



## *The Judiciary, State of Hawai'i*

### Testimony to the Thirty-Second Legislature, 2023 Regular Session

#### House Committee on Finance

Representative Kyle T. Yamashita, Chair  
Representative Lisa Kitagawa, Vice Chair

Tuesday, February 28, 2023 at 11:30 A.M.  
Conference Room 308

by:

Dr. Erin E. Harbinson  
Director, Criminal Justice Research Institute

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**Bill No. and Title:** House Bill No. 68, H.D. 1, Relating to Criminal Justice

**Purpose:** Appropriates funds to establish a centralized statewide criminal pretrial justice data reporting and collection system pursuant to state law.

#### **Judiciary's Position:**

The Criminal Justice Research Institute (CJRI), which is administratively attached to the Judiciary, urges the **strong support** of House Bill No. 68 to create a centralized statewide criminal pretrial justice data reporting and collection system pursuant to HRS § 614-3. CJRI appreciates the Legislature's recognition of the need to expand the state's research capacity related to the criminal pretrial system and the need to track and monitor criminal pretrial system performance metrics. The intent of creating a centralized statewide source of pretrial data is to create data capacity, which would allow research to be conducted more quickly and effectively. Criminal justice research is unable to move rapidly enough to address the questions and pressing needs of policymakers, decision-makers, and the community. This is particularly an issue when conducting research on dynamic populations and trends such as those related to jails and pretrial. The research that is needed to allow these stakeholders to make timely and informed, data-driven decisions about the criminal justice system is not possible without a pretrial database and reporting system. CJRI, with the support of the Judiciary, presents the following information below for consideration in support of this bill.

1. The HCR 134 Criminal Pretrial Task Force recognized the State's need to develop, track,

and monitor performance metrics for the criminal pretrial system, and recommended the establishment of CJRI to fulfill this work. CJRI was tasked by Act 179 (2019) / HRS § 614-3 with establishing a “centralized statewide criminal pretrial data reporting and collection system” to monitor the effectiveness of the criminal pretrial system, including the impact of any pretrial reforms.

2. Since the hiring of its first staff person in November 2020, CJRI has been assessing the feasibility of and diligently planning for the establishment of the pretrial database and reporting system to fulfill the mandates of Act 179 / HRS § 614-3. This includes, but is not limited to, identifying the current pretrial data landscape within the state and determining the administrative and technological feasibility of aggregating and sharing pretrial data. Additionally, CJRI has reviewed the work of other states engaged in similar initiatives to centralize criminal justice data. CJRI has taken great care in its approach to this work knowing that metrics and research used from this system will inform decisions about people’s liberty and detainment, and public safety within Hawai‘i’s communities.
3. Most of the criminal pretrial data necessary to report on the state’s pretrial system is housed in three data sources in separate, disconnected databases and IT systems, which requires agencies to extract and provide multiple spreadsheets and CD-ROMs containing information. This information then requires significant manual work by research staff to merge thousands of records and transform hundreds of fields of information into data that can be used for research and quantitative analysis. In its current state, pretrial research is limited to annual reports that look back at least one year prior for basic pretrial metrics, and longer for more comprehensive research and evaluation questions.
4. CJRI has partnered with the Judiciary, the Department of Public Safety, and the Criminal Justice Data Center, Department of the Attorney General, to identify a solution that will bring data sources from these agencies together in a collaborative and cost-efficient way. These agencies are vital to this project as they house most of the data needed to answer the key pretrial research questions identified under the law, and which are important to researchers, stakeholders, lawmakers, and the public.
5. The creation of a centralized database will address many of the key barriers to pretrial research identified by the HCR 134 task force. Creating a centralized system will improve research and data capacity by using a technological solution to extract, merge, and link pretrial data across agencies. The technology will solve many of the critical barriers that currently limit CJRI’s ability to conduct research on the state’s criminal pretrial system. This approach would limit the impacts on agency resources long-term, by building off of agency databases and systems. A centralized data warehouse storing this linked data will provide CJRI with the technological capacity to answer questions more quickly and more frequently, especially those posed by policymakers and

stakeholders. And, it will provide the capacity to produce more comprehensive metrics and answer more research questions. This system would also provide the foundation for more accessible and digestible reporting, such as building out dashboards on key metrics that would provide more reporting and transparency on pretrial metrics and findings.

