

JON N. IKENAGA
STATE PUBLIC DEFENDER

DEFENDER COUNCIL
1130 NORTH NIMITZ HIGHWAY
SUITE A-254
HONOLULU, HAWAI'I 96817

HONOLULU OFFICE
1130 NORTH NIMITZ HIGHWAY
SUITE A-254
HONOLULU, HAWAI'I 96817

APPELLATE DIVISION
TEL. No. (808) 586-2080

DISTRICT COURT DIVISION
TEL. No. (808) 586-2100

FAMILY COURT DIVISION
TEL. No. (808) 586-2300

FELONY DIVISION
TEL. No. (808) 586-2200

FACSIMILE
(808) 586-2222



STATE OF HAWAI'I
OFFICE OF THE PUBLIC DEFENDER

HAYLEY Y.C. CHENG
ASSISTANT PUBLIC DEFENDER

HILO OFFICE
275 PONAHAHAI STREET
SUITE 201
HILO, HAWAI'I 96720
TEL. No. (808) 974-4571
FAX No. (808) 974-4574

KONA OFFICE
75-1000 HENRY STREET
SUITE #209
KAILUA-KONA HI 96740
TEL. No. (808) 327-4650
FAX No. (808) 327-4651

KAUA'I OFFICE
3060 EIWA STREET
SUITE 206
LIHUE, HAWAI'I 96766
TEL. No. (808) 241-7128
FAX No. (808) 274-3422

MAU'I OFFICE
81 N. MARKET STREET
WAILUKU, HAWAI'I 96793
TEL. No. (808) 984-5018
FAX No. (808) 984-5022

H.B. No. 1604: RELATING TO CRIMINAL JUSTICE REFORM

Chair David Tarnas
Vice Chair Gregg Takayama
Honorable Committee Members

The Office of the Public Defender **supports** this bill.

A significant number of people charged with crimes struggle with drug addiction. While maintaining sobriety is the goal, it is expected that those in the throes of addiction will stumble and use. When judges make sobriety and drug testing a condition of their release—be it pretrial, on probation, or even on parole—the threat of losing their liberty and going to jail or prison looms large.

This bill acknowledges the realities of addiction and the criminal justice system. It recognizes the need for pretrial, probation, and parole officers to be more flexible when it comes to monitoring drug use. Instead of costing the State more money to jail and imprison someone for using drugs, money should be spent on social services, housing, and other treatment options.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
HAWAII PAROLING AUTHORITY
Ka 'Ākena Palola o Hawai'i
1177 Alakea Street, First Floor
Honolulu, Hawaii 96813

EDMUND "FRED" HYUN
CHAIR

GENE DEMELLO, JR.
CLAYTON H.W. HEE
MILTON H. KOTSUBO
CAROL K. MATAYOSHI
MEMBERS

COREY J. REINCKE
ACTING ADMINISTRATOR

No. _____

TESTIMONY ON HOUSE BILL 1604 RELATING TO
CRIMINAL JUSTICE REFORM

by
Edmund "Fred" Hyun, Chair
Hawaii Paroling Authority

House Committee on Judiciary & Hawaiian Affairs
Representative David A. Tarnas, Chair
Representative Gregg Takayama, Vice Chair

Thursday, February 22, 2024, 2:00 p.m.
State Capitol Conference Room 325 and Via Video Conference

Chair Tarnas, Vice Chair Takayama, and Members of the Committee:

The Hawaii Paroling Authority (HPA) OPPOSES House Bill (HB) 1604 in its current format, which will hinder the management and supervision of parolees.

The intertwining of pre-trial, referrals to licensed psychologist/psychiatrist, do not coexist in Probation and Parole supervision.

A return to custody is a last resort after a comprehensive evaluation of the Parolee's level of threat to public safety. In addition to what may appear to be only a "single positive drug test," a multitude of factors are taken into consideration before returning the parolee in to custody.

