



HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL, ROOM Q17
HONOLULU, HAWAII 96813

April 8, 2020

The Honorable Daniel R. Foley (Ret.)
1003 Bishop Street
Pauahi Tower, Suite 1155
Honolulu, HI 96813

Dear Judge Foley:

We write to express our strong opposition to the release of inmates at this time.

In addition to public safety concerns raised by Speaker Scott Saiki, enumerated in the letter to you dated April 6, 2020 (see attached), we are also concerned for the health and safety of the released population. As you know, the State's hospitals and health care systems are already overwhelmed with caring for the ongoing health crisis due to COVID-19. If any of the released inmates become ill, they will have difficulty obtaining prompt medical care.

Also, some of the inmates who were most recently released sought the assistance from homeless providers. An additional release of the inmate population will overly burden the homeless services providers many, if not all, of which have removed current residents from their facilities and denied entry to new residents. Providers are unable to effectively provide needed assistance to the most vulnerable population, especially at a time when funding and supplies are scarce. Please do not view this issue only from the perspective of the criminal defense bar. The Judiciary, like the Legislature, has a prevailing duty to protect the health and safety of all Hawaii residents. The mistimed release of inmates will violate this duty.

Sincerely,

SCOTT K. SAIKI
Speaker of the House

DELLA AU BELATTI
District 24

HENRY J.C. AQUINO
District 38

TOM BROWER
District 22

The Honorable Daniel R. Foley (Ret.)

April 8, 2020

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District 39

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District 43

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JAMES KUNANE TOKIOKA
District 15

JUSTIN H. WOODSON
District 9

RYAN I. YAMANE
District 37

KYLE T. YAMASHITA
District 12

Attachment

SCOTT K. SAIKI
Speaker



Phone No.: (808) 586-6100
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HOUSE OF REPRESENTATIVES
STATE OF HAWAII
STATE CAPITOL, ROOM 431
415 SOUTH BERETANIA STREET
HONOLULU, HAWAII 96813

April 6, 2020

Honorable Daniel Foley
Special Master
SCPW-20-0000200

Re: Proposed Release of Inmates

Dear Judge Foley:

I join with law enforcement and service providers in strongly urging the Hawaii Supreme Court to exercise restraint if it decides whether to release inmates.

Any recommendation to release inmates must consider whether the inmate:

1. Presents a risk to any person;
2. Has suitable housing upon release;
3. Has earned or unearned income opportunities upon release;
4. Will receive substance abuse treatment, if needed;
5. Will have a service plan in place; and
6. Will be monitored upon release.

The general public expects that the Judiciary will ensure that those released do not become susceptible to criminal activity and/or homeless. Therefore, please inform me whether the Special Master will consider these factors.

Thank you for your time and attention to this matter.

Proposed Release of Inmates
April 6, 2020
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Sincerely,

A handwritten signature in black ink, appearing to read "Saiki", written in a cursive style.

Scott K. Saiki
Speaker of the House

cc: Mark Patterson, Chair, Hawaii Correctional System Oversight Commission
Chief Justice Mark E. Recktenwald