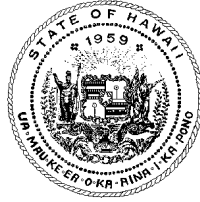


DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
1177 Alakea Street, 6th Floor
Honolulu, Hawaii 968134

MAX N. OTANI
DIRECTOR

Maria C. Cook
Deputy Director
Administration

Tommy Johnson
Deputy Director
Corrections

Jordan Lowe
Deputy Director
Law Enforcement

No. _____

**TESTIMONY ON HOUS BILL 2309, HOUSE DRAFT 2
RELATING TO INCARCERATION.**

by
Max N. Otani, Director
Department of Public Safety

Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Senator Clarence K. Nishihara, Chair
Senator Lynn DeCoite, Vice Chair

March 17, 2022; 1:00 p.m.
Via Videoconference

Chair Nishihara, Vice Chair DeCoite, and Members of the Committee:

The Department of Public Safety (PSD) offers the following comments on House Bill 2309, HD 2, which proposes to appropriate funds, through PSD, the Judiciary, and the Hawaii Paroling Authority (HPA) for the development and maintenance of diversion, reentry, and rehabilitation services and programs provided by nonprofit organizations in the State. The Department welcomes this assistance for enhancing offender diversion programs and strengthening community-based reentry and rehabilitation programs.

PSD notes, however, that the incarcerated population is separate and distinct from the category of diverted offenders, and may, therefore, be treated differently. Further, the Department notes that its jurisdiction ends upon an offender's release on parole or end of sentence, and once PSD's jurisdiction ends, it has no authority to order ex-offenders to participate in community-based programs, nor should the Department be responsible for administering contracts and/or services for this population. In fact, offenders sentenced to one year or less of incarceration are sentenced to jail and remain under the sole jurisdiction of the courts. Offenders

Testimony on HB 2309, HD 2
Senate Committee on Public Safety,
Intergovernmental, and Military Affairs
March 17, 2022
Page 2

sentenced to serve five years or more of incarceration are sentenced to prison terms that fall under the jurisdiction of the Hawaii Paroling Authority following conviction. It is the HPA that sets the minimum terms of imprisonment and can also reduce previously set minimum terms, including deciding to grant or deny release on parole.

Thank you for the opportunity to provide comments regarding HB 2309, HD 2.



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

March 17, 2022

TO: The Honorable Senator Clarence Nishihara, Chair
Senate Committee on Public Safety, Intergovernmental and Military
Affairs

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

SUBJECT: **HB 2309 HD2, Relating to Incarceration**

POSITION: **Support**

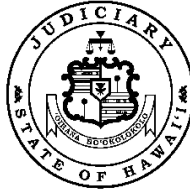
Chair Nishihara, Vice Chair DeCoite and Members of the Committee

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 supports the intent of this bill as important for the Department of Public Safety to continue to manage, sustain and expand its comprehensive offender re-entry program. This bill can begin a foundation of reform of PSD current reentry practices that can begin to move the correctional system from punitive to therapeutic.

It is important to note that many non-profits or service providers that service offenders may not be under Department of Public Safety, but under the Departments of Health and Human Services. The three systems are interchangeable and often have crossover clientele, be it offenders and/or their families.

The passing of this bill is a great first step.



The Judiciary, State of Hawaii

Testimony to the Thirty-First Legislature, Regular Session of 2022

Senate Committee on Public Safety, Intergovernmental, and Military Affairs

Senator Clarence K. Nishihara, Chair

Senator Lynn DeCoite, Vice Chair

Thursday, March 17, 2022 at 1:00 p.m.
Conference Room 229 & Videoconference

by

Dwight S. Sakai

Deputy Chief Court Administrator

First Circuit

Bill No. and Title: House Bill No. 2309, H.D. 2, Relating to Incarceration

Purpose: Appropriates moneys for the development and maintenance of diversion, reentry, and rehabilitation services and programs by non-profit organizations in the State.

Judiciary's Position:

The Judiciary supports House Bill No. 2309, H.D. 2 as it will provide much needed resources and funding to non-profit programs that provide direct services to offenders under the jurisdiction of the Judiciary.

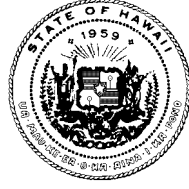
Currently, non-profit organizations provide vital services and programs that include substance abuse treatment, mental health treatment, and domestic violence intervention. Providing additional funding to non-profit organizations will allow for an increase in the number of offenders served and provide opportunity for the programs to expand their services to meet the needs of offenders.

Offenders face many challenges in rehabilitating their lives. Non-profit community programs and the Judiciary have a long history in working together to help them. The impact is significant not only for the offenders, but for their families and the community. Providing this needed funding will ensure that their work continues.

For clarification purposes, the Judiciary contracts for services and will follow the 103F procurement process for which these services would fall under.

Thank you for the opportunity to testify on House Bill No. 2309, H.D. 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

March 16, 2022

TO: The Honorable Senator Clarence K. Nishihara, Chair
Senate Committee on Public Safety, Intergovernmental, and Military Affairs

FROM: Cathy Betts, Director

SUBJECT: **HB 2309 HD2 – RELATING TO INCARCERATION.**

Hearing: March 17, 2022, 1:00 p.m.
Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this measure, offers comments, and defers to the Department of Public Safety, the Judiciary, and the Hawaii Paroling Authority. The Department respectfully requests that any appropriation not replace or reduce priorities identified in the executive budget.

