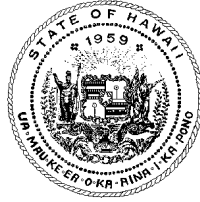


DAVID Y. IGE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
1177 Alakea Street, 6th Floor  
Honolulu, Hawaii 96813

**MAX N. OTANI**  
DIRECTOR

**Maria C. Cook**  
Deputy Director  
Administration

**Tommy Johnson**  
Deputy Director  
Corrections

**Jordan Lowe**  
Deputy Director  
Law Enforcement

No. \_\_\_\_\_

TESTIMONY ON SENATE BILL 2639, HOUSE DRAFT 2  
RELATING TO THE COMPREHENSIVE OFFENDER REENTRY SYSTEM.

by  
Max N. Otani, Director

House Committee on Finance  
Representative Sylvia Luke, Chair  
Representative Kyle T. Yamashita, Vice Chair

March 31, 2022; 2:30 p.m.  
Via Videoconference

Chair Luke, Vice Chair Yamashita, and Members of the Committee:

Senate Bill (SB) 2639, House Draft (HD) 2 seeks to require the Department of Public Safety's (PSD) Offender Reentry Office to develop and implement a risk assessment tool specifically intended to assess the needs of female offenders and to provide a report to the Legislature regarding this matter.

The Department supports the intent of this measure and offers the following information on initiatives currently underway as affirmation of that support.

In recognition of the importance of addressing the specific needs of female offenders, PSD has completed the redescription of a Corrections Program Specialist II position assigned to the Reentry Coordination Office (RCO) to be dedicated to work on the assessment, program, treatment, and reentry needs of female offenders.

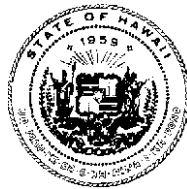
Part of the CPS II's responsibilities will be to review nationally well-regarded offender assessment instruments, including conducting research with the National Institute of Corrections (NIC), American Correctional Association

Testimony on SB 2639, HD 2  
House Committee on Finance  
March 31, 2022  
Page 2

(ACA), and other entities to assist in determining the effectiveness of the Level of Service Inventory – Revised (LSI-R) assessment instrument currently in use and to review other instruments to determine if more accurate and effective instruments specifically for female offenders may be available.

PSD has already made substantial progress towards accomplishing the purposes of SB 2639, HD2 and respectfully suggests that the measure may not be necessary. The Department will be certain to include ongoing progress reports as a part of its Annual Report to the Legislature, to include key performance indicators, as required under HRS 353G.

Thank you for the opportunity to submit testimony on SB 2639, HD 2.



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

March 31, 2022

TO: The Honorable Representative Sylvia Luke, Chair  
House Committee on Finance

The Honorable Representative Kyle T. Luke, Vice-Chair, House Finance  
Committee

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

SUBJECT: **SB 2639, Relating to the Comprehensive Offender Reentry System**

POSITION: STRONGLY SUPPORT

Chair Luke, Vice Chair DeCoite and Members of the Committee

The Hawaii Correctional Systems Oversight Commission supports Senate Bill 2639, Relating to the Comprehensive Offender Reentry System, which amends Section 353H-2.5, HRS, to require a risk/needs assessment specifically intended to assess the needs of female offenders returning to the community.

Criminal justice policies, practices and programs have traditionally been designed for men and applied to women without regard to the unique needs of women. Gender responsive risk/needs assessment tools better identify interventions which connect women to programs and treatment to address their needs and reduce the incidence of recidivism.

It has long been established that women's pathways to crime differ significantly from those of men, too often beginning in childhood physical and sexual abuse. Women are far more likely than men to commit crimes related to poverty (prostitution, credit card fraud) and substance abuse (drug-related offenses). Dysfunctional relationships lead to a lack of self-worth and any sense of control over their own lives and contribute to the high rates of depression among women offenders. As women are the primary caretakers of children, parental issues present unique challenges for impoverished women. Gender responses programs and treatments best address the needs of women.

We urge you to pass this measure to ensure proper interventions are identified and designed to assist the successful



## **SB2639 HD2 Risk Assessment WCCC for Offender Reentry FIN**

### **COMMITTEE ON FINANCE**

Rep. Sylvia Luke, Chair

Rep. Kyle T. Yamashita, Vice Chair

Thursday, Mar 31 2022: 2:30 : Videoconference

### **Hawaii Substance Abuse Coalition Supports SB2639 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.*

HSAC believes it is a **great idea to develop and implement risk needs assessment tools** to properly place offenders in programs and services including a risk needs assessment tool that is specifically intended to assess the needs of female offenders;

**HSAC supports and recommends adding nationally standardized treatment screening and assessments to guide the development of reentry plans that would**

- **include various levels of treatment for chronic substance use disorder utilizing residential and outpatient and**
- **that address criminality issues,**
- **as well as co-occurring mental health.**

If there is not a chronic issue of substance abuse:

- the assessment would recommend recovery-oriented services such as medication management and case management.