Thank you for the opportunity to present testimony on HB 1604. We will be available for any questions.

HB-1604

Submitted on: 2/20/2024 4:33:05 PM

Testimony for JHA on 2/22/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Meliza Manuel	Hawaii Paroling Authority	Oppose	Written Testimony Only

Comments:

I am strongly against HB1604. Allowing an individual to avoid arrest based on just one positive drug test is highly risky. If an individual tests positive for drugs, it is clear that their drug use is severe and has prevented them from leading a pro-social lifestyle and coping appropriately. Therefore, they must face the consequences of their actions and be held accountable for their drug use.

HB-1604

Submitted on: 2/21/2024 7:08:59 AM

Testimony for JHA on 2/22/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jonathan Aronce	Hawaii Paroling Authority	Oppose	Written Testimony Only

Comments:

I strongly oppose HB1604, which proposes the prohibition of revoking parole based on a single positive drug test result. I believe that this measure could have unintended consequences and jeopardize the effectiveness of the parole system in ensuring public safety.

Parole is a critical component of our criminal justice system, providing individuals with an opportunity for rehabilitation and reintegration into society. However, it is equally important to maintain accountability and ensure the safety of the community. Allowing parolees to escape consequences for a single positive drug test may undermine the purpose of parole supervision and compromise public safety.

Drug addiction is a serious and complex issue, and it is acknowledged that relapses can occur during the recovery process. Nevertheless, overlooking repeated drug use by parolees could lead to a cycle of substance abuse, hinder rehabilitation efforts, and potentially result in increased criminal activity.

Rather than completely prohibiting parole revocation after one positive drug test, I propose exploring alternative approaches such as increased access to rehabilitation programs, counseling, and support services for individuals struggling with substance abuse. These alternatives can strike a balance between providing assistance to parolees facing addiction challenges while maintaining the accountability necessary for a successful reintegration into society.

I urge you to reconsider the implications of HB1604 and explore comprehensive solutions that address the complexities of substance abuse within the context of the parole system. It is crucial to find a balanced approach that prioritizes both rehabilitation and public safety. The access to resources is the key to reducing recidivism whether a bill is written or not.

Thank you for your attention to this matter, and I trust that you will carefully consider the potential consequences of HB1604 on our criminal justice system.

HB-1604

Submitted on: 2/21/2024 8:43:49 AM

Testimony for JHA on 2/22/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bryan Yatsushiro	Hawaii Paroling Authority	Oppose	Written Testimony Only

Comments:

This bill does not support law enforcement and public safety. This bill prioritizes criminal reform before law enforcement/public safety. For the purpose law enforcement/public safety violating/revoking parole for one positive drug test is sometimes necessary in the interest of public safety.

HB-1604

Submitted on: 2/21/2024 8:54:11 AM

Testimony for JHA on 2/22/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terence Mejia	Hawaii Paroling Authority	Oppose	Written Testimony Only

Comments:

I am oppoisng HB1604. Thank you.

Rebecca V. Like
Prosecuting Attorney



Keola Siu
First Deputy
Prosecuting Attorney

OFFICE OF THE PROSECUTING ATTORNEY

County of Kaua'i, State of Hawai'i

3990 Ka'ana Street, Suite 210, Līhu'e, Hawai'i 96766
808-241-1888 ~ FAX 808-241-1758
Victim/Witness Program 808-241-1898 or 800-668-5734

The Honorable David A. Tarnas, Chair
House Committee on Judiciary & Hawaiian Affairs
Thirty-third State Legislature
Regular session of 2024
State of Hawai'i
Hearing date: February 22, 2024

RE: HB 1604, Relating to Criminal Justice Reform

Dear Chair Tarnas:

I write to *oppose* section 4 of this bill, which seeks to amend HRS section 353-66(d). A single positive drug test for a parolee should be sufficient to arrest him or her for the parole violation; and to possibly revoke parole (after a hearing). In my decade of experience prosecuting felony cases, parolees have often previously failed at probation or committed more serious offenses. We have had some cases in which parolees have allegedly committed new offenses, but because of lack of witness cooperation, we were unable to prosecute. My concern is that in my experience, these incidents are usually not isolated and individuals leaving prison may be more likely to be engaged in offenses involving gang activity that are often very challenging to prosecute.