PURPOSE: The purpose of this bill is to appropriate moneys for the development and maintenance of diversion, reentry, and rehabilitation services and programs by non-profit organizations in the State. Effective 7/1/3000. (HD2)

The HD1 amended the measure by:

- (1) Adding appropriations to the Judiciary and Hawaii Paroling Authority for the development and maintenance of diversion, reentry, and rehabilitation programs and services for offenders falling under their respective jurisdictions;
- (2) Increasing flexibility by including rehabilitation as a type of program or service for which the appropriations under this Act may be used;
- (3) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

The HD2 amends the measure by:

- (1) Deleting references to specific organizations and programs from the preamble; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

Reentry and transition support programs are needed to help individuals be successful upon release from prison. Increasing opportunities while incarcerated to obtain substance abuse or behavioral health treatment, assistance with obtaining government-issued identification, general education degrees, employment training, whole-family-focused activities, and programming to maintain relationships can be transformative experiences. In addition, individuals preparing to reenter the community need to begin establishing relationships with community- and peer-support programs before release. Having positive relationships before and upon release will improve the individual's support network and social connections giving the person confidence and access to resources, especially peer-supports with lived experience.

Successful diversion, reentry, and rehabilitation services need cross-sector collaboration with community-based organizations to support both the returning individual and their families. 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 before or 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 SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL,
AND MILITARY AFFAIRS
ON
HOUSE BILL NO. 2309, H.D. 2

March 17, 2022
1:00 p.m.
Room 229 and Videoconference

RELATING TO INCARCERATION

The Department of Budget and Finance (B&F) offers comments on House Bill (H.B.) No. 2309, H.D. 2.

H.B. No. 2309, H.D. 2, appropriates an unspecified amount of general funds to the Department of Public Safety, Judiciary and Hawai'i Paroling Authority for FY 23 for the development and maintenance of diversion, reentry, and rehabilitation services and programs by non-profit organizations within the State, provided that these distributions shall not be subject to Chapter 42F, HRS, provided further that these appropriations shall not lapse at the end of the fiscal year for which the appropriations are made, but no later than June 30, 2024. This bill is intended to reduce recidivism rates in the State and increase productivity in affected communities through various reentry programs.

B&F notes that, with respect to the general fund appropriations 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.



Hawai'i

Committee: Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Hearing Date/Time: Thursday, March 17, 2022, 1PM
Place: Via videoconference
Re: **Testimony of the ACLU of Hawai'i in Support of HB 2309 HD2 Relating to Incarceration with a Proposed Amendment**

Dear Chair Nishihara, Vice Chair DeCoite, and members of the Committee:

The American Civil Liberties Union of Hawai'i ("ACLU of Hawai'i") writes in **support of HB 2309 HD2** which appropriates funding for the development and maintenance of diversion and reentry services and programs by non-profit organizations in the State.

The ACLU advocates for the State to shift spending priorities away from mass criminalization and incarceration towards rehabilitation, education, housing, health and human services, and restorative justice in the community. This systems-change approach makes fiscal sense, and builds safe and healthy communities.

Prioritizing reentry planning and comprehensive treatment, education and support services should start at day one of incarceration, not at the tail end of a person's 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.

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.**

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.

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>

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.⁴

This bill provides an opportunity to invest in community non-profit organizations that have experience providing comprehensive re-entry services, and collaborating with the public and private sector to leverage resources to meet the needs of people returning home to their families and communities.

The ACLU recommends the following amendments:

1. Provide an appropriation for the **Department of Human Services** for the development and maintenance of diversion, reentry and rehabilitation services and programs by non-profit organizations within the State, to provide services to formerly incarcerated persons exiting jails and prisons, with a special focus on housing and human services. DHS has expertise providing housing assistance, SNAP and other support services.
2. Provide an appropriation for the **Department of Health** for the development and maintenance of diversion, reentry and rehabilitation services and programs by non-profit organizations within the State, to provide services to formerly incarcerated persons exiting jails and prisons, with a special focus on health. DOH has expertise providing health and behavioral health services and operate from a public health lens.
3. Require State Agencies and non-profit organizations who receive appropriations under this measure to submit an **Annual Report** to the State Legislature outlining how the funds have been expended, the list of providers, how many people have been served, a description of services provided, and measurable outcomes.

For these reasons, we urge the Committee to support **HB2309 HD2** with the proposed amendments. Thank you for the opportunity to submit testimony.

Sincerely,
Carrie Ann Shirota
Carrie Ann Shirota
Policy Director
ACLU of Hawai'i
cshirota@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
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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>

TESTIMONY IN SUPPORT OF HB 2309, HD 2

TO: Chair Nishihara, Vice Chair DeCoite, & Committee Members

FROM: Nikos Leverenz
Grants & Advancement Manager

DATE: March 17, 2022 (1:00 PM)

Hawai'i Health & Harm Reduction Center (HHRC) **strongly supports** HB 2309, HD 2, which appropriates funds for the development and maintenance of diversion, reentry, and rehabilitation services and programs by non-profit organizations across the state.

Ideally, the Department of Public Safety would engage in a range of pre-release planning to facilitate the procurement of identity documents and provide linkage to post-release housing opportunities, medical care, and other available government support. However, current practice is to leave those released without adequate support. This dramatically increases the likelihood of joining the ranks of the unsheltered homeless. Many of those we serve struggle with obtaining identity documents, including those who have been released from carceral facilities. Pre-arrest diversion programs can also help with linking persons with available government services than can improve their health and well-being while also limiting the number of persons in local jails.

