

STATE OF HAWAI‘I
OFFICE OF THE PUBLIC DEFENDER

**Testimony of the Office of the Public Defender,
State of Hawai‘i to the House Committee on
Health, Human Services, & Homelessness**

March 22, 2022

S.B. No. 2373 SD1 HD1: RELATING TO OFFENDER REENTRY

Chair Yamane, Vice Chair Tam, and Members of the Committee:

The Office of the Public Defender supports S.B. No. 2373 SD1 HD1.

An informal working group brought together by the Honorable Sharon Y. Moriwaki and identified as the Ending Homelessness Group (“EHG”), representing twenty-plus representatives from eleven state, county, and non-profit agencies (including the Office of the Public Defender), has been meeting since June 2021 to discuss problems and difficulties in ending (or at least reducing) homelessness and in finding solutions to prevent and end homelessness. The EHG came up with many different proposals to meet gaps in housing, enforcement, and treatment/system flow. One such solution is to establish Project Reset.

Project Reset will address a category of homeless which is problematic for the community: inmates released from incarceration. This group can include individuals who were homeless prior to their arrest as well as those who lost their housing while incarcerated. The attorneys at our office know that their homeless clients have the best chance of success when released directly into a treatment program, but not everyone will have access to those resources. There are not enough beds available for every inmate that qualifies for early release to a program. Furthermore, coordinating inmate release to treatment programs has been extremely difficult during the pandemic due to quarantine and social distancing requirements at programs as well as numerous outbreaks at our correctional facilities. Inmates can spend their entire jail sentence waiting for release to a program before simply being released on felony probation.

Although inmates released on parole benefit from the work furlough program prior to release, there is no work furlough program for inmates sentenced to felony probation. There is also no work furlough option for sentenced misdemeanants and

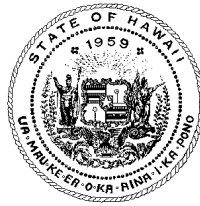
those who serve out their maximum prison term. These unlucky inmates are often released from custody with no money, no identification, no housing, no food, no bus pass, and no phone. Due to the lack of comprehensive programs that focus on transitioning them through the processes of reentry, rehabilitation, employment, and housing, they either immediately join the homeless upon release or shortly thereafter.

Currently, homeless individuals are passed off from specialty to specialty, but there is no one to help them navigate to a stable life in the community. It is a complex process, especially for one incarcerated for an extended period of time; they need help getting a job, getting an identification card to get a job, finding housing, learning new technology, etc. Currently, individuals who leave extended periods of incarceration for parole or time served move immediately to homeless encampments. These individuals need to be supported prior to release to give them the best chance of reentry. Maximizing the pre-release time to get an individual the necessary assistance would reduce the likelihood of them becoming homeless and reoffending.

Reentry programs are the best unused weapon that we have against recidivism. A reentry program would divert the ex-offender from homelessness and reoffending. While there are programs that assist with certain phases of transition, there is no coordination to help incarcerated individuals through the entire complex process. What is missing is a coordinator/guide who will work with the inmate *prior to* and *after* release in creating a plan to guide them into housing and work programs. Such a program would minimize the likelihood of released inmates becoming homeless once released.

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE
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WRITTEN TESTIMONY ONLY

TESTIMONY ON SENATE BILL 2373, SENATE DRAFT 1, HOUSE DRAFT 1
RELATING TO OFFENDER REENTRY.

by
Max N. Otani, Director
Department of Public Safety

House Committee on Health, Human Services, and Homelessness
Representative Ryan I. Yamane, Chair
Representative Adrian K. Tam, Vice Chair

March 22, 2022; 9:30 a.m.
State Capitol, CR 329 Via Videoconference

Chair Yamane, Vice Chair Tam, and Members of the Committee:

The Department of Public Safety (PSD) supports the intent of Senate Bill (SB) 2373, Senate Draft (SD) 1, House Draft (HD) 1, which appropriates funds for the Department of Human Services (DHS) to support a comprehensive post-release program, called, "Project Reset", and to establish one (1) full-time position to administer this program to help ex-offenders returning to the community.

PSD welcomes the opportunity to work with the Governor's Homelessness Coordinator, and the Department of Human Services (DHS), to assist exiting offenders.

Thank you for the opportunity to provide testimony on SB 2373, SD 1, HD 1.