Therefore, I respectfully urge this committee to *reject* the proposed amendments to HRS section 353-66(d), contained in section 4 of HB 1604.

Thank you for the opportunity to comment on this bill.

/s/ Rebecca V. Like
Prosecuting Attorney
County of Kaua'i

**DEPARTMENT OF THE PROSECUTING ATTORNEY
KA 'OIHANA O KA LOIO HO'OPI'I
CITY AND COUNTY OF HONOLULU**

STEVEN S. ALM
PROSECUTING ATTORNEY
LOIO HO'OPI'I

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 768-7400 • FAX: (808) 768-7515 • WEBSITE: www.honoluluprosecutor.org

THOMAS J. BRADY
FIRST DEPUTY PROSECUTING ATTORNEY
HOPE MUA LOIO HO'OPI'I



**THE HONORABLE DAVID A. TARNAS, CHAIR
THE HONORABLE GREGG TAKAYAMA, VICE CHAIR
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
Thirty-Second State Legislature
Regular Session of 2024
State of Hawai`i**

February 22, 2024

RE: H.B. 1604; RELATING TO CRIMINAL JUSTICE REFORM.

Chair Tarnas, Vice Chair Takayama, and members of the House Committee on Judiciary and Hawaiian Affairs, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony, **opposing-in part** H.B. 1604.

The purpose of the bill is to allow the court to order substance abuse assessment and treatment; and prohibit the arrest of a parolee, or the revocation of parole, solely due to the defendant having one positive test for drug use.

The Department opposes amendments to Section 353-66, Hawaii Revised Statutes as it does not take into account individual characteristics and history of parole violations. The Hawaii Paroling Authority (HPA) utilizes a risk/needs assessment to determine offenders' risks and needs and implements supervision strategies to address high risk behaviors. HPA is in the best position to determine if a parolee represents a threat to public safety when a single positive test result is combined with other aggravating factors.

Thank you for the opportunity to present testimony on HB 1604.

COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/E-Mail: (808) 927-1214 / kat.caphi@gmail.com



COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Representative David A. Tarnas, Chair

Representative Gregg Takayama, Vice Chair

Thursday, February 22, 2024

Room 325 & VIDEOCONFERENCE

2:00 PM

STRONG SUPPORT FOR HB 1604 - PROHIBITS ARREST OF PAROLEE OR PAROLE REVOCATION FOR 1 POSITIVE DRUG TEST

Aloha Chair Tarnas, Vice Chair Takayama 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 3,866 Hawai'i individuals living behind bars¹ and under the "care and custody" of the Department of Corrections and Rehabilitation on February 12, 2024. We are always mindful that 858 - 25% - of Hawai'i's imprisoned male population 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 land

Community Alliance on Prisons is grateful for the opportunity to share our strong support for HB 1604 that allows the court to order a defendant to substance abuse assessment and treatment, prohibits the revocation of parole solely due to one positive drug test, and prohibits the arrest of parolee solely because of one positive drug test.

As of February 12, 2024, there were 314 persons imprisoned for parole violations in HI and AZ (8% of the total incarcerated population). There were also 317 persons imprisoned for probation violations in Hawai'i (8%) Together, the people serving time for parole and probation violations total 631 imprisoned persons (more

¹ DPS/DCR Weekly Population Report, February 12, 2024

<https://dcr.hawaii.gov/wp-content/uploads/2024/01/Pop-Reports-Weekly-2024-02-12.pdf>

than 16% of the total incarcerated population). These folks are serving time NOT FOR A NEW CRIME, but for a technical violation. We need to reform parole!

