DAVID Y. IGE GOVERNOR

EMPLOYEES' RETIREMENT SYSTEM HAWAI'I EMPLOYER-UNION HEALTH BENEFITS TRUST FUND

OFFICE OF THE PUBLIC DEFENDER



CRAIG K. HIRAI DIRECTOR

GLORIA CHANG DEPUTY DIRECTOR

STATE OF HAWAI'I DEPARTMENT OF BUDGET AND FINANCE P.O. BOX 150 HONOLULU, HAWAI'I 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE BUDGET, PROGRAM PLANNING AND MANAGEMENT DIVISION FINANCIAL ADMINISTRATION DIVISION OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY TESTIMONY BY CRAIG K. HIRAI DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE TO THE HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS ON SENATE BILL NO. 3294, S.D. 2, H.D. 1

March 22, 2022 2:00 p.m. Room 325 and Videoconference

RELATING TO REENTRY PLANNING CIRCLES

The Department of Budget and Finance (B&F) offers comments on this bill.

Senate Bill No. 3294, S.D. 2, H.D. 1, appropriates an unspecified amount of

general funds to the Department of Public Safety for FY 23 to fund reentry planning

circles for incarcerated women. This bill is intended to lower recidivism rates and

provide solution-based planning processes for the development of detailed plans for

obtaining housing, employment, and other necessities upon the release of inmates from

incarceration.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

 Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.



MARK PATTERSON CHAIR

COMMISSIONERS JUDGE MICHAEL A. TOWN (ret.) JUDGE RONALD IBARRA (ret.) TED SAKAI MARTHA TORNEY

STATE OF HAWAI'I HAWAI'I CORRECTIONAL SYSTEM OVERSIGHT COMMISSION

March 22, 2022

TO:	Honorable Representative Mark Nakashima, Chair House Committee on Judiciary and Hawaiian Affairs
FROM:	Mark Patterson, Chair, Hawaii Correctional System Oversight Commission
SUBJECT:	SB 3294, SD2, HD1, RELATING TO REENTRY PLANNING CIRCLES
POSITION:	STRONG SUPPORT

Chair Nakashima, Vice Chair Matayoshi and Members of the Committee:

The Hawaii Corrections System Oversight Commission was created by Act 179, SLH 2019, to provide independent oversight over our correctional system. The Commission's statutory responsibilities include monitoring and reviewing the comprehensive offender reentry program of the Department of Public Safety and ensuring that the comprehensive offender reentry system under chapter 353H is working properly to provide programs and services that result in the timely release of inmates on parole. [See Hawaii Revised Statutes 353L-3(b).]

The Commission strongly supports SB 3294, SD2, HD1, which would funding for reentry planning circles for incarcerated women in Hawaii. This mandate would be consistent with the requirement in HRS 353H-3 that the Department of Public Safety develop a "comprehensive network of transitional programs to address the needs of individuals exiting the correctional system." Such a network promotes community safety by facilitating the adjustment from the highly structured prison setting to independent living. These transitional services work best when the link inmates in prison with the communities to which they inmates.

Reentry planning circles effectively help inmates re-connect with their families and other loved ones. Family connection is a crucial element in successful reentry. Our only concern with this bill is that it is limited only to women inmates. It is a good start, nevertheless, and we urge your favorable consideration.

DAVID Y. IGE GOVERNOR



STATE OF HAWAII DEPARTMENT OF PUBLIC SAFETY 1177 Alakea Street, 6th Floor Honolulu, Hawaii 9681e MAX N. OTANI DIRECTOR

Maria C. Cook Deputy Director Administration

Tommy Johnson Deputy Director Corrections

Jordan Lowe Deputy Director Law Enforcement

No.

TESTIMONY ON SENATE 3294, SENATE DRAFT 2, HOUSE DRAFT 1 RELATING TO REENTRY PLANNING CIRCLES. By Max N. Otani, Director Department of Public Safety

House Committee on Judiciary and Hawaiian Affairs Representative Mark M. Nakashima, Chair Representative Scot Z. Matayoshi, Vice Chair

Tuesday, March 22, 2022; 2:00 p.m. State Capitol, Room 325 & Via Videoconference

Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee:

The Department of Public Safety (PSD) has reviewed Senate Bill (SB) 3294, Senate Draft (SD) 2, House Draft (HD) 1, which seeks to appropriate an unspecified amount of funding for reentry circles for at least fifty (50) incarcerated women. The Department provides comments regarding this proposed legislation.