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 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.

HHRC Executive Director Heather Lusk currently serves as Board Chair of [Partners in Care O'ahu](#), a planning, coordinating, and advocacy alliance that develops recommendations for programs and services to fill needs within O'ahu's continuum of care for homeless persons. HHRC provides homeless outreach and housing placement navigation services in urban Honolulu and the Upper Windward Coast, including North Shore.

Thank you for the opportunity to testify on this measure.



HB2309 HD2 Diversion and Reentry for Offenders

COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Senator Clarence K. Nishihara, Chair

Senator Lynn DeCoite, Vice Chair

Thursday, Mar 17 2022: 1:00 : Videoconference

Hawaii Substance Abuse Coalition Strongly Supports HB2309 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.

A comprehensive program that includes diversion to treatment and reentry to community services produces better outcomes and is more cost-effective.

There are various levels of mild to chronic forms of substance use disorders, mental health disorders and even criminality. HSAC understands this very well since we treat all these issues for those who have chronic to severe levels.

Comprehensive services can address the various levels of mild to moderate to chronic for multiple reentry issues that can include specialized treatment for substance abuse and/or mental health disorders, harm reduction for lower use of substances, housing, case management, vocational training and employment, education, family integration, restorative practices and more.

- 1. For offenders with lower substance use** and either low or high functioning, it is preferable to start with housing plans, case management, education, vocational training and employment with wrap around harm reduction practices. If substance abuse continues without controlled use and especially if there are other behavioral health issues then counseling, medications, or outpatient treatment can be considered especially as for co-occurring substance misuse along with mental health disorders. Any needed substance use disorder or co-occurring disorder outpatient or counseling treatments would be best to include programming that addresses criminality issues. Medication management would be considered.
- 2. For offenders with heavy use substance use** and either low or high functionality, abstinence-based treatment is essential for what works according to research from the American Society of Addiction Medicine (ASAM), the definitive

body of science for levels of care. The more chronic substance abuse, especially for addiction, would be best to start at residential or if less severe, start at outpatient treatment. Treatments would also address criminality and include medications if needed.

- a. If residential, start first and then move to housing.
 - i. Key to residential is to have complex patient capability.
 - ii. Key is to have case management after treatment that focuses on helping offenders “pursue abstinence” knowing that chronic illnesses tend to have relapses.
- b. If outpatient, then start at housing and include outpatient.
 - i. Education would be beneficial before, during and after treatment.
 - ii. Vocational training and employment can occur simultaneously with outpatient.
 - iii. Case management and medication management are key as part of and following treatment.

3. Using nationally standardized screening and assessment tools are essential to develop appropriate reentry plans to determine an integrated approach for reentry:

- a. that incorporates residential or outpatient treatment as part of housing or
- b. if substance abuse treatment is not needed, then integrate recovery-oriented services as part of housing, such as case management or medication management.
- c. Vocational is key for long-term rehabilitation.
- d. It is important that parole and probation are involved in every step with service providers.

4. HSAC Treatment Providers that provide treatment and/or prevention for substance use disorders:

Action with Aloha	Aloha House/Maui Youth & Family/Malama Family Recovery Center	Big Island Substance Abuse Council (BISAC)
Bobby Benson Center	Coalition for Drug Free Hawaii	Habilitat
Hawaii Health and Harm Reduction Center (HHRC)	Hina Mauka	Ka Hale Pomaika'i
Po'ailani	Queens Day Treatment	
The Salvation Army ATS	The Salvation Army FTS	

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

COMMUNITY ALLIANCE ON PRISONS

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

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



COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, & MILITARY AFFAIRS

Senator Clarence Nishihara, Chair

Senator Lynn DeCoite, Vice Chair

Thursday, March 17, 2022

1:00 PM

STRONG SUPPORT - HB 2309 HD2 - CLARIFYING SECTION 353L – 3, HRS

Aloha Chair Nishihara, Vice Chair DeCoite 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 HD1 of the more than 4,008 Hawai`i individuals living behind bars¹ under the “care and custody” of the Department of Public Safety on any given day. We are always mindful that 1,110 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 grateful for the opportunity to testify in strong support of HB 2309 HD2. This measure appropriates funds to the Judiciary for DIVERSION and to the Hawai`i Paroling Authority for REENTRY. Our strong support of this measure applauds the many introducers of this bill because it looks at the front- and the back-end of the criminal legal system and funds programs on both ends -- a great strategy to reduce recidivism.

This is what is sorely needed in Hawai`i. Please support this measure to stem the tide of people flowing into the system as well as to help those who have served their time successfully reenter their communities.

We respectfully ask the committee to pass this measure.

¹ Department of Public Safety, Weekly Population Report, March 7, 2022.

<https://dps.hawaii.gov/wp-content/uploads/2022/03/Pop-Reports-Weekly-2022-03-97.pdf>

Senate Committee on Public Safety, Intergovernmental & Military Affairs
Thursday, March 17, 2022, 1:00pm
Conference Room 229 & Via Videoconference

Testimony in Support of HB 2309 HD2

Chairs Nishihara, Vice Chairs DeCoite, and members of the committee,

Thank you for the opportunity to testify in **support of HB 2309 HD2**, which appropriates moneys for the development and maintenance of diversion, reentry, and rehabilitation services and programs by non-profit organizations 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".