EXECUTIVE CHAMBERS
HONOLULU

March 22, 2022

TO: The Honorable Representative Ryan I. Yamane, Chair
House Committee on Health, Human Services, and Homelessness

FROM: Scott Morishige, MSW, Governor's Coordinator on Homelessness

SUBJECT: **SB 2373 SD1 HD1 – RELATING TO OFFENDER REENTRY.**

Hearing: Tuesday, March 22, 2022, 9:30 a.m.
VIA VIDEO CONFERENCE
Hawaii State Capitol, Conference Room 329

POSITION: The Governor's Coordinator on Homelessness appreciates the intent of this measure, respectfully offers comments, and suggests amendments if the measure proceeds. The Coordinator requests that the measure's passage does not adversely impact priorities indicated in the executive budget request.

PURPOSE: The purpose of the bill is to establish and appropriate funds for a program named Project Reset to help inmates secure post-release housing, in support of reentry, rehabilitation, and employment prospects.

The Coordinator acknowledges the importance of reentry services and appreciates the amendments by the House Committee on Corrections, Military, and Veterans to establish one full-time equivalent position within the Department of Human Services (DHS) to administer the program. However, it is unclear whether the appropriation provided for Project Reset will cover the cost of the new staff position. If the measure proceeds, the Coordinator respectfully requests the bill be amended to clarify that the appropriation includes the establishment of the new staff position.

Additionally, the Coordinator suggests clarifying that the appropriation for Project Reset includes housing subsidies for offenders who do not qualify for other housing assistance

programs, as well as incentives for landlords who agree to rent to this population. Notably, many offenders exiting incarceration will not qualify for housing subsidies targeted towards homeless individuals, as offenders who have been incarcerated longer than 90-days do not meet the U.S. Department of Housing and Urban Development (HUD) definition of “homeless” or “chronically homeless.” Also, HUD federal rules prohibit lifetime registered sex offenders from admission to HUD-subsidized housing. The ability to provide housing subsidies or landlord incentives for those who are ineligible for other housing assistance programs will enhance the ability of Project Reset to achieve the goal of implementing a “comprehensive post-release housing program to assist offenders who are transitioning back into the community.”

The Coordinator shares the concern of DHS that a one-time appropriation may not be enough to establish a new program, and agrees with DHS that a one-time appropriation could instead be added to existing programs’ capacity to target individuals reentering community. Notably, the Department of Public Safety (DPS) currently includes a Reentry Coordination Office (RCO) that is responsible for the development and implementation of a comprehensive reentry system for individuals entering and exiting correctional facilities in order to increase a person’s potential for successful reentry into the community.

If this measure proceeds, it is necessary for Project Reset to work together with other programs administered and coordinated by RCO, and for DPS and RCO to provide access so programs can effectively provide pre-release services within correctional facilities. As mentioned in testimony from the Office of the Public Defender, work to support successful reentry begins prior to release and “maximizing the pre-release time to get an individual the necessary assistance would reduce the likelihood of them becoming homeless and reoffending.” Critical pre-release steps to support reentry include ensuring offenders are released with identification documents and are connected to job skills and educational programs during incarceration.

Thank you for the opportunity to testify on this bill.

DEPARTMENT OF THE PROSECUTING ATTORNEY
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THE HONORABLE RYAN I. YAMANE, CHAIR
HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES, AND HOMELESSNESS
Thirty-first State Legislature
Regular Session of 2022
State of Hawai`i

March 22, 2022

RE: S.B. 2373, S.D. 1, H.D. 1; RELATING TO OFFENDER ENTRY.

Chair Yamane, Vice Chair Tam, and members of the House Committee on Health, Human Services, and Homelessness, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”) submits the following testimony in support of S.B. 2373, S.D. 1, H.D. 1.

The purpose of S.B. 2373, S.D. 1, H.D. 1 is to establish and fund a program—Project Reset—to oversee the development and implementation of a housing program specifically designed to assist offenders exiting correctional facilities. Project Reset would assist inmates through the process of reentry, rehabilitation, employment and housing.

The Department strongly believes that minimizing recidivism is a key component to ensuring public safety for Hawaii in the long run, and supports the concept of “wraparound services” for a holistic and comprehensive approach to offender reentry. Proper coordination of services, steady employment and stable housing will undoubtedly assist offenders who are transitioning back into society, by equipping them to live as contributing, law-abiding citizens.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu supports passage of S.B. 2373, S.D. 1, H.D. 1. Thank for you the opportunity to testify on this matter.



SB2373 SD1 HD1 Project Reset Offender Housing Reentry

COMMITTEE ON HEALTH, HUMAN SERVICES, & HOMELESSNESS

Rep. Ryan I. Yamane, Chair

Rep. Adrian K. Tam, Vice Chair

Tuesday, Mar 2 2022: 9:30 am : Videoconference

Hawaii Substance Abuse Coalition Supports SB2373 SD1 HD1:

ALOHA CHAIR, VICE CHAIR AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization for substance use disorder and co-occurring mental health disorder treatment and prevention agencies.

