

HB-2435

Submitted on: 2/2/2022 5:20:19 PM

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

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Natashia Gomera	Individual	Support	No

Comments:

I strongly support this bill. I can't believe it's legal for female inmates to be searched by males. Good people end up making bad choices and earn their time spent in Jail. What they did not earn is to be supervised in showers, restrooms and other vulnerable areas by males. Males should not have that much access to female inmates in vulnerable situations. Males can easily abuse and harras female inmates and use thier positions of power to silence female inmates. Please pass this bill and do right by female inmates in the State of Hawaii.

HB-2435

Submitted on: 2/2/2022 9:22:27 PM

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

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

Comments:

Hawaii Health & Harm Reduction Center supports HB 2435.

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.



UNIVERSITY
of HAWAII®
MĀNOA

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

HEARING DATE: Friday, February 4, 2022

TIME: 10 AM, Via Videoconference

SUPPORT FOR SB2777 RELATING TO SEARCHES OF FEMALE INMATES

Hawai'i Friends of Restorative Justice supports this measure enacting a state law prohibiting males employed at Hawai'i correctional facilities from performing pat down searches of incarcerated females; from entering areas in the facilities where females are undressed, and from entering areas where females may be undressed without announcing that they are entering "unless the prisoner presents a risk of immediate harm to herself or others or risk of escape and a female correctional facility employee is not available to conduct the search." This bill will help ensure the protection of many incarcerated women who have suffered from sexual violence, which about 90% of them ([Lynch, et al.](#) 2012, p. 32), and the at least forty percent who suffer from post traumatic stress disorder (PTSD) symptoms ([Komarovskaya, et al.](#) 2011, p. 1). Male staff touching their bodies during searches and viewing them undressed can be re-traumatizing and harmful. For these and other reasons the state of [California enacted](#) legislation in 2018 prohibiting males from searching incarcerated females except under specific circumstances, which HB2435 also provides.

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

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

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

SUPPORT FOR SB2777 RELATING TO SEARCHES OF FEMALE INMATES

The Women's Prison Project strongly supports this measure enacting a state law prohibiting males employed at Hawai'i correctional facilities from performing pat down searches of incarcerated females; from entering areas in the facilities where females are undressed, and from entering areas where females may be undressed without announcing that they are entering "unless the prisoner presents a risk of immediate harm to herself or others or risk of escape and a female correctional facility employee is not available to conduct the search." This bill will help ensure the protection of many incarcerated women who have suffered from sexual violence, which about 90% of them ([Lynch, et al](#), 2012, p. 32), and the at least forty percent who suffer from post posttraumatic stress disorder (PTSD) symptoms ([Komarovskaya, et al](#), 2011, p. 1). Male staff touching their bodies during searches and viewing them undressed can be re-traumatizing and harmful. For these and other reasons the state of [California enacted](#) legislation in 2018 prohibiting males from searching incarcerated females except under specific circumstances, which HB2435 also provides.

We urge the Committee to please pass this bill. If you have any questions about the Women's Prison Project's support for this measure please contact Lorenn Walker, JD, MPH, at lorenn@hawaii.edu. Mahalo for your public service.

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

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 2435
RELATING TO SEARCHES OF FEMAEL INMATES
by
Max N. Otani, Director

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

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

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

House Bill 2435 seeks to “require pat downs and searches of female inmates to be conducted by female correctional facility employees unless the prisoner presents a risk of immediate harm to herself or others or risk of escape.” This measure also seeks to prohibit male correctional facility employees from entering areas where female inmates may be in state of undress including, but not limited to, restrooms, shower areas, or medical treatment areas.

The Department of Public Safety (PSD) opposes this measure as it is not needed. Departmental Policy (COR.08.31 – Searches of Inmates) and the federal Prison Rape Elimination Act (PREA) specifically address gender related issues with respect to pat downs and searches of female inmates, and department post orders address male correctional officers restricted access to areas where female inmates may be in state of undress including, but not limited to, restrooms, shower areas, medical treatment areas, etc. Therefore, the Department respectfully requests this measure be held.

Thank you for the opportunity to submit testimony on HB 2435.

HB-2435

Submitted on: 2/3/2022 11:44:18 PM

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

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

Comments:

Aloha Chair and members,

STRONG support for this measure. Abuse of female inmates including rape and sexual coercion are all too common in our prison system. Women in the criminal justice system deserve basic human rights and basic human dignity, not to mention safety from harm by prison guards and officials.

In the early 2000's Hawaii Community Alliance on Prison's helped uncover a pattern of sex assault on female inmates in a Kentucky Prison: See this article: <http://resistancebehindbars.org/node/153>

This resulted returning female inmates to Hawaii. But this clearly has not solved the problem of systemic abuse of women. In 2016 four Hawaii Guards at the Women's Correctional Center were accused of rape. Clearly not enough is being done to comply with the Prison Rape Elimination act.

See this: <https://www.hawaiinewsnow.com/story/33264923/four-corrections-officers-on-paid-leave-after-inmates-accuse-them-of-sex-assault-at-womens-prison/>

Mahalo,

Ann S. Freed

Life-time Feminist in Mililani