We did a quick scan of the web and it seems that many jurisdictions do not revoke on the first positive drug test, however, experience informs that it totally depends on the parole officer. We know of people who chose to go back to prison and serve out their maximum sentence because their parole officers were so nasty.

Let's practice aloha and help our friends and neighbors, who may be struggling with addiction, find a positive path forward.

To err is human; to forgive is divine.



TESTIMONY FROM THE DEMOCRATIC PARTY OF HAWAII

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

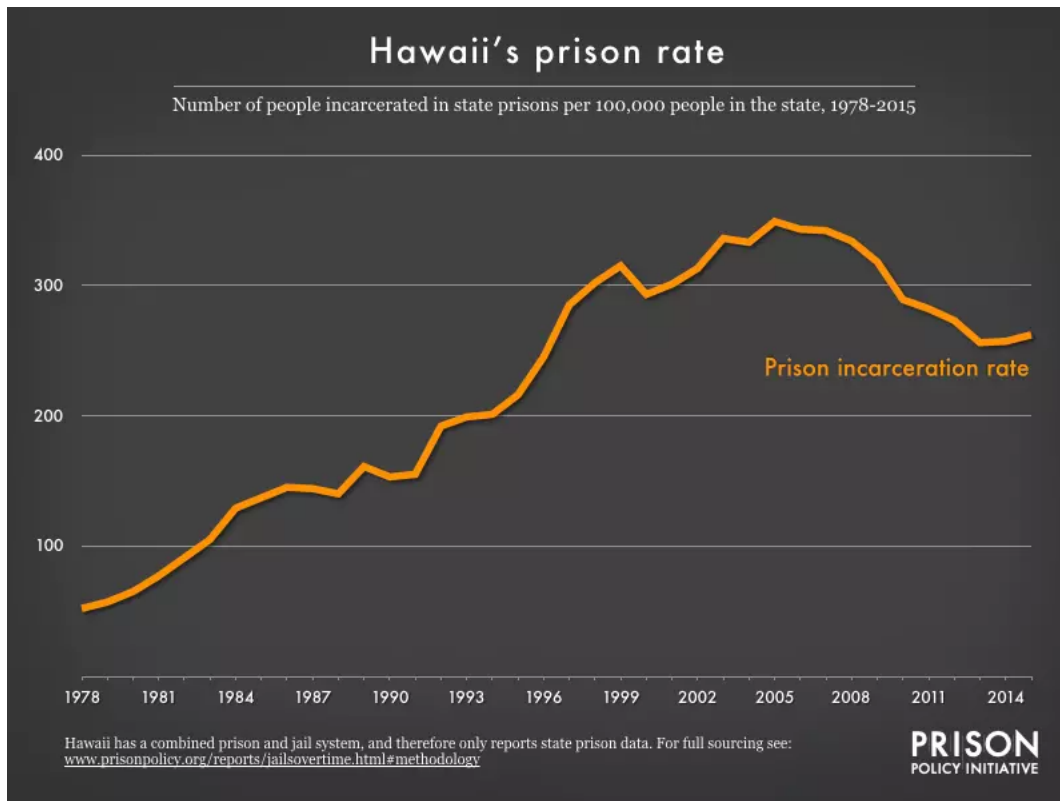
FEBRUARY 22, 2024

HB 1604, RELATING TO CRIMINAL JUSTICE REFORM

POSITION: SUPPORT

The Democratic Party of Hawai'i **supports** HB 1604, relating to criminal justice reform. Pursuant to the "Native Hawaiians and Hawaiian Culture" section of the official Democratic Party of Hawai'i platform, the party supports "reforming the criminal justice system to address the disparate treatment of Native Hawaiians, including bail reform and restorative justice which includes Ho'oponopono." Moreover, pursuant to the "Public Safety and Emergency Preparedness" section of the platform, the party "opposes racist policies and laws that cause disproportionate harm to communities of color. We believe incarceration should be used only when there are no alternatives to protect the public. We support rehabilitation, addiction services and other humane interventions that promote safe community reintegration as the ultimate goal."

