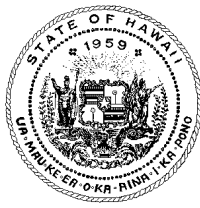


JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF PUBLIC SAFETY
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No. _____

TESTIMONY ON SENATE CONCURRENT RESOLUTION 90
AND
SENATE RESOLUTION 82
REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO SUBMIT A REPORT TO
THE LEGISLATURE DETAILING THE DEPARTMENT'S PROCESS IN ASSISTING
INMATES IN OBTAINING IDENTIFICATION CARDS.

by

Tommy Johnson, Director

Senate Committee on Public Safety and Intergovernmental and Military Affairs
Senator Glenn Wakai, Chair
Senator Brandon J.C. Elefante, Vice Chair

Friday, March 31, 2023; 3:01 p.m.
State Capitol, Conference Room 225 and via Video Conference

Chair Wakai, Vice Chair Elefante, and Members of the Committee:

The Department of Public Safety (PSD) provides comments and clarification regarding Senate Concurrent Resolution (SCR) 90 and Senate Resolution (SR) 82 (SCR 90/SR 82), which requests PSD submit a report to the Legislature detailing its process in assisting inmates in obtaining identification cards.

SCR 90/SR 82 states that the Legislature appropriated \$25,000 to PSD for the purpose of, *creating* identification cards for inmates. However, appropriation was included in ACT 056 (Relating to Identification) in 2015, not in 2016. In addition, it should be noted that in 2017, PSD requested the introduction of to *amend* the language in this ACT 056, which mistakenly stated that PSD was required to create identification cards for inmates, which the department has no authority to do. Therefore, on June 17, 2022, Act 103 (Relating to the Comprehensive Offender Reentry System) was passed, which *revised* the previous legislation to correctly state PSD, "shall *inform* inmates that departmental assistance is available and upon Request, and the department shall assist inmates in obtaining a civil identification card."

With respect to the request for PSD to submit a report to the Legislature no later than twenty days prior to the convening of the regular session of 2024 detailing the department's process in assisting inmates in obtaining identification cards, we the department respectfully request that the information can be included in PSD's annual report, which is forwarded to the Legislature and also posted on the department's website. Copies of PSD's annual report have always been available to the Hawai'i Correctional System Oversight Commission via our website, and we have no problem forwarding a copy directly to the commission.

Further, Act 117 (Relating to incarceration) was signed on June 27, 2022, and did allocate \$100,000 to PSD for, "the purchase of identification card machines. However, until the delay with the City and County of Honolulu's purchase of this new identification card equipment is resolved, PSD will continue to stand prepared to expand services inmate identification services statewide.

Thank you for the opportunity to offer comments on SCR 90/SR 82.

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS

Sen. Glenn Wakai, Chair

Sen. Brandon Elefante, Vice Chair

Friday March 31, 2023

Room 225 & VIDEOCONFERENCE

DECISIONMAKING

3:01 PM

STRONG SUPPORT FOR SCR 90/SR 82 - IDENTIFICATION CARDS

Aloha Chair Wakai, Vice Chair Elefante 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 4,036 Hawai`i individuals living behind bars¹ and under the “care and custody” of the Department of Public Safety/Corrections and Rehabilitation on any given day. We are always mindful that 914 - 26.4% of the male imprisoned population² - 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 testify in strong support of SCR 90/SR 82 requesting the department of public safety to submit a report to the legislature detailing their process in assisting incarcerated persons in obtaining identification cards and providing a copy of the report to the Hawai`i Correctional Systems Oversight Commission for posting on their publicly available website - www.hcsoc.hawaii.gov.

The Commission was established in 2019 and oversees the correctional system in the state of Hawai`i by completing thorough investigations, establishing the maximum inmate population in all facilities, **monitoring and reviewing the comprehensive offender reentry program**, and ensuring people in custody are released in a timely manner.

Community Alliance on Prisons has been working on the identification process for many years, and in 2016 the first bill was introduced, passed, with an appropriation of \$25,000. In 2022, the department received another appropriation of \$100,000 to facilitate this process.

¹ Department of Public Safety, Weekly Population Report, March 20, 2023.

https://dps.hawaii.gov/wp-content/uploads/2023/03/Pop-Reports-Weekly-2023-03-20_George-King.pdf

² Why are 26.4% of Hawai`i’s male prison population sent thousands of miles from home when the following prisons in Hawai`i have room here: Halawa is at 77%; Halawa Special Needs Facility is at 58%; Kulani is at 44%; Waiawa is at 51% of operational capacity.

The program has had a bumpy start and only when the then Deputy Director for Corrections in 2021/22 worked on a Memorandum of Agreement with the Department of Transportation did the program start to be implemented. We appreciate that!

Community Alliance on Prisons works closely with incarcerated persons and their families and we have received calls and questions asking why some people are charged for their ID and others are not. We assert that since it is the process of DPS to only hold personal property for 30 days after arrest, it is incumbent upon the department to issue IDs at no cost to all people being released. The need for property identification documents for people being released from incarceration cannot be overstated.

Valid identification is a pivotal component to acquiring many other elements of reentry that have proven successful at reducing recidivism, such as employment, housing and education. **Correctional facilities must ensure the inmates' new ID cards are in their release packets.**³

Leaving prisons without a government ID can block access to housing, jobs, and help. When people are incarcerated, especially for long periods of time, the government ID they had when entering prison – like a driver's license – may no longer be valid when they are released. Yet this small piece of plastic is needed for many of life's basic necessities like housing, employment, medical care, banking, and, for those who need it, government benefit programs like food stamps.

*"Most people coming out of prison have been locked up for a few years or, in some cases, many, many years," said Paul Solomon, executive director of **Sponsors, Inc.** in Eugene, Oregon. "They're starting out with nothing and with an expectation from society and the state that they become model citizens. They are required to abide by a whole host of parole and probation conditions. People can get hopeless pretty quickly if they aren't able to develop some modicum of stability. And in order for people to actually move forward, identification is integral to that process."*⁴

Identification is needed for a person to safely transition from institutional to community life, apply for employment, find housing, cash checks, apply for public assistance, and obtain medical care, among many other things.

We strongly support the Hawai'i Correctional System Oversight Commission being provided a copy of the department's report so that it can be posted on their publicly available website. The Commission is the one entity in the state that directly encourages community participation – a model for the state in how to be efficient, transparent, and accountable.

Community Alliance on Prisons urges the committee to pass this important resolution to facilitate the safe and smooth reintegration into their communities across Hawai'i nei.

Mahalo nui!

³ Providing Identification for Those Released from Incarceration, National Conference of State Legislatures, Updated 4.7.22. <https://www.ncsl.org/civil-and-criminal-justice/providing-identification-for-those-released-from-incarceration>

⁴ Leaving prison without a government ID can block access to housing, jobs and help, National Public Radio, Dec. 31, 2020. <https://www.pbs.org/newshour/nation/leaving-prison-without-a-government-id-can-block-access-to-housing-jobs-and-help>