We support this bill because it does just what Task Force 85 report says we must do – move away from a punitive system to a rehabilitative system. Investing in development and maintenance of diversion, reentry and rehabilitative services and programs by non-profit organizations in the State is vital in this shift to a rehabilitative model.

Thank you for the opportunity to testify in support of HB 2309 HD2.

Jen Wilbur
Director of Advocacy
YWCA O'ahu



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www.goinghomehawaii.org

TO: Committee on Public Safety, Intergovernmental, and Military Affairs

Hearing: Thursday, March 17, 2022, at 1:00 PM

RE: **Strong Support of HB2309 HD2**

Dear Chair and Committee Members,

Going Home Hawai'i strongly supports HB2309 HD2, that appropriates funding for nonprofit organizations to provide diversion, reentry and rehabilitation services.

The mission of Going Home Hawai'i (GHH) is to assist justice involved Hawai'i Island men, women and youth with reintegration into community life through employment, education, housing and appropriate services. GHH successfully operates *Reentry & Recovery Housing* programs in both East and West Hawai'i Island, with a total capacity of 84 beds in three apartment buildings in Kailua-Kona and three houses in Hilo. Our housing program services are provided in a well-managed, structured, clean and sober environment. All of our referrals come to us through the criminal legal system.

Based on our extensive experience providing direct community reintegration services, we understand what works best in community-based settings. Over 70% of individuals served through GHH Reentry and Recovery Housing programs were either homeless upon arrest, homeless and/or at-risk of homelessness when released, or experienced homelessness in the past year. The prevalence of substance abuse in Hawai'i County is another significant challenge for returning prisoners. An estimated 80% of former prisoners suffer from substance use disorders and access to other substance and mental health treatment in prison is severely lacking. After release from incarceration, many persons need to be connected with Medicaid and then referred to appropriate treatment providers.

To further strengthen these efforts, Going Home Hawai'i recommends the following amendments:

1. Provide an appropriation for the Department of Human Services for the development and maintenance of diversion, reentry and rehabilitation services with a special focus on housing and human services.
2. Provide an appropriation for the Department of Health for the development and maintenance of diversion, reentry and rehabilitation services with a special focus on health.
3. Require State Agencies and nonprofit organizations who receive appropriations under this measure to submit Annual Reports to the State Legislature.

In sum, reentry is critically important to public safety and the welfare of the families and communities of justice involved persons. Community reentry plays an important role in bridging the gaps in services that make the difference between success and failure for justice involved persons. *Reentry services is one of the smartest investments we can make, and successful reintegration is one of the most important crime-prevention tools our communities have!*

Thank you for the opportunity to provide written testimony in support of HB2309 HD2.

Les Estrella, President & CEO

HB-2309-HD-2

Submitted on: 3/15/2022 12:55:09 PM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Seikai Darcy	Testifying for Share Your Mana	Support	Written Testimony Only

Comments:

Aloha Committee,

My name is Lisa Darcy and I am the Founder of Share Your Mana, a Maui homegrown NP dedicated to the quality of life for those in deep poverty and unhoused/unsheltered. I am also the women's coordinator for Ka Ipu Ha`a which is a mentoring program at Maui County Correctional Center sponsored by Mental Health America and a member of the the Maui County Reform Hui...AND a Commissioner on Healing Solutions for Homelessness. On several occassions, having long-term intimate experience with those released into homelessness, I have put forth proposals to assist MCCC to create healthy streamlined positions which would sheppard individuals realeased from incarceration into a community of support into an abyss.

Please support of **HB2309 HD2 that appropriates funding for non-profit organizations to provide diversion, reentry and rehabilitation services. There are several NP which could easily take this on and drastically reduce the cycle of recidivism and the deep emotional burden the county and state have to improve the quality of life of those in impoverished conditions. This is a win-win if it gets to a diversified NP local level.**

I also deeply recommend an amendment to include appropriations for diversion, reentry and rehabilitation under the Department of Health and Department of Human Services. The system as it is currently functioning is disgraceful. Small, nimble NP like SYM have the ability to adjust in the moment and therefore make stronger impacts on immediate needs before they blossom into crisis.

With appreciation,

Lisa Seikai Darcy

Founder, Share Your Mana

Maui County

HB-2309-HD-2

Submitted on: 3/15/2022 5:22:10 PM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carolyn Eaton	Individual	Support	Remotely Via Zoom

Comments:

Aloha, Chair Nishihara, Vice Chair DeCoite and members of the Committee,

My name is Carolyn Eaton and I support this bill whole heartedly. I have no trouble imaging the valuable changes which will come out of this initiative. Our State holds so many individuals who should not be imprisoned, but diverted to receive the particular care their situation requires, be it mental heath care, addiction treatment or houselessness. Taxpayers should no longer pay for housing such individuals in jails and prisons. As taxpayers we bear complicity in the wrongs done these individuals currently. End this shameful practice, please. The welfare of the entire community will benefit.

HB-2309-HD-2

Submitted on: 3/15/2022 4:16:35 PM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Loren Walker	Testifying for Hawai'i Friends of Restorative Justice	Support	Written Testimony Only

Comments:

Hawai'i Friends of Restorative Justice (HFRJ) strongly supports this measure to fund community based diversion from the criminal legal system. Research is clear that diversion and reentry [help individuals desist from crime](#). Please support this bill and help our community's citizens find healthier and happier lives instead of causing more harm and suffering from using a purely punitive approach to the social problems that cause crimes.

