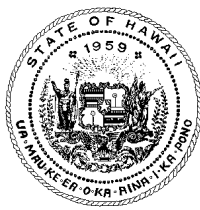


DAVID Y. IGE
GOVERNOR



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

MAX N. OTANI
DIRECTOR

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Deputy Director
Administration

Tommy Johnson
Deputy Director
Corrections

Jordan Lowe
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 2433
RELATING TO OFFENDER REENTRY PROGRAMS.

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

Tuesday, February 1, 2022; 1:00 p.m.
State Capitol, Via Video Conference

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

The Department of Public Safety (PSD) supports the intent of Senate Bill (SB) 2433, which encourages inmates to participate in correctional educational programs and vocational training.

Through the Corrections Program Services Division (CPS), the Department provides a range of educational opportunities that are essential to preparing offenders for their return to the community. Currently, CPS education staff provides Adult Education programs at all statewide correctional facilities. This includes adult basic education at various levels (reading, writing, math) leading up to preparing for and taking the GED examination. The McKinley Community School for Adults at the Moanalua Campus provides additional assistance utilizing Department of Education contract teachers. Hawaii Friends for Restorative Justice, funded by the Governor's Emergency Education Relief Grant (GEER), is in its first year of a pilot program that provides training and certification for peer education tutors and college correspondence courses at the Women's Community Correctional Center (WCCC).

The Department is also a proud recipient of the Second Chance Pell grant via Chaminade University that provides post-secondary education at the Halawa Correctional Facility (HCF) and a federal grant via the Windward Community College Pu`uhonua Program that provides post-secondary courses at the Women's Community Correctional Center (WCCC).

CPS has agreements with the University of Hawaii at Manoa (Office of Research Services "Go Farm/Agriculture"), Leeward Community College (LCC), Kapiolani Community College's Culinary Arts Program (KCC), Hawaii Community College (HCC), and Windward Community College (WCC) to provide additional college correspondence courses, training, and services for the inmate population. These courses are provided at no cost to the inmate.

Other educational and vocational training opportunities include career explorations, workplace essentials, employment services, food safety/sanitation, forklift certification, computer skills, general construction trade, photovoltaic installation, plumbing, and welding.

The Department notes that by court order, an inmate is no longer under the care and custody of the Director of PSD upon release and for this simple reason opposes providing tuition assistance, health insurance benefits and monthly rent supplement payments after an inmate is released from custody. To aid in obtaining health insurance as part of an inmate's reentry process, PSD's Reentry Coordination Office works with community partners to ensure the inmate has access to proper medical care/treatment once released.

Thank you for the opportunity to present this testimony.

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL & MILITARY AFFAIRS

Senator Clarence Nishihara, Chair

Senator Lynn DeCoite, Vice Chair

Tuesday, February 1, 2022

1:00 PM

SB 2433 - SUPPORT EXPANDING PROGRAMS & INCENTIVES

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 of the more than 4,103 Hawai`i individuals living behind bars or under the “care and custody” of the Department of Public Safety or the corporate vendor on any given day. We are always mindful that 1,113 of Hawai`i’s imprisoned people are serving their sentences abroad thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

SB 2433 requires the department to expand programs and incentivizes incarcerated persons to complete correctional education programs while serving their sentences. Community Alliance on Prisons supports this measure that focuses people on reintegrating back to their communities. Many people exiting incarceration are concerned about how they are going to make it outside when released. Educational programs, vocational training, and work furlough are strategies for successful reentry. Earn to Learn is about partnerships where people can apprentice in various jobs/trades. People need a route out of prison that will provide them with the tools necessary to support themselves and their families. This bill is a great start!

We urge the committee to pass this bill that will start the paradigm shift from a punitive system to one that actually focuses on rehabilitation and reentry, as intended by the HCR 85 Prison Reform Task Force.

We urge the committee to pass this measure onto the JDC/WAM committees with a strong recommendation for passage. Mahalo for this opportunity to testify.

Studies have shown that inmate participation in education, vocational and job training, prison work skills development, drug abuse, mental health and other treatment programs, all reduce recidivism, significantly.