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

**SB-2639-HD-2**

Submitted on: 3/30/2022 1:41:07 PM

Testimony for FIN on 3/31/2022 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Linda Rich	Women?s Prison Project	Support	Remotely Via Zoom

Comments:

COMMITTEE ON FINANCE

Representative Sylvia Luke,Chair

Representative Kyle T. Yamashita, Vice Chair

HEARING DATE: March31, 2022

TIME: 2:00 PM,

PLACE: Via Videoconference

CONFERENCE ROOM 308

STATE CAPITOL

**SUPPORT FOR SB2639, HD2 RELATING TO THE COMPREHENSIVE OFFENDER REENTRY SYSTEM**

My name is Linda Rich. I am testifying today on behalf of the Women’s Prison Project (WPP) in **Strong Support of SB 2639, HD2 RELATING TO THE COMPREHENSIVE OFFENDER REENTRY PROGRAM.**

SB2639 mandates that the Department of Public Safety’s Offender Reentry Office develop and implement a gender-responsive risk and needs assessment tool for use in transition planning for women reentering the community from incarceration.

Research over many years and in many states has identified women’s pathways to crime, which are often quite different that those of men. These pathways to crime are not adequately identified by risk and needs assessment tools validated with male populations. The failure to accurately assess women can lead to ineffective programming as well as poor reentry planning. If we want

to reduce the recidivism rate and truly rehabilitate women offenders, there must be a gender responsive assessment.

There have been a number of well-researched and validated women's needs assessment tools developed and in use in other states which could be considered for use in Hawaii. Should the Department of Public Safety choose to develop its own assessment tool, WPP strongly recommends that a qualified researcher with experience in validating assessment instruments be retained to design and manage a research process that will result in a validated assessment tool. A research design should be developed with a clear process and time frame for completion and implementation. WPP further recommends that the Legislature should receive a report during the next session on the progress toward development and implementation of the assessment tool

Women's pathways to incarceration, according to the Hawaii Judiciary's Criminal Justice Research Institute (CJRI), are often related to social and economic marginalization and include poverty, lack of education, lack of access to mental health and substance abuse treatment, histories of trauma including childhood abuse and domestic violence, parenting stress, and lack of access to safe and affordable housing.

Property and drug related crimes, the majority of women's offenses, are often linked to poverty, dysfunctional relationships, and survival. These same factors are barriers to women's successful reentry and non-recidivism.

A 2018 study of women transitioning out of the Women's Community Correctional Center showed a recidivism rate of 51.3 percent, according to the Hawaii CJRI. We should not accept that high a rate as inevitable.

CJRI's review of women's pathways to crime suggest that recidivism could be reduced and the lives of women and their families within our communities greatly enhanced by utilizing a validated risk and needs assessment tool that would align assessment with women's pathway research to more accurately assess risk and identify women's needs and strengths.

The Women's Prison Project strongly supports SB2639, HD2 because an accurate, gender responsive assessment is critical for an effective transition plan that would reduce recidivism and result in healthier families and safer communities.

Thank you for the opportunity to testify and for considering our thoughts on this important issue.

Linda Rich

On behalf of the Women's Prison Project

**SB-2639-HD-2**

Submitted on: 3/29/2022 1:06:30 PM

Testimony for FIN on 3/31/2022 2:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lea Minton	Individual	Support	Written Testimony Only

Comments:

Dear Chair Luke and Finance Committee Members,

Thank you for this opportunity to testify in strong support of SB2639HD2

Mahalo,

Le'a Minton, CNM

**SB-2639-HD-2**

Submitted on: 3/30/2022 11:39:28 AM

Testimony for FIN on 3/31/2022 2:30:00 PM

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

Comments:

TO: COMMITTEE ON FINANCE

FROM: Wendy Gibson-Viviani RN/BSN

RE: SB2639 **(In Support)**

Hearing: March 31, 2022 at 2:30 p.m.

Dear Chair Rep. Sylvia Luke, Vice-Chair Rep. Kyle T. Yamashita, and Members of the Committee,

I am Wendy Gibson-Viviani, a healthcare professional (RN) who has lived and worked in Hawaii for 29 years. **I support SB2639** because:

The HCR85 Task Force recommended to the Legislature that Hawai'i should

- recognize the behavioral and social differences between female and male offenders and
- adopt gender-responsive policies, programs, and practices, particularly with respect to trauma-informed care, developing healthy relationships, and providing holistic support for women.

I believe that a number of well-researched and validated women's risk and needs assessment tools have already been developed and are being used in other states. So, we don't need to reinvent the tools.

Thank you for your attention to this important matter and for accepting my testimony.

Wendy Gibson-Viviani RN/BSN



Kailua