As previously stated in earlier testimony, the therapeutic process that may result in participation in reentry circles would best serve offenders and their families as part of jail diversion programs, not after conviction and sentencing. Potential positive outcomes of these types of circles could possibly serve as intervention strategies that can be an effective part of community-based incarceration diversion initiatives.

Thank you for the opportunity to provide comments on SB 3294, SD 2, HD 1.



SB3294 SD2 HD1 Huikahi Circles (Restorative Circles) for Offender Reentry COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. Mark M. Nakashima, Chair Rep. Scot Z. Matayoshi, Vice Chair Tuesday, Mar 2 2022: 2:00 : Videoconference

Hawaii Substance Abuse Coalition Supports SB3294 SD2 HD1:

ALOHA CHAIR, VICE CHAIR 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.

HSAC supports the Hawaii version of Restorative Circles that is a group process with offenders, victims, family and friends and is now evidenced-based practices:

- It has been growing in its use as part of offender reentry processes.
- The group processes is self-directed, goal-oriented, and an active learning experience for participants.
- It promotes positive motivation to repair harm and to take responsibility for their futures.
- Besides decreasing recidivism, the Huikahi Circle provides healing for people harmed.

This engaging process is important because it involves the public to help with recidivism and reentry back into their communities.

We appreciate the opportunity to provide testimony and are available for further questions.

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 AND HAWAIIAN AFFAIRS Representative Mark Nakashima, Chair Representative Scot Matayoshi, Vice Chair Tuesday, March 22, 2022 2:00 PM

STRONG SUPPORT - SB 3294 HD1 - REENTRY PLANNING CIRCLES

Aloha Chair Nakashima, Vice Chair Matayoshi 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 HD1 of the more than 3,997 Hawai`i individuals living behind bars¹ under the "care and custody" of the Department of Public Safety on any given day. We are always mindful that 1,110 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.

Mahalo for this opportunity to share Community Alliance on Prisons' strong support of SB 3294 HD1. This bill allows for reentry planning circles for women. This restorative/transformational justice process is an important component of successful reentry. The circles include those impacted by wrongdoing, prison counselors, family, friends, employers who gather together to support the person requesting the circle. The circle becomes that woman's reentry team as everyone participates in helping her achieve her goals and aspirations.

This is a peacemaking, community-building, solution-focused process that looks ahead and doesn't keep the woman tied to her past behavior. Stygma is one of the most difficult things for people to overcome; it affects their self-image and self-esteem, which in turn affects their ability to seek employment, housing, services, etc.

Community Alliance on Prisons worked with the Hawai`i Friends of Restorative Justice to establish the restorative circle process in 2005. It currently only operates at WCCC as the funding has all been from private foundations.

It is time for Hawai`i to step up and fund this process that produces great results!

¹ Department of Public Safety, Weekly Population Report, March 14, 2022. https://dps.hawaii.gov/wp-content/uploads/2022/03/Pop-Reports-Weekly-2022-03-14.pdf

COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS Representative Mark M. Nakashima, Chair Representative Scot Z. Matayoshi, Vice Chair

HEARING DATE: Tuesday, March 22, 2022 TIME: 2:00 PM Via Videoconference LOCATION: Conference Room 325

HEARING DATE: Wednesday, March 16, 2022 TIME: 10:00 AM

SUPPORT FOR SB3294 SD2 .HD1 RELATING TO WOMEN'S COMMUNITY CORRECTIONAL CENTER (WCCC)

The Women's Prison Project strongly supports this measure making an appropriation to provide <u>reentry planning process</u>, <u>known as huikahi circles</u> for incarcerated women in the Women's Community Correctional Center (WCCC).

Reentry planning for incarcerated individuals is vital for their successful return to the community, and for their desistance from crime (Taxman, 2004). Huikahi circles are for people who take responsibility for their behavior and want to make amends with harmed loved ones and the community—and who want to plan for their transition back into the community.