SB-2433

Submitted on: 1/30/2022 10:37:47 AM

Testimony for PSM on 2/1/2022 1:00:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Carolyn Eaton | Individual | Support | Yes |

Comments:

Aloha, Chair Nishihara, Vice Chair DeCoite and members of the Committee. My name is Carolyn Eaton and I support this measure relating to re-entry programs for incarcerated individuals in Hawai'i. Its enactment will bring long-absent incentives to folks incarcerated. It offers not one, but several pathways to bettering life outcomes in the near future. Its enactment, with funding, holds out new promise of support to those coming back into our communities, those whom we very much hope to see succeed. Wonderful bill, which clearly shows research into proven models and clear-sighted hope for change.

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
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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
SENATE BILL NO. 2433

February 1, 2022
1:00 p.m.
Via Videoconference

RELATING TO OFFENDER REENTRY PROGRAMS

The Department of Budget and Finance (B&F) offers comments on Senate Bill (S.B.) No. 2433.

S.B. No. 2433 does the following: 1) require the Department of Public Safety (PSD) to expand existing model programs to make more quality correctional education courses available to interested inmates; 2) require PSD to reward inmates who participate in or complete correctional education programs while incarcerated with subsidized health insurance, housing, or tuition after release; 3) expand existing vocational and work furlough programs and establish earn and learn apprenticeships which allow eligible inmates to work towards licensure under supervised apprenticeships while getting paid; and 4) appropriate an unspecified amount of general funds for FY 23 to expand existing model programs.

B&F notes that 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.

Statement Before The
SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Tuesday, February 1, 2022

1:00 PM

Via Video Conference

in consideration of
SB 2433**RELATING TO THE OFFENDER REENTRY PROGRAMS.**Chairs NISHIHARA, Vice Chair DeCOITE, and Members of the
Senate Public Safety, Intergovernmental, and Military Affairs Committee

Common Cause Hawaii supports SB 2433, which (1) requires the Department of Public Safety to expand existing model programs to make more quality correctional education courses available to interested inmates, (2) requires the Department of Public Safety to reward inmates who participate in or complete correctional education programs while incarcerated with subsidized health insurance, housing, or tuition after release, (3) expands existing vocational and work furlough programs and establishes earn and learn apprenticeships which allow eligible inmates to work towards licensure under supervised apprenticeships while getting paid, and (4) appropriates funds.

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to reforming government and strengthening our representative democracy. We need a democracy that guarantees a more equitable and just society. The mass criminalization and incarceration of especially black and brown communities disenfranchises and disempowers millions of Americans and undermines the promise of a democracy that works for everyone.

Studies of shown that educational programs in prisons have significant benefits. “In 2016, the [RAND Corporation](#) produced a report that showed that individuals who participate in any type of educational program while in prison are 43 percent less likely to return to prison. In addition to reducing recidivism, education can improve outcomes from one generation to the next.” See <https://www.americanprogress.org/article/education-opportunities-prison-key-reducing-crime/> (retrieved Jan. 31, 2022). “Prisons with college programs have [less violence](#) among incarcerated individuals, which creates a safer environment for both incarcerated individuals and prison staff.” *Id.* “The significant [personal benefits](#) of prison education include increased personal income, lower unemployment, greater political engagement [and](#) volunteerism, and improved [health](#) outcomes.” *Id.*

Thank you for the opportunity to testify in support of SB 2433. If you have questions for me, please contact me at sma@commoncause.org.

Very respectfully yours,

Sandy Ma
Executive Director, Common Cause Hawaii



SB2433 Comprehensive Reentry Services

COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Senator Clarence K. Nishihara, Chair

Senator Lynn DeCoite, Vice Chair

Tuesday, Feb 1 2022: 1:00 pm : Videoconference

Hawaii Substance Abuse Coalition Strongly Supports SB2433:

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 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.

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

SB-2433

Submitted on: 1/29/2022 4:01:59 PM

Testimony for PSM on 2/1/2022 1:00:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Carla Allison | Individual | Support | No |

Comments:

I support SB2433 because expanding and providing more quality education programs to our siblings in prison provides a route for them out of poverty and prison. I applaud the use of incentives that encourage people to pursue education as a way they can invest in their reentry success. Being able to gain skills in various trades, work toward licensure and earning money plus having the benefit of health insurance, housing or tuition after release provides a foundation of support is critical for success after prison. Please support SB2433.