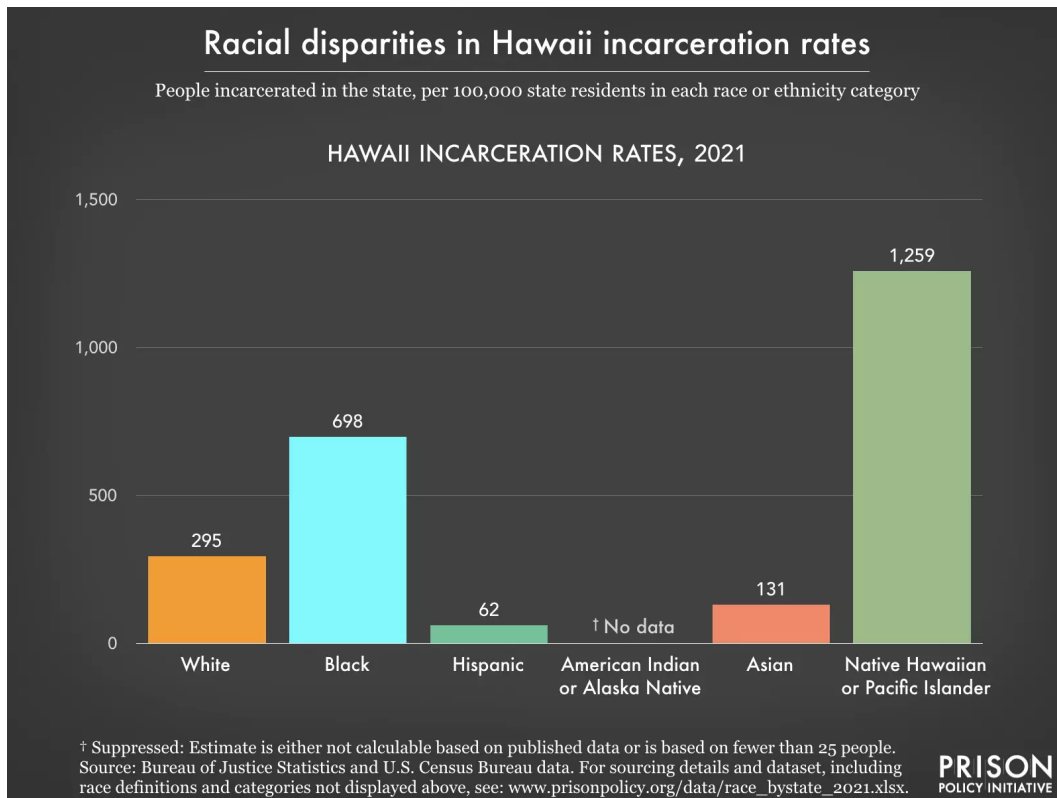
Hawai'i has approximately 5,100 inmates, hundreds of whom are incarcerated overseas, away from their families and homeland. The Prison Policy Initiative has found that our incarcerated population has grown dramatically since the 1970s and far surpasses that of the international community, with the islands incarcerating over 400 people per 100,000 residents, while nations like the United Kingdom, Canada, and France incarcerate roughly one-quarter of that amount.