HSAC supports and recommends adding valid screening and assessments to guide the development of reentry plans that would include various levels of treatment and address criminality issues.

HSAC hopes that the services will become more comprehensive for Project Reset, which will provide comprehensive programs to assist inmates through the process of reentry, rehabilitation, employment, and housing.

1. **For offenders with lower substance use** and either low or high functioning, it is preferable to start with housing and add services especially case management if needed for any behavioral health issue such as substance misuse or mental health disorders. Any needed substance use disorder or co-occurring disorder 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.
 - b. If outpatient, then start at housing and include outpatient.

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.

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



**Testimony to the House Committee on Corrections, Military, & Veterans
Tuesday, March 22, 2022, at 9:30 A.M.
Conference Room 329 & Via Videoconference**

RE: SB 2373 SD1 Relating to Offender Reentry

Chair Yamane, Vice Chair Tam, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **supports** SB 2373 SD1, which Appropriates funds for a program named Project Reset which will help prisoners with reentry, rehabilitation, employment, and housing post-sentence.

The Chamber is Hawaii's leading statewide business advocacy organization, representing about 2,000+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

Project Reset and other reentry programs are vital to the success of recently released people in our state. Obtaining post-release housing, transportation, and other assistance is needed to have the chance to obtain employment. By obtaining employment, recently released individuals are not only helping themselves get back on their feet, but helps their families, their community, and the economy of the state.

One of the biggest roadblocks to employment of recently released individuals is that they do not have the necessary support to even think about obtaining employment and bettering their lives. By passing this bill and supporting Project Reset, the state is taking a step in the right direction to ensuring that recently released people have the support they need to reenter society and contribute to making their community a better place.

Thank you for the opportunity to testify.

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON HEALTH, HUMAN SERVICES, AND HOMELESSNESS

Representative Ryan Yamane, Chair

Representative Adrian Tam, Vice Chair

Tuesday, March 22, 2022

9:30 AM

SUPPORT - SB 2373 HD1 - PROJECT RESET - HELPING RETURNING CITIZENS

Aloha Chair Yamane, Vice Chair Tam 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 3,997 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 appreciates this opportunity to lend our support to SB 2373 HD1. Project Reset aims to assist returning citizens to successfully reintegrate with their communities. This is so important, especially now, when work furlough programs have been shut down due to the coronavirus and its mutations. Although inmates released on parole benefit from the work furlough program prior to release, there is no work furlough program for inmates sentenced to felony probation. There is also no work furlough option for sentenced misdemeanants and those who serve out their maximum prison term. These unlucky inmates are released from custody with no money, no identification, no housing, no food, no bus pass, and no phone.

Community Alliance on Prisons agrees with the Department of Human Services that this program needs more than one-time funding. Funding for programs that address some of the most vulnerable people in our communities should be a line in the budget so programs like Project Reset don't have to fight to continue offering valuable services every year.

Due to the lack of comprehensive programs that focus on transitioning them through the processes of reentry, rehabilitation, employment, and housing, some people either immediately join the homeless upon release or shortly thereafter.

Hawai'i can reduce the challenges one faces after release by passing legislation like this that assists the whole human being navigate their way back to society.

¹ Department of Public Safety, Weekly Population Report, March 14, 2022.

<https://dps.hawaii.gov/wp-content/uploads/2022/03/Pop-Reports-Weekly-2022-03-14.pdf>

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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 HEALTH, HUMAN SERVICES, &
HOMELESSNESS
ON
SENATE BILL NO. 2373, S.D. 1, H.D. 1

March 22, 2022
9:30 a.m.
Room 329 and Videoconference

RELATING TO OFFENDER REENTRY

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

Senate Bill No. 2373, S.D. 1, H.D. 1, establishes the Project Reset Program (PRP), under the administration of the Governor's Coordinator on Homelessness and administratively placed under the Department of Human Services (DHS), to oversee the development and implementation of comprehensive post-release housing programs to assist offenders who are transitioning back into the community. This bill also establishes 1.00 full-time equivalent position within DHS to administer PRP and appropriates an unspecified amount of general funds to DHS for FY 23 to implement and administer the program.

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.

SB-2373-HD-1

Submitted on: 3/21/2022 12:08:54 PM

Testimony for HHH on 3/22/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Wendy Gibson-Viviani	Individual	Support	Written Testimony Only

Comments:

Please support SB2373 to allow the establishment and appropriation of funds for the program named Project Reset, to help inmates secure post-release housing, in support of reentry, rehabilitation, and employment prospects.

Thank you,

Wendy Gibson-Viviani RN

Kailua