Mahalo for our public service. Please contact Loren Walker, JD, MPH lorenn@hawaiiifriends.org if you have questions about our support for this bill.

HB-2309-HD-2

Submitted on: 3/14/2022 4:46:51 AM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kevin J Block	Individual	Support	Written Testimony Only

Comments:

Aloha:

My name is Kevin Block. I am an attorney in private practice and a Maui resident. I am the former Deputy Director of the BEST program which was a re-entry program on Maui that helped countless community members reintegrate after long-term, incarceration. The program is still in existence but its capacity has been greatly reduced just as the need for it has increased.

DPS has an inherent, built-in conflict in providing re-entry and diversion programs and while it is necessary for DPS to make diversion and rehabilitation central to its mission, it is really community-based organizations and non-profits that can best maximize resources. Community based re-entry programs have already proven in this community and throughout the country to be the best providers of this very important piece of working towards less recidivism, healing our community and eventual decarceration.

Thank you for taking the time to consider my testimony.

HB-2309-HD-2

Submitted on: 3/15/2022 8:20:26 AM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John A. H. Tomoso	Individual	Support	Written Testimony Only

Comments:

03-15-22

RE: HB2309 HD2

Aloha mai,

I am in strong support of this Bill which appropriates moneys for the development and maintenance of diversion, reentry, and rehabilitation services and programs by non-profit organizations Statewide. As a Social Worker and a Priest, I know that this is a matter of justice and restorative justice. There are "Reentry Hui" on each island, and Maui is no exception. I believe we are all waiting for this Bill and the opportunities it represents, for those we advocate for.

Me ka mahalo

John A H Tomoso +, MSW, ACSW

51 Ku'ula Street. Kahului, Maui, HI 96732-2906

808-280-1749, john.a.h.tomoso@gmail.com

cc: Maui Reentry Hui

HB-2309-HD-2

Submitted on: 3/15/2022 3:39:03 PM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carla Allison	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Nishihara & Vice Chair DeCoite and Committee Members,

My name is Carla Allison and I strongly support of HB2309 with amendments proposed by the ACLU.

Reentry programs that help people secure jobs, treatment, housing, and education have proven effective in facilitating the successful transition of people living in our jails and prisons back into their families and communities.

Why would we not provide funds for the development and maintenance of diversion and reentry services and programs, when comprehensive support services have been shown to reduce recidivism?

If we truly want to reduce our jail and prison populations, we need to assist our siblings in gaining stability as they deal with the reality of living with a criminal record.

Let's fund reentry programs and reduce the significant barriers to securing employment, housing, and educational opportunities faced by folks leaving our jails and prisons.

Please support HB2309 with amendments proposed by the ACLU so we can facilitate reentry and reduce recidivism in Hawai'i.

Mahalo for your consideration,

Carla Allison

Benjamin Duke

Kailua-Kona

March 15, 2022

Re: HB2309

Senator Clarence K. Nishihara, Chair

Senator Lynn DeCoite, Vice Chair

Aloha Chair Nishihara, Vice Chair DeCoite, and Members of the Committee,

My name is Benjamin Duke and I am testifying in strong support of HB2309 with amendments proposed by the ACLU.

It is critical that our state provides funding for the development and maintenance of diversion and reentry services and programs for people who return to the community after being incarcerated. Once they've been released, folks must confront the harsh realities of gaining stability in spite of a criminal record which creates significant barriers to securing employment, housing, and educational opportunities. Reentry programs that help people secure jobs, treatment, housing, and education have proven effective in facilitating the successful transition of formerly incarcerated people out of jails and prisons, and back to their families and communities. Additionally, comprehensive support services have been shown to reduce recidivism.

Please pass HB2309 with amendments proposed by the ACLU so we can facilitate reentry and reduce recidivism in Hawai'i.

Mahalo for your consideration,

Benjamin Duke

HB-2309-HD-2

Submitted on: 3/15/2022 10:02:32 AM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Diana Bethel	Individual	Support	Written Testimony Only

Comments:

HB2309 HD2 Description:

Appropriates moneys for the development and maintenance of diversion, reentry, and rehabilitation services and programs by non-profit organizations in the State.

Non-profit organizations that are well-established in the community and have a clear understanding of the needs of the community are able to more efficiently and cost-effectively offer diversion, reentry, and rehabilitation services and programs - much more effectively than the Department of Public Safety which has not demonstrated meaningful outreach to community organizations or responded to community and family grievances.

HB-2309-HD-2

Submitted on: 3/15/2022 10:07:13 AM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lee Curran	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Nishihara, Vice Chair DeCoite and Committee Members,

My name is Lee Curran and I am testifying as an individual who is a co-facilitator of the Transformative Justice Task Force which is part of Faith Action for Community Equity, (FACE) I am testifying in SUPPORT with comments on HB2309HD2 that funding is appropriated for non-profit organizations to provide diversion, reentry and rehabilitation under the Department of Health and Department of Human Services.

Although my primary focus is cash bail reform this legislative session, I feel deeply moved to testify due to the intersectionality of the myriad of criminal legal injustices.

We need to provide pathways to health and wholeness to our community members who have been incarcerated and re-entering society. Without these supports, we remain on a hamster wheel of dysfunction doing the same old things over and over without success, with high rates of re-incarceration and obscene amounts of money spent on punitive actions rather than supports that have lifelong positive impacts.