According to a report by the American Civil Liberties Union released in recent years, pretrial detainees in Honolulu wait an average of 71 days for trial because they cannot afford bail. Additionally, researchers found that circuit courts in Hawai'i set monetary bail as a condition of release in 88 percent of cases, though only 44 percent of those people managed to post the amount of bail set by the court. Moreover, the study found the average bail amount for a Class C felony on O'ahu is set at \$20,000. Even with help from a bail bonding agency, posting bond in such cases would require an out-of-pocket expense of roughly \$2,000. **While wealthy defendants can afford to pay for bail. impoverished defendants often cannot afford to pay even minimal amounts, leaving economically disadvantaged people languishing in our jail system for low-level offenses.** Though officials claim that bail amounts are supposed to be based on a consideration of multiple factors—including flight risk, ability to pay, and danger to the community—researchers learned that in 91 percent of cases in Hawai'i, monetary bail mirrored the amount set by police in arrest warrants, an amount based solely on the crime charged. These injustices led the ACLU to declare that our state's pretrial detention system was and remains unconstitutional.

Furthermore, people of Native Hawaiian ancestry, who comprise approximately 25 percent of the state's population, continue to suffer the pangs of a biased penal system. Approximately 39 percent of incarcerated detainees are

Hawaiian, according to a comprehensive study by the Office of Hawaiian Affairs, with the proportionality gap being even greater for Hawaiian women, who comprise 19.8 percent of the state's female population, but 44 percent of the state's female inmate population. Researchers also found that, on average, Hawaiians receive longer sentences, more parole revocations, and harsher drug-related punishments than other ethnic groups.



Accordingly, **we support efforts to reform Hawai'i's criminal justice system, including this measure's redirection of funds used for arresting a parolee who has tested positive for drug use to reinvestments in employment, housing, social services, and treatment programs that more effectively reduce recidivism.** It is time to invest in restoration, rather than incarceration. Let's build people, not our penal system.

Mahalo nui loa,

Kris Coffield
Co-Chair, Legislative Committee
(808) 679-7454
kriscoffield@gmail.com

Abby Simmons
Co-Chair, Legislative Committee
(808) 352-6818
abbyalana808@gmail.com



HB1604 Pre-trial Court can order Substance Abuse Assessment and Tx

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair

Rep. Gregg Takayama, Vice Chair

Thursday, Feb 23, 2024: 2:00 : Room 325 Videoconference

Hawaii Substance Abuse Coalition supports HB1604:

ALOHA CHAIRS, VICE CHAIRS, 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 and recovery-oriented services.

Ordering substance abuse assessments and treatments during pretrial is essential for Courts to best determine appropriate course of action¹:

- Providing **effective services at this early stage of involvement can result in heightened motivation** to seek treatment and decreased recidivism.
- **Treatment has been credited with helping to reduce criminal behavior** and so it should be a higher priority in the criminal justice system at the pretrial stage.
- **The challenge will be to expedite the process so as not to cause significant disruption and delays** related to their arrest. Also, pretrial people in treatment will need more motivation than pre-sentencing offenders.

Successful completion of the treatment and reduced sentences can mitigate the pressure of overcrowded jails and prisons.

Recommendations:

- An increasingly common condition is a **pretrial supervision agency or probation department that monitors compliance** during release to participate in some form of treatment. Should the individual fail to comply with the conditions of release, he or she can be returned to jail for detention prior to trial.
- Ideally, **judges should mandate as a condition of release that offenders receive treatment within 24 hours.**
- Effective pretrial and diversion programs are the next topic: the staff resources, training, coordination, program components and procedures.

We appreciate the opportunity to provide testimony.

¹ Substance Abuse and Mental Health Services Administration (US); 2005. Substance Abuse Treatment: For Adults in the Criminal Justice System [Internet]. Rockville (MD): (Treatment Improvement Protocol (TIP) Series, No. 44.) 7 Treatment Issues in Pretrial and Diversion Settings. Available from: <https://www.ncbi.nlm.nih.gov/books/NBK572952/>

Opportunity Youth Action Hawai‘i

February 22, 2024

House Committee on Judiciary and Hawaiian Affairs

Hearing Time: 2:00 PM

Location: State Capitol Conference Room 325

Re: HB1604, Relating to Criminal Justice Reform

Aloha e Chair Tarnas, Vice Chair Takayama, and members of the Committee,

On behalf of the Opportunity Youth Action Hawai‘i hui, we are writing in **strong support** of HB1604, relating to criminal justice reform. This bill allows the court to order substance abuse assessment and treatment. It prohibits the arrest of a parolee, or the revocation of parole, solely due to the defendant having one positive test for drug use.