SB-2433

Submitted on: 1/30/2022 10:52:38 AM

Testimony for PSM on 2/1/2022 1:00:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|----------------------|---------------------|---------------------------|-----------------------------------|
| Wendy Gibson-Viviani | Individual | Support | No |

Comments:

To: COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

From: Wendy Gibson-Viviani RN/BSN

Dear Senator Clarence K. Nishihara, Chair, Senator Lynn DeCoite, Vice-Chair and Members of the Committee,

Please support SB2433 which would reward inmates who participate in or complete correctional education programs while incarcerated with subsidized health insurance, housing, or tuition after release. This is a great step towards encouraging people to pursue education as a successful reentry strategy.

Please consider supporting this important bill.

Thank you,

Wendy Gibson-Viviani RN/BSN

Kailua/ Oahu Resident for 29 years.

SB-2433

Submitted on: 1/30/2022 3:56:29 PM

Testimony for PSM on 2/1/2022 1:00:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| E. Ieina Funakoshi | Individual | Support | No |

Comments:

Aloha Chair Nishihara, Vice Chair DeCoite and Committee Members:

Mahalo for this outstanding bill which is long overdue. Many of the inmates don't have the financial support to have programs to further their education whether in trade or white collar jobs. It would help them to prepare for their release and qualify for jobs so they will be able to become self sufficient and not return to prison for the tax payers to pay \$147 per day for their housing and maintenance.

I know some who were released and were enthusiastic about being on the outside but do not survive long, especially without mentors.

Thank you for the opportunity to provide my testimony and humbly ask for your support o SB2433.

Mahalo and Aloha,

e. ileina funakoshi

SB-2433

Submitted on: 1/30/2022 7:07:58 PM

Testimony for PSM on 2/1/2022 1:00:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Esther Geil | Individual | Support | No |

Comments:

We need to provide ways and incentives for people who are being released into the community to become good citizens instead of their not having help to do that. Education is a good route out of poverty and prison.

One of the best parts of the bill is the incentives that encourage people to pursue education as a successful reentry strategy

I like the 'earn to learn' providing partnerships where people can train in various trades

The support post-release is important and the encouragement necessary.

Every former prisoner who becomes a self-supporting citizen helps us all. Let's help them do that - for their sakes and for ours. Spending money to put and keep them in prison again is a bad use of my tax dollars. Helping them become good citizens is a good use of them - and almost always cheaper, as well!

SB-2433

Submitted on: 1/31/2022 11:33:44 AM

Testimony for PSM on 2/1/2022 1:00:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Diana Bethel | Individual | Support | No |

Comments:

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

I am writing in strong support of SB 2433 which requires the Department of Public Safety to provide more educational programs and to offer incentives such as subsidized health insurance, housing, or tuition after release. It would also expand existing vocational and work furlough programs, establish earn-and-learn apprenticeships to help eligible persons to work towards obtaining a license in their chosen field while getting paid. This bill would also appropriate the funds for these programs.

Education is the best and cheapest way to reduce recidivism and poverty. Particularly important is the emphasis on post-release support for reintegration into our communities. This is what we should be doing anyway! A formerly incarcerated person's successful reentry into the community is a win-win-win for them as well as for taxpayers and public safety.

Mahalo for your support of SB2433.

Diana Bethel, Honolulu

Senator Clarence K. Nishihara
Public Safety, Intergovernmental, and Military Affairs
Senate Bill 2433

Hearing: February 1st, 2022
1pm via Videoconference

IN SUPPORT

Aloha,

My name is Alisha Kaluhiokalani. I am a student at the University of Hawaii at Manoa currently enrolled in the Bachelors of Social Work Program. I am testifying in favor of SB 2433. I encourage the Public Safety committee to adopt this bill.

As a native Hawaiian recovering addict and being a part of the prison system it has been a journey to find Finding out who i am, what my strengths and weaknesses are and how to make the right choices in life. During my incarceration, I was given the opportunity to take college courses and found that I loved learning. I was even able to work in the education and recreation unit as a Hawaiian culture instructor and shared with the women and some of the mental health patients my knowledge of the different aspects of Hawaiian Culture including history, language, chant, hula, and values. Teaching and helping others became my passion.

