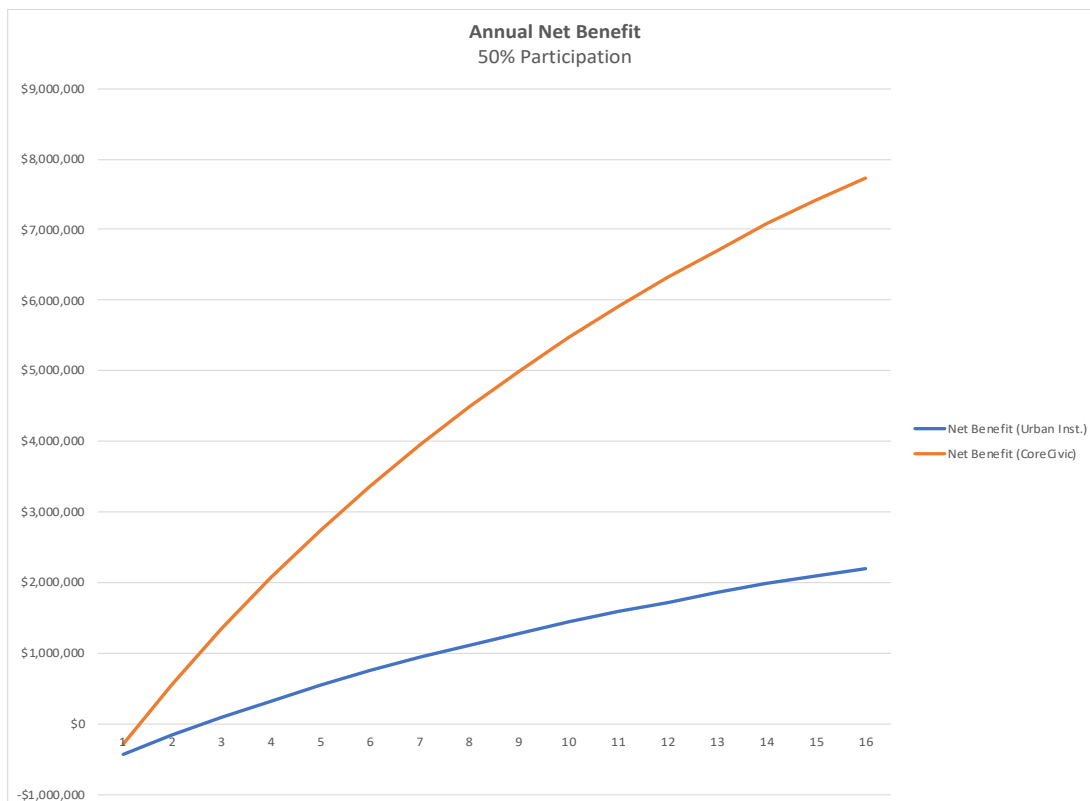
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# COMMUNITY ALLIANCE ON PRISONS

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## COMMITTEE ON CORRECTIONS, MILITARY, & VETERANS

Representative Takashi Ohno, Chair

Representative Sonny Ganaden, Vice Chair

Friday, February 4, 2022

10:00 AM

### **HB 2257 – REENTRY PLANNING CIRCLES FOR 50 WOMEN**

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 4,099 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 1,113 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.

This bill allows for 50 reentry circles for women. This restorative/transformational justice process is an important component of successful reentry. The circles include those impacted by wrongdoing, prison counselors, family, friends, employers who gather together to support the person requesting the circle. The circle becomes that woman’s reentry team as everyone participates in helping her achieve her goals and aspirations.

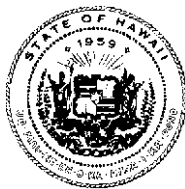
This is a peacemaking, community-building, solution-focused process that looks ahead and doesn’t keep the woman tied to her past behavior. Stygma is one of the most difficult things for people to overcome; it affects their self-image and self-esteem.

Community Alliance on Prisons worked with the Hawai`i Friends of Restorative Justice to establish the restorative circle process in 2005. In 2007, it became part of Hawai`i’s Reentry Law (Act 8 2007). It currently only operates at WCCC as the funding has all been from private foundations.

It is time for Hawai`i to step up and fund this process that produces great results!

Mahalo for this opportunity to testify.





**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 2257, RELATING TO REENTRY PLANNING CIRCLES**

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).]

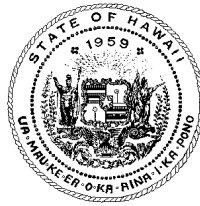
The Commission strongly supports HB 2257, which would fund for reentry planning circles for incarcerated women in Hawaii. This mandate would be consistent with the requirement in HRS 353H-3 that the Department of Public Safety develop a "comprehensive network of transitional programs to address the needs 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 the link inmates in prison with the communities to which they inmates.

Reentry planning circles effectively help inmates re-connect with their families and other loved ones. Family connection is a crucial element in successful reentry. Our only concern with this bill is that it is limited only to women inmates. It is a good start, nevertheless, and we urge your favorable consideration.





DAVID Y. IGE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
1177 Alakea Street, 6th Floor  
Honolulu, Hawaii 9681e

**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 2257  
RELATING TO PUBLIC SAFETY.**

By  
Max N. Otani, Director  
Department of Public Safety

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

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) 2257, which seeks to appropriate \$200,000.00 to fund reentry circles for at least fifty (50) incarcerated women. The Department provides comments regarding this proposed legislation.

The therapeutic process that may result in participation in reentry circles would best serve offenders and their families as part of jail diversion programs, not after conviction and sentencing. Potential positive outcomes of these types of circles could possibly serve an effective intervention strategy that can be an effective part of community-based incarceration diversion initiatives.

Thank you for the opportunity to provide comments on HB 2257.

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. 2257

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

RELATING TO REENTRY PLANNING CIRCLES

The Department of Budget and Finance (B&F) offers comments on this bill.

House Bill No. 2257 appropriates \$200,000 in general funds to the Department of Public Safety for FY 23 to fund reentry planning circles for at least 50 incarcerated women. This bill is intended to lower recidivism rates and provide solution-based planning processes for the development of detailed plans for obtaining housing, employment, and other necessities upon the release of inmates from incarceration.

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.

**HB-2257**

Submitted on: 2/3/2022 11:08:39 PM

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Ann S Freed	Individual	Support	No

Comments:

Aloha Chair and Members,

Strong support,

Ann S. Freed

Life-time Feminist in Mililani