Let's reframe how we provide services and utilize departments and non-profits who have "boots on the ground". The Department of Health and Department of Human Services have greater expertise in providing health and behavioral health care, substance use treatment, housing assistance, SNAP, etc. - services that are essential to enhancing opportunities for successful diversion, rehabilitation and re-entry. Additionally, DOH and DHS have experience partnering with non-profit organizations that has led to very successful collaborations.

As we work to elevate and amplify the health and humanity of people re-entering our communities, it makes so much more sense framing this in an assets-based way versus a punitive way that dangles the risk of re-incarceration at every turn. Let's jump off the hamster wheel of bad outcomes and pass HB2309HD2 with appropriations for non-profit organizations to collaboratively provide diversion, reentry and rehabilitation with the Department of Health and Department of Human Services.

Thank you for considering my testimony. I hope my message of asset framing, compassion and doing things differently sits on your hearts and minds as you legislate.

Aloha, Lee Curran, Makaha

HB-2309-HD-2

Submitted on: 3/15/2022 1:14:49 PM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tadia Rice	Individual	Support	Written Testimony Only

Comments:

My name is Tadia Rice and I am testifying in strong support of HB2309 with amendments proposed by the ACLU.

It is critical that our state provides funding for the development and maintenance of diversion and reentry services and programs for people who return to the community after being incarcerated. Once they've been released, folks must confront the harsh realities of gaining stability in spite of a criminal record which creates significant barriers to securing employment, housing, and educational opportunities. Reentry programs that help people secure jobs, treatment, housing, and education have proven effective in facilitating the successful transition of formerly incarcerated people out of jails and prisons, and back to their families and communities. Additionally, comprehensive support services have been shown to reduce recidivism.

Please pass HB2309 with amendments proposed by the ACLU so we can facilitate reentry and reduce recidivism in Hawai'i.

Mahalo for your consideration,

Tadia Rice

HB-2309-HD-2

Submitted on: 3/15/2022 1:15:16 PM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Prakash Mackay M.A.	Individual	Support	Written Testimony Only

Comments:

Aloha Committee,

My name is Prakash Mackay M.A. and I am the coordinator for Ka Ipu Ha`a which is a mentoring program for both Men & Women at Maui County Correctional Center sponsored by Mental Health America and a Grief Counselor at Hospice Maui. I am deeply shocked by the lack of adequate resources to support those released after incarceration at MCCC and ask for your compassion and support for these unfortunate residents of Maui county.

Please support of **HB2309 HD2 that appropriates funding for non-profit organizations to provide diversion, reentry and rehabilitation services. There are several NP which could easily take this on and drastically reduce the cycle of recidivism and the deep emotional burden the county and state have to improve the quality of life of those in impoverished conditions. This is a win-win if it gets to a diversified NP local level.**

I also deeply recommend an amendment to include appropriations for diversion, reentry and rehabilitation under the Department of Health and Department of Human Services.

sincerely

prakash mackay M.A.

HB-2309-HD-2

Submitted on: 3/15/2022 12:21:31 PM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Peter Koulogeorge	Individual	Support	Written Testimony Only

Comments:

Dear Chair Nishihara and Vice Chair DeCoite,

I strongly support HB2309 and ask that the bill incorporate amendments proposed by the ACLU of Hawaii.

By shifting funding towards diversion programs and services for folks exiting the carceral system, our state can drastically reduce recidivism and the costs of incarceration. We know that it is a tremendous challenge for people to transition from the jail and prisons system back into the community. On top of the psychological and physical trauma associated with incarceration, these people now have a criminal record and will face discrimination in housing and employment, making it extremely difficult to become self-sufficient. However, by providing re-entry programming, the state can lessen the burden of these realities and support people who deserve a fair chance at life, liberty, and the pursuit of happiness. Doing so is not only fair and just, it also will save tremendous resources in the long run as we attack the root cause of crime, which is most often financial desperation and struggling with serious trauma.

Please pass HB2309 with ACLU amendments and put Hawaii on the right path!

Thank you for considering my testimony,

Peter Koulogeorge

HB-2309-HD-2

Submitted on: 3/15/2022 7:47:22 PM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lee Curran	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Keohokalole and Judiciary Committee Members,

My name is Lee Curran and I am testifying as an individual who is a co-facilitator of the Transformative Justice Task Force which is part of Faith Action for Community Equity, (FACE) I am testifying in **STRONG OPPOSITION** to HB1459 HD1 that mandates monetary restitution in juvenile sentencing. **This is an abomination of a bill, an affront against humanity and I'm mortified that it is even getting a hearing.**

I first heard about this bill at the same hearing I attended for cash bail reform. Afterwards, I added it to my measure tracking list and unfortunately it shows up right underneath the cash bail bill. I am in disbelief that this bill is getting a hearing; a bill that compounds punishment upon punishment and is grounded in retribution while cash bail reform grounded in upholding the humanity and dignity of our community, friends and family members is languishing without a hearing.

What have we been reduced to as a society? All the widely accepted brain research shows that the juvenile brain isn't always capable of making rational executive decisions until individuals are in their 20s. Neurobiologically speaking, the adolescent brain is poised for impulsivity and thrill seeking. We know this and yet.... we are going to hold juveniles accountable for monetary restitution? It makes absolutely no sense.