In December 2016, I was released to a furlough program called Bridge, where I lived in the WCCC facility and worked in the community. Four months later, I was released to a clean and sober house and a year later was blessed with a child. Instead of going back to work, I decided to go back to college and continue the academic path I started on inside of prison. I attended Windward Community College, pursuing an AA in Hawaiian Studies/Liberal Arts and graduated with honors, maintaining a 4.0 GPA. I also became a student employee there as a Peer Tutor for 'Ōlelo Hawai'i 101/102, a Pu'uhonua Program Assistant helping the women at the Women's Community Correctional Center with academic advising, and a member of Phi Theta Kappa.

The loss of land, language, and culture has resulted in significant intergenerational, historical, and political trauma for Native Hawaiians. Individuals suffer poor economic, physiological, cultural, and educational consequences, which frequently shows itself in criminal behavior. Any endeavor to lessen the number of Native Hawaiians who come into touch with the criminal justice system must involve a multifaceted strategy to dealing with this trauma.

There are 2 ways to look at treatment when it comes to rehabilitating a Native Hawaiian. Yes, we do live in a Western world and that approach may be beneficial to everyone, but when it comes to Kānaka Maoli, their worldview is different, the Western approach alone isn't enough.

Western medicine or treatment deals with head knowledge by changing the way you think, focusing on cognitive development. Whereas, Hawaiian medicine or practices deals with the heart or in a deeper sense, is felt within the na'au (gut). Our na'au is often known as our sixth sense in which Kānaka Maoli are born with, it is the center of our instincts and feelings. Have you ever heard of the saying, "trust your gut?" Yes, same concept. It is that feeling that will

guide a Native Hawaiian to do what is pono (right). To strengthen your na'au would be to heal from the hurt that has been done. This is why implementing Native Hawaiian practices into rehabilitation programs or facilities is vital for reformation and healing.

I personally understand this concept. To feel complete, you must heal the mind and mend the heart. There are 2 ways to look at treatment when it comes to rehabilitating a Native Hawaiian. Yes, we do live in a Western world and that approach may be beneficial to everyone, but when it comes to Kānaka Maoli, their worldview is different, the Western approach alone isn't enough.

Western medicine or treatment deals with head knowledge by changing the way you think, focusing on cognitive development. Whereas, Hawaiian medicine or practices deals with the heart or in a deeper sense, is felt within the na'au (gut). Our na'au is often known as our sixth sense in which Kānaka Maoli are born with, it is the center of our instincts and feelings. Have you ever heard of the saying, "trust your gut?" Yes, same concept. It is that feeling that will guide a Native Hawaiian to do what is pono (right). To strengthen your na'au would be to heal from the hurt that has been done. This is why implementing Native Hawaiian practices into rehabilitation programs or facilities is vital for reformation and healing.

In closing, due to the experiences, challenges, and triumphs I have gone through, it taught me how important it is to give back, motivated me to pursue my AA in Hawaiian Studies/Liberal Arts & a Bachelors in Social Work, which I am currently in my junior year at the University of Hawai'i in Mānoa, and is the guiding force of why I chose this path. I know as a social worker, it is my responsibility and aim to positively encourage, empower, and enhance the well-being of my clients. Like my father, I too intend to share my experience, strength, hope, and aloha with everyone in hopes to be a beacon of hope and inspiration to 'onipa'a (be steadfast) and never give up. My story is what ignites my passion and willingness to kōkua (help) my lāhui (people) and that is why I chose to do the research on this topic. I highly encourage Senate Bill 2433 to be passed because it will create a stronger foundation in the Hawaii correctional facility programs. Senate Bill 2433 will effectively expand the current systems for inmates to live and conduct their lives accordingly in society.

Alisha Kaluhiokalani
Student at The University of Hawaii at Manoa
Bachelors of Social Work
Cell 808-670-5963
Email apk4@hawaii.edu

SB-2433

Submitted on: 1/31/2022 2:49:45 PM

Testimony for PSM on 2/1/2022 1:00:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Dara Carlin, M.A. | Individual | Support | No |

Comments:

Stand in support.