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STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
**DEPARTMENT OF CORRECTIONS
AND REHABILITATION**
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WRITTEN TESTIMONY ONLY

TESTIMONY ON HOUSE BILL 2483, HOUSE DRAFT 1, SENATE DRAFT 1
RELATING TO CRIMINAL HISTORY RECORD CHECKS.

By

Tommy Johnson, Director
Department of Corrections and Rehabilitation

Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Thursday, April 4, 2024; 10:00 a.m.
State Capitol, Conference Room 016 & via Videoconference

Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

The Department of Corrections and Rehabilitation (DCR) strongly **supports** House Bill (HB) 2483, House Draft (HD) 1, Senate Draft (SD) 1 amending statutory authority covering criminal history record checks for current and prospective volunteers and purchase of service contracted and subcontracted service providers and their employees who are directly involved in providing correctional programs, treatment, and services to persons committed to a correctional facility or places them in close proximity to persons committed when providing services on behalf of the DCR or the correctional facility.

DCR requires NCIC and CJIS background checks on its volunteers and contract service agencies. In 2022, the Hawai'i Criminal Justice Data Center notified the DCR that there is no legal authority or statute that authorizes the Corrections Programs and Services Division (CPSD) to conduct background checks. However, this division is responsible for vetting and training volunteers, and purchasing service contractors that

provide programs and services to the offender population at correctional facilities statewide. These programs include but are not limited to education programs, substance abuse treatment, sex offender treatment, religious programs, Alcoholics and Narcotics Anonymous meetings, and mentoring programs.

The inability to conduct background checks has negatively impacted CPSD's ability to provide programs and services that are imperative to an offender's success in rehabilitation and eventual reentry into the community. Additionally, CPSD's ability to conduct background checks ensures that correctional programs and services are staffed with qualified individuals and volunteers that aid in the success of our offenders. For these reasons, the DCR is seeking changes to the appropriate statutes to allow the CPSD to conduct the required background checks. This is a no cost measure that seeks to provide statutory authorization for CPSD of the DCR to conduct required criminal history record checks.

Thank you for the opportunity to provide written testimony in strong **support** of HB 2483, HD 1, SD 1.