The use of alcohol and illicit substances by parolees is often rooted in complex issues of addiction, rather than a deliberate choice to disregard the law or terms of parole. Subjecting a parolee to arrest and potential revocation of community supervision is disruptive to their overall efforts and progress in re-integrating into their community. HB1604 recognizes that recovery from a substance abuse disorder is a process, often marked by challenges and setbacks. A positive drug test should be viewed as an indication of the need for further support and treatment, rather than an automatic trigger for punitive measures. This approach aligns with best practices in public health and substance abuse treatment, which advocate for patience, support, and evidence-based interventions in the journey towards recovery.

Further, treatment and support for substance abuse have shown to be more cost-effective and beneficial to society than incarceration. The State of Hawai‘i currently spends \$253 per day, or \$92,345 per year, to incarcerate just one individual. This bill reflects the legislature’s belief that, rather than spending funds to arrest a parolee who has tested positive for drug use and holding a hearing on whether parole should be revoked, funds should instead be reinvested in employment, housing, social services, and community-based treatment programs that more effectively reduce recidivism.

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 houselessness 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 HB1604.

1099 Alakea Street, Suite 2530 | Honolulu, Hawaii 96813 | (808) 447-1840

HB-1604

Submitted on: 2/22/2024 12:20:41 PM

Testimony for JHA on 2/22/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
N/A	ACLU of Hawaii	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Takeyama and Committee Members:

The ACLU of Hawai'i supports HB 1604, yet asks this Committee to consider numerous data-driven strategies to improve our parole system and reduce technical revocations as outlined in S.B. 2515 Relating to Parole (2022).

https://www.capitol.hawaii.gov/sessions/session2022/bills/SB2515_.HTM

S.B. 2515 included a number of salient findings:

- The legislature also finds that based on weekly population reports, typically one-fourth of all jail and prison admissions in Hawaii are the result of probation or parole technical violations, which are violations of the terms of legal supervision, other than the commission of certain crimes.
- Technical violations include: missing an appointment with a parole officer; working at a job during times that extended past curfew; using alcohol or drugs; failing to report a change in address; or associating with another person under legal supervision, even if that other person had no involvement in the defendant's crime.
- According to Confined and Costly: How Supervision Violations are Filling Prisons and Burdening Budgets, June 2019, a report of the Council of State Governments Justice Center, in 2017 fifty-three per cent of all prison admissions in the State were the result of technical violations.
- According to the Hawaii Paroling Authority's 2020 Annual Statistical Report for fiscal year 2020, three hundred twenty-one of the three hundred ninety-four parole revocation hearings held resulted in the revocation of parole and the parolee's return to prison. **Significantly, all of the three hundred twenty-one reincarcerated persons had committed technical violations of parole, meaning none of the violations were the result of new felony convictions.**

In addition to prohibiting the revocation of parole supervision for positive test for drug use, we need to make treatment available on demand - and remove barriers to treatment such as health care insurance, lack of treatment space and wait lists to get into programs.

We also need to provide robust reintegration programs and services while people are in jail and prison and a continuum of care into the community to enhance opportunities for success.

In closing, H.B. 1604 is an incremental step forward in acknowledging that substance use is a public health issue that should be addressed with public health strategies - not more time in our jails and prisons where drugs are still available.