This bill strips away the discretion of family court judges who see the whole picture by working with caregivers, social workers, prosecutors, and youth to find solutions. Currently the juvenile criminal system allows family court judges to have discretion to order solutions to best teach youth responsibility. It isn't letting them off the hook as some might believe; it is responding with care and compassion while holding them accountable. These are not mutually exclusive actions and are appropriate with regard to brain development.

In addition to recognizing the neurobiology, we need to recognize the intergenerational trauma to Kanaka Maoli youth from decades of colonialism. Kanaka Maoli youth comprise far more adjudicated juveniles than their proportion of the whole juvenile population. It is our moral obligation and responsibility to address the trauma perpetuated and showing up across the spectrum of the criminal legal system in Hawai'i.

Please **VOTE NO** on **HB1459 HD1**. Don't take away discretion from family court judges. We need better policies for long-lasting changes to address the science of brain development in juveniles while addressing the intergenerational trauma in Kanaka Maoli youth.

Thank you for the opportunity to testify in opposition to this abominable bill.

Lee Curran, Makaha

HB-2309-HD-2

Submitted on: 3/15/2022 3:04:44 PM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jasmine Slovak	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Nishihara & Vice-Chair DeCoite,

My name is Jasmine Slovak; I am an O'ahu resident. **I am testifying in strong support of HB2309 with amendments proposed by the ACLU.**

It is critical that our state provides funding for the development and maintenance of diversion and reentry services and programs for people who return to the community after being incarcerated. **Please pass HB2309 with amendments proposed by the ACLU so we can facilitate reentry and reduce recidivism in Hawai'i.**

Mahalo for your consideration and for allowing me to testify.

E mālama pono,

Jasmine Slovak

HB-2309-HD-2

Submitted on: 3/15/2022 5:19:48 PM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Greg Puppione	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Nishihara & Vice Chair DeCoite,

My name is Greg Puppione and I am testifying in strong support of HB2309 with amendments proposed by the ACLU.

It is critical that our state provides funding for the development and maintenance of diversion and reentry services and programs for people who return to the community after being incarcerated. Once they've been released, folks must confront the harsh realities of gaining stability in spite of a criminal record which creates significant barriers to securing employment, housing, and educational opportunities. Reentry programs that help people secure jobs, treatment, housing, and education have proven effective in facilitating the successful transition of formerly incarcerated people out of jails and prisons, and back to their families and communities. Additionally, comprehensive support services have been shown to reduce recidivism.

Please pass HB2309 with amendments proposed by the ACLU so we can facilitate reentry and reduce recidivism in Hawai'i.

Mahalo for your consideration,

HB-2309-HD-2

Submitted on: 3/15/2022 8:49:58 PM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Inge Detlefsen	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Nishihara & Vice Chair DeCoite,

My name is Inge Detlefsen and I am testifying in strong support of HB2309 together with amendments proposed by the ACLU.

It is critical that our state provides funding for the development and maintenance of diversion and reentry services and programs for people who return to the community after being incarcerated. Once they've been released, people must confront the harsh realities of gaining stability in spite of a criminal record which creates significant barriers to securing employment, housing, and educational opportunities. Reentry programs that help people secure jobs, treatment, housing, and education have proven effective in facilitating the successful transition of formerly incarcerated people out of jails and prisons, and back to their families and communities. Additionally, comprehensive support services have been shown to reduce recidivism. Finally, spending funds on reentry services is a good investment and more cost efficient than spending money on jailing people.

Please pass HB2309 with amendments proposed by the ACLU so we can facilitate reentry and reduce recidivism in Hawai'i.

Mahalo for your consideration,

Inge Detlefsen

HB-2309-HD-2

Submitted on: 3/16/2022 8:28:12 AM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anne Leake	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Nishihara & Vice Chair DeCoite,

My name is Anne Leake and I am testifying in **strong support of HB2309** with amendments proposed by the ACLU.

It is critical that our state provides funding for the development and maintenance of diversion and reentry services and programs for people who return to the community after being incarcerated. Once they've been released, folks must confront the harsh realities of gaining stability in spite of a criminal record which creates significant barriers to securing employment, housing, and educational opportunities. Reentry programs that help people secure jobs, treatment, housing, and education have proven effective in facilitating the successful transition of formerly incarcerated people out of jails and prisons, and back to their families and communities. Additionally, comprehensive support services have been shown to reduce recidivism.

Please pass HB2309 with amendments proposed by the ACLU so we can facilitate reentry and reduce recidivism in Hawai'i.

Mahalo for your consideration,

Dr. Anne Leake

HB-2309-HD-2

Submitted on: 3/16/2022 9:36:13 AM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Colleen Rost-Banik	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Nishihara & Vice Chair DeCoite,

My name is Colleen Rost-Banik. I am a resident of Honolulu and a lecturer within the University of Hawaii. I am testifying in **strong support of HB2309**.

As a lecturer, I have the opportunity to teach sociology courses within the Women's Community Correctional Center. I have often seen women return to prison because they did not receive enough support during their reentry to life outside of prison. In fact, one woman told me that she didn't mind coming back to prison because it was easier than trying to manage life outside of prison--a job, her kids, and paying for rent and food. We need to ask ourselves what kind of world we have created wherein a person would prefer to be locked up because we have not provided sufficient care and support to live a life of relative freedom.