6. The bill appropriates funds to create the pretrial database and reporting system, which would fulfill the requirements outlined under HRS § 614-3 to create a “centralized statewide criminal pretrial database and reporting system.” In the fall, CJRI worked with technology partners to confirm the technological feasibility of this work, and outlined a timeline and cost estimate for this project specific to the state’s data and technology landscape. The funds will be for two years and will fund the development of the pathways to extract pretrial data from all three agencies, and merge and link the records into a centralized data warehouse. Additional funds would maintain and support this work.

The Criminal Justice Research Institute is requesting an appropriation in the amount of \$1,372,864 for fiscal year 2023-2024 and \$1,030,868 for fiscal year 2024-2025 to establish a centralized statewide criminal pretrial data reporting and collection system. These funds relate to costs for information technology costs including consultant services to develop a platform to link data systems, software licensing, data storage, and any other necessary costs; the establishment of one permanent project specialist position within the Criminal Justice Research Institute to support the database; one temporary project specialist position within the Judiciary and one temporary information technology analyst position, or equivalent, within the Department of Public Safety (Department of Corrections and Rehabilitation) to support the development of the system.

Please refer to the table below for a breakdown of budgetary details:

Categories	Description	FY 23-24	FY 24-25
<b><u>One-time, development costs</u></b>			
IT Consultant	<i>Includes development and design of system (hourly time engineers, developers, manager)</i>	\$950,000	\$500,000
Judiciary project specialist position (temporary)	<i>Temporary support for Judiciary IT to link Judiciary data to pretrial database</i>	\$68,556	\$71,016
PSD IT analyst position (or equivalent) (temporary)	<i>Temporary support for PSD IT to link PSD data to pretrial database</i>	\$74,124	\$76,788

<b><u>Reoccurring costs to sustain system</u></b>			
Software	<i>Annual cost for software to assist with data collection and reporting</i>	\$100,000	\$200,000
Data storage	<i>Annual cost to store data in centralized pretrial database (cloud storage)</i>	\$100,000	\$100,000
CJRI project specialist position	<i>Staff to support pretrial database and reporting system with IT and data knowledge</i>	\$80,184	\$83,064
<b>Total</b>		<b>\$1,372,864</b>	<b>\$1,030,868</b>

Thank you for the opportunity to comment on this measure.



**STATE OF HAWAII**  
**HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**  
235 S. Beretania Street, 16<sup>th</sup> Floor  
HONOLULU, HAWAII 96813  
(808) 587-4160

TO: The Honorable Kyle T. Yamashita, Chair  
The Honorable Lisa Kitagawa, Vice Chair  
House Committee on Finance

FROM: Mark Patterson, Chair  
Hawaii Correctional System Oversight Commission

SUBJECT: House Bill 68, House Draft 1, Relating to Criminal Justice  
Hearing: Tuesday, February 28, 2023; 11:30 a.m.  
State Capitol, Room 308

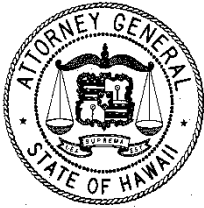
Chair Yamashita, Vice Chair Kitagawa, and Members of the Committee:

The Hawaii Correctional Systems Oversight Commission (the Commission) **strongly supports** House Bill 68, House Draft 1, Relating to Criminal Justice. This measure will appropriate funds to the Criminal Justice Research Institute to create a pretrial database and reporting system that will build data capacity, extrapolating information from existing data sources in the Hawaii Criminal Justice Data Center, the Judiciary, and the Department of Public Safety. We strongly agree with the House Committee on Judiciary and Hawaiian Affairs that this Committee consider adding to this measure the appropriation amounts of \$1,550,000.00 for Fiscal Year 2023-2024 and \$1,200,000.00 for Fiscal Year 2024-2025.

The Criminal Justice Research Institute (CJRI), located in the Judiciary, was established through Act 179/SLH 2019 which also established the Commission. Meetings between CJRI and Commission staff helped identify benefits of creating a centralized statewide pretrial data and reporting system in furthering the goals of the Commission. Specifically, describing factors that contribute to the jail populations and what data could provide insight in placing individuals in the community safely through pretrial release or diversion.