Sincerely,

Carrie Ann Shirota

ACLU of Hawai'i Policy Director



TESTIMONY IN SUPPORT OF HB 1604

TO: Chair Tarnas, Vice Chair Takayama, & JHA Committee Members

FROM: Nikos Leverenz
Grants & Advancement Manager

DATE: February 22, 2024 (2:00 PM)

Hawai'i Health & Harm Reduction Center (HHHRC) **strongly supports** HB 1604, which authorizes a court to order a substance abuse assessment and participation in needed treatment and prohibits the arrest of a parolee or revocation of parole solely due to a single positive drug test.

Last month, HHHRC released a report on Hawai'i's [Sequential Intercept Model](#) (SIM), a tool developed by the federal Substance Abuse and Mental Health Services Administration to understand the relationship between criminal-legal agencies and behavioral health services and to identify opportunities for improving diversion away from justice systems and into more appropriate community settings. [[Click here to view the report.](#)] This bill amends parole practices in a manner that addresses the needs identified by the report.

HHHRC invited Dan Mistak of [Community Oriented Correctional Health Services](#) to facilitate a conversation between 45 participants from across the behavioral health and justice sectors to prepare for the use of Medicaid dollars in carceral settings, help inform legislators about critical needs within the behavioral health and justice systems, and offer insights into how to improve diversion from justice settings. Participants included the state Department of Health, Department of Human Services, Department of Public Safety (PSD), Office on Homelessness and Housing Solutions, Public Defender's Office, two county prosecutors, and the Honolulu Police Department.

HHHRC's mission is to reduce harm, promote health, create wellness, and fight stigma in Hawai'i and the Pacific. We work with many individuals who are impacted by poverty, housing instability, and other social determinants of health. Many have behavioral health problems, including those relating to substance use and underlying mental health conditions. Many of our clients and participants have been deeply impacted by trauma, including histories of physical, sexual, and psychological abuse.

Thank you for the opportunity to testify on this measure.

HB-1604

Submitted on: 2/20/2024 3:27:44 PM

Testimony for JHA on 2/22/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Hana Denning	Individual	Oppose	Written Testimony Only

Comments:

Oppose

HB-1604

Submitted on: 2/20/2024 10:42:05 PM

Testimony for JHA on 2/22/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Thaddeus Pham	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Takayama, and JHA Committee Members,

As a public health professional and concerned citizen, I write in **STRONG SUPPORT** of HB1604, which would, in part, prohibit the arrest of a parolee, or the revocation of parole, solely due to the defendant having 1 positive test for drug use.

Our jails are unnecessarily crowded with people with low-level defendants with single instance of positive drug use. This crowding causes our local communities to bear the economic and public health costs.

Please ensure passage of this bill so that the state may relieve undue burden on local families.

Mahalo,

Thaddeus Pham (he/him)

HB-1604

Submitted on: 2/21/2024 8:20:15 AM

Testimony for JHA on 2/22/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sean Valencia	Individual	Oppose	Written Testimony Only

Comments:

I oppose.

HB-1604

Submitted on: 2/21/2024 10:40:00 AM

Testimony for JHA on 2/22/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carolyn Eaton	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Takayama and members of the Committee,

My name is Carolyn Eaton and I voice strong support for this bill. I've become familiar with the term "Diversion" used by those advocating for reform of the justice system and the efforts to bring our corrections populations lower rationally. Allowing courts to order substance abuse assessments will support such positive diversion.

Mahalo for your hard work. It's exciting to see such measures considered, discussed and supported by our elected representatives.

HB-1604

Submitted on: 2/22/2024 9:21:16 AM

Testimony for JHA on 2/22/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rayna Brown	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Takayama and committee.

I am in strong opposition to HB 1604 as this bill enables an offender to not be held accountable as this is their get free out of jail card. They will continue to use knowing that they got away with it the first time.

Forcing someone to go to treatment will not help as the reality is that they will continue to use until they are ready to get clean.

This bill is absolutely ridiculous and does no justice to help these people and society. Enabling the offender is not the answer because they will continue to use mind altering substances and commit more crimes.

Do the right thing, vote no and hold them accountable!