It is critical that our state provides funding for the development and maintenance of diversion and reentry services and programs for people who return to the community after being incarcerated. Once they've been released, folks must confront the harsh realities of gaining stability in spite of a criminal record which creates significant barriers to securing employment, housing, and educational opportunities. Reentry programs that help people secure jobs, treatment, housing, and education have proven effective in facilitating the successful transition of formerly incarcerated people out of jails and prisons, and back to their families and communities. Comprehensive support services have been shown to reduce recidivism.

Please pass HB2309 with the amendments proposed by the ACLU so we can facilitate reentry and reduce recidivism in Hawai'i.

Mahalo for your consideration,
Colleen Rost-Banik

HB-2309-HD-2

Submitted on: 3/16/2022 10:11:48 AM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Erica Yamauchi	Individual	Support	Written Testimony Only

Comments:

I am writing in support.

Erica Yamauchi, Kaimukī/Wilhelmina Rise

HB-2309-HD-2

Submitted on: 3/16/2022 12:42:28 PM

Testimony for PSM on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
ANDREW ISODA	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Nishihara & Vice Chair DeCoite,

My name is Andrew Isoda and I am testifying in strong support of HB2309 with amendments proposed by the ACLU.

It is critical that our state provides funding for the development and maintenance of diversion and reentry services and programs for people who return to the community after being incarcerated. Once they've been released, folks must confront the harsh realities of gaining stability in spite of a criminal record which creates significant barriers to securing employment, housing, and educational opportunities. Reentry programs that help people secure jobs, treatment, housing, and education have proven effective in facilitating the successful transition of formerly incarcerated people out of jails and prisons, and back to their families and communities. Additionally, comprehensive support services have been shown to reduce recidivism.

Please pass HB2309 with amendments proposed by the ACLU so we can facilitate reentry and reduce recidivism in Hawai'i.

Mahalo for your consideration,

Andrew Isoda

LATE

COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Senator Clarence K. Nishihara, Chair
Senator Lynn DeCoite, Vice Chair

Date: Thursday, March 17, 2022

Time: 1:00 p.m.

Place: Conference Room 229 & Videoconference

Aloha Chair and members of the committee. My name is Linda Rich and I am testifying in **STRONG SUPPORT of HB2309, HD2** on behalf of the Women's Prison project.

Women's Prison Project strongly supports the efforts described in this measure to reduce the State's rate of incarceration by funding programs that can provide pathways to diversion from pretrial detention and effectively assist the reintegration of formerly incarcerated persons back into the community. Effective diversion and reentry programs make our communities safer by providing effective services that change lives by providing needed treatment, education, skills, and support while continuing to maintain accountability.

This is especially important for women, the majority of who are non-violent offenders charged with drug related offenses, who could be successfully rehabilitated in community based programs with court supervision.

The current rates of recidivism are high. A shift to a more rehabilitative approach to corrections, including expanding diversion and transition programs has the potential to reduce those rates while also making our communities safer.

Many studies have identified substance abuse, trauma and other mental health issues, poverty, unemployment, lack of access to health care, and affordable housing as risk factors for recidivism. Community non-profit organizations have the experience and expertise to address these issues and reduce these risks. Sadly, many of these same organizations have faced funding cuts in recent years.

In the past few years, many community based programs have experienced funding cuts that have substantially weakened the safety net of rehabilitation, treatment and furlough programs that can provide needed services to justice involved individuals. If we are serious about a transition to a rehabilitative justice and corrections system, there must be an investment in the programs that would support that transition. The proposed appropriation will allow services to return to their former capacity or to expand to provide increased levels of service for individuals in the criminal justice system. The overcrowding of our jails and prisons could be reduced. The stress that incarceration of a parent places on families could be relieved and the cost of incarceration could be reduced.

**For all of these reasons, the Women's Prison Project strongly supports
HB2309,HD2.**

Mahalo for considering our thoughts on this matter.

Linda Rich

Women's Prison Project

LATE

Aloha Chair Nishihara & Vice Chair DeCoite,

My name is Richanda Mikaele and I am testifying in **strong support of HB2309** with amendments proposed by the ACLU.

It is critical that our state provides funding for the development and maintenance of diversion and reentry services and programs for people who return to the community after being incarcerated. Once they've been released, folks must confront the harsh realities of gaining stability in spite of a criminal record which creates significant barriers to securing employment, housing, and educational opportunities. Reentry programs that help people secure jobs, treatment, housing, and education have proven effective in facilitating the successful transition of formerly incarcerated people out of jails and prisons, and back to their families and communities. Additionally, comprehensive support services have been shown to reduce recidivism.

For me and my ohana this bill is very important because of too many generations of my ohana who were and continue to be incarcerated. I am in strong support of this bill because I have seen too many men that I loved and cared for Chris Medeiros and Chad Duran (RIL) being released from prison into society only to be killed months later. The choices that brought them to become incarcerated also brought them to their deaths, which brought the ohanas another life time sentence this time without a release. I have family members, most recently Kanikahekili Cuzion who passed away from a drug overdose at Halawa Correctional Facility last July, my tutus brother Franics Key, whose bullet-riddled body was found in his cell bunk in 1980. and now my husband who is currently incarcerated at Halawa Correctional Facility serving a 20 year sentence with a minimum hearing to be held on 4/11/22. We have been experiencing generational incarceration for decades now, I am hoping that this will no longer be for the generation to come after me in my ohana.

Please pass HB2309 with amendments proposed by the ACLU so we can facilitate reentry and reduce recidivism in Hawai'i.

Mahalo for your consideration,

Richanda Mikaele