As policy makers, Legislators understand more than most the need for accurate and complete data to make effective public policy decisions. CJRI is working to provide this body with the information it needs to formulate criminal justice policies. We applaud their efforts.

We defer to CJRI Director Erin Harbinson, Ph.D., on the specifics of this measure. Thank you for the opportunity to testify.



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
KA 'OIHANA O KA LOIO KUHINA  
THIRTY-SECOND LEGISLATURE, 2023**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 68, H.D. 1, RELATING TO CRIMINAL JUSTICE.

**BEFORE THE:**

HOUSE COMMITTEE ON FINANCE

**DATE:** Tuesday, February 28, 2023      **TIME:** 11:30 a.m.

**LOCATION:** State Capitol, Room 308

**TESTIFIER(S):** Anne E. Lopez, Attorney General, or  
Philip D. Higdon, Acting Administrator,  
Hawaii Criminal Justice Data Center

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Chair Yamashita and Members of the Committee:

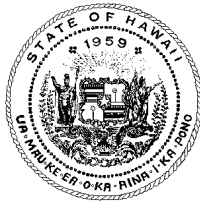
The Department of the Attorney General supports the intent of this bill and provides the following comments.

The purpose of this bill is to appropriate funds to the Criminal Justice Research Institute to establish a centralized statewide criminal pretrial justice data reporting and collection system pursuant to section 614-3, Hawaii Revised Statutes.

The Hawaii Criminal Justice Data Center (HCJDC) of the Department of the Attorney General recognizes the importance of having a centralized statewide criminal pretrial justice data reporting and collection system to assist with the Judiciary's efforts on reforms of the criminal pretrial practices and procedures. The HCJDC has been working in partnership with the Judiciary and the Department of the Public Safety to identify a solution to bridge the gaps in data gathering and sharing in a cost-efficient way. We agree with the Legislature that the creation of a statewide reporting system is substantial and will take significant resources and interbranch collaboration to accomplish it successfully. Even if we pursue this project in a cost-efficient way, significant funding will be necessary to extract and link large amounts of data from different sources, improve data entry practices and the quality of the data, and establish a long-term plan for ongoing collaboration with agencies that house pretrial data. We respectfully ask the Committee to pass this bill.

Thank you for the opportunity to provide testimony.

JOSH GREEN, M.D.  
GOVERNOR



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
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No. \_\_\_\_\_

TESTIMONY ON HOUSE BILL 68, HOUSE DRAFT 1  
RELATING TO CRIMINAL JUSTICE

by  
Tommy Johnson, Director

House Committee on Finance  
Representative Kyle T. Yamashita, Chair  
Representative Lisa Kitagawa, Vice Chair

Tuesday, February 28, 2023; 11:30 a.m.  
State Capitol Conference Room 308 and Via Video Conference

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

The Department of Public Safety (PSD) **supports** House Bill (HB) 68, House Draft 1, which appropriates funds to establish a centralized statewide criminal pretrial justice data reporting and collection system pursuant to state law.

We believe that a centralized criminal justice data collection and reporting system accessible by the various departments can greatly improve the entire system by identifying factors associated with criminal behavior and recidivism. As a result, such a system may produce improved interventions and programs to reduce the crime and recidivism rates in Hawaii.

Thank you for the opportunity to present testimony in support of HB 68, HD 1.

DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

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**THE HONORABLE KYLE T. YAMASHITA, CHAIR**  
**HOUSE COMMITTEE ON FINANCE**  
**Thirty-Second State Legislature**  
**Regular Session of 2023**  
**State of Hawai`i**

February 28, 2023

**RE: H.B. 68, H.D. 1; RELATING TO CRIMINAL JUSTICE.**

Chair Yamashita, Vice Chair Kitagawa, and members of the House Committee on Finance, the Department of the Prosecuting Attorney, City and County of Honolulu (“Department”), submits the following testimony regarding H.B. 68, H.D. 1, in **support** with friendly amendments.

The purpose of this bill is to appropriate funds to establish a centralized statewide criminal pretrial justice data reporting and collection system that will streamline data collection used for research purposes by linking and merging data into one data warehouse.

Through Act 179 of the 2019 Legislative Session, the Legislature created the Criminal Justice Research Institute (CJRI) to assess the technological feasibility of collecting data from numerous statewide databases to provide the proper metrics in analyzing criminal pretrial data. Currently, the review of pretrial data is limited to annual data requests from three different state agencies accessing four different data sources. Through the proposed funding in H.B. 68, H.D. 1, the Department believes that CJRI will be able to create a centralized data collection system, which will be better equipped to provide more timely and comprehensive pretrial data as envisioned through the passage of Act 179 (2019).

To work hand-in-hand with the data system proposed by H.B. 68, H.D. 1, the Department would strongly urge this committee to add the language from H.B. 100<sup>1</sup>, which establishes a criminal justice data sharing working group. The working group proposed under H.B. 100 would make recommendations for a statewide criminal justice data repository, which would include the four county police and prosecutor departments, as well as probation, prison and parole. After discussions with CJRI, the Department does not believe this working group would be duplicating work or data collection that is already being collected by CJRI. Rather, the working group will be designing a data collection system that can be used in real time, to be utilized by various agencies

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<sup>1</sup> [https://www.capitol.hawaii.gov/sessions/session2023/bills/HB100\\_.pdf](https://www.capitol.hawaii.gov/sessions/session2023/bills/HB100_.pdf)



within the criminal justice system—which would increase efficiency and accuracy, while minimizing duplication of work—and could also aid in decision-making on various issues, such as pretrial detention. In addition, the data that is ultimately collected through H.B. 100 could be designed to feed directly and efficiently into the research that is being conducted by CJRI, potentially improving the quality of their data.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu **supports** the passage of H.B. 68, H.D. 1 with friendly amendments. Thank you for the opportunity to testify on this matter.

# Opportunity Youth Action Hawai'i

February 27, 2023

Committee: House Finance  
Time: 11:30 AM  
Location: State Capitol  
Re: HB 68, HD1 Relating to Criminal Justice

Aloha Chair Yamashita, Vice Chair Kitagawa, and members of the Committee:

We are writing in **strong** support of HB 68, HD1 Relating to Criminal Justice

This bill will create a centralized statewide criminal pretrial database and collection system.

Dr. Erin Harbinson, the executive director of the CJRI (Criminal Justice Research Institute), met with our Opportunity Youth Action Hawai'i hui policy interns prior to the legislative session and explained the importance of a centralized pretrial database. The creation of a centralized pretrial database would enable agencies to act on data in an increasingly effective and coordinated manner, facilitating better communication as a system and enhancing collective efforts to reduce recidivism. We believe that it will allow research to be conducted more quickly and effectively.

Opportunity Youth Action Hawai'i is a collaboration of organizations and individuals committed to reducing the harmful effects of a punitive incarceration system for youth; promoting equity in the justice system; and improving and increasing resources to address adolescent and young adult mental health needs. We seek to improve the continuity of programs and services for youth and young adults transitioning from minor to adult status; eliminate youth homelessness and housing market discrimination against young adults; and promote and fund more holistic and culturally-informed approaches among public/private agencies serving youth.

**Please Support HB 68, HD1.**

COMMITTEE ON FINANCE

Rep. Kyle T. Yamashita, Chair  
Rep. Lisa Kitagawa, Vice Chair

Tuesday, February 28, 2023

11:30AM

VIA VIDEOCONFERENCE

Conference Room 308

State Capitol

**STRONG SUPPORT HB68 RELATING TO CRIMINAL JUSTICE**

Women's Prison Project strongly supports HB68 which would establish "a centralized statewide criminal pretrial justice data reporting and collection system pursuant to state law."

This bill is about bringing data sources together to report out on the pretrial system, and will create the technological capacity to do so. The database will allow evaluation of the pretrial system in order to make recommendations for improvement. It could be a source of better data to understand how women and men are impacted by pretrial, and identify how lower risk, nonviolent offenders, especially women, might be diverted from incarceration earlier in the system, through the new Women's Court or other specialty courts. The system would increase efficiency by moving data into a centralized statewide system that would allow for better decision making and planning.

Women's Prison Project strongly supports HB68 and urges the legislature to fund the proposed statewide data reporting collection and system.

Mahalo for the opportunity to testify on HB68.

Linda Rich

On behalf of Women's Prison Project