Since 2005, when the reentry circles were first piloted at Waiawa Correctional Facility, 180 circles have been provided mainly at state prisons, and mostly at WCCC. The outcomes have been <u>extensively researched</u>. A total of 777 people who participated have been surveyed, and all, except one, report the process was positive (the outlier said it was neutral).

Research shows the process is <u>healing for children</u> of incarcerated parents <u>and other</u> <u>loved ones</u>. And an <u>independent evaluation</u> of the process shows it reduces recidivism. A cost and benefit evaluation, recently accepted for publication in a criminology journal, shows huikahi reentry planning circles can help decrease Hawai'i's prison population, which would save \$4.5 million annually in state incarceration costs.

The circles have been provided *pro bono* and with private grants to the state prisons. Except for the state's federal <u>2021 GEER grant</u>, the state has never funded the process for adults.

We urge the Committee to please pass this bill. If you have any questions about HFRJ's support, please contact me at <u>lorenn@hawaii.edu</u> or (808) 218-3712. Mahalo for your public service.

Linda Rich on behalf of the Women's Prison Project



Committees: Hearing Date/Time: Place: Re: Committee on Judiciary and Hawaiian Affairs Tuesday, March 22, 2022 at 2 P.M. Via Videoconference <u>Testimony of the ACLU of Hawai'i in Support of S.B. 3294 S.D. 2 H. D.</u> I Relating to Reentry Planning Circles

Dear Chair Nakashima, Vice Chair Matayoshi and Committee Members:

The American Civil Liberties Union of Hawai'i ("ACLU of Hawai'i") writes in **support of S.B. 3294 S.D. 2 H.D. 1.** This bill appropriates funding for reentry planning circles for women who are incarcerated.

The ACLU of Hawai'i is committed to transforming Hawaii's criminal legal system and building a new vision of safety and justice. First and foremost, we advocate for decarceration strategies to reduce the number of people in our jails and prisons. In turn, this shifts spending priorities away from mass criminalization and incarceration that disparately impacts Native Hawaiians, Pacific Islanders and Blacks, and low-income people - towards health care, housing, education and human services within communities.

Simultaneously, we advocate for humane conditions of confinement, and comprehensive re-entry support services that starts from the first day of incarceration. *This includes Restorative Justice practices and reentry planning circles that help people to successfully transition home – while holding space for healing and restoration of relationships.*

In closing, we ask for your support of **SB 3294 S.D. 2 H.D. 1** which helps women to prepare for their successful transition home.

Sincerely,

Carríe Ann Shírota

Carrie Ann Shirota Policy Director ACLU of Hawai'i

The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving Hawai'i for over 50 years.

American Civil Liberties Union of Hawai'i P.O. Box 3410 Honolulu, Hawai'i 96801T: 808.522.5900 F: 808.522.5909 E: office@acluhawaii.orgwww.acluhawaii.org

<u>SB-3294-HD-1</u> Submitted on: 3/18/2022 3:20:01 PM Testimony for JHA on 3/22/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dana Keawe	Individual	Support	Written Testimony Only

Comments:

Support

SB-3294-HD-1

Submitted on: 3/21/2022 12:29:34 PM Testimony for JHA on 3/22/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Wendy Gibson-Viviani	Individual	Support	Written Testimony Only

Comments:

TO: Committee on Judiciary and Hawaiian Affairs

RE: SB3294 (In Support)

Dear Rep. Mark M. Nakashima, Chair, Rep. Scot Z. Matayoshi, Vice-Chair and Members of the Committee,

I am Wendy Gibson-Viviani, an RN who has lived and worked on Oahu for 29 years. I am writing in SUPPORT OF SB3294.

I strongly support providing funding for reentry planning circles for incarcerated women in Hawaii. I believe this is a good decarceration strategy, in that, it may help reduce recidivism and provide some healing.

This legislation would be consistent with the requirement in HRS 353H-3 that the Department of Public Safety develop a "comprehensive network of transitional programs to address the needs of individuals exiting the correctional system."

I believe this promotes community safety by facilitating the adjustment from the highly structured prison setting to independent living.

Please help provide this important program by supporting SB3294.

Thank you for this opportunity to submit testimony.

Wendy Gibson-Viviani RN/BSN

Kailua

SB-3294-HD-1

Submitted on: 3/21/2022 1:58:20 PM Testimony for JHA on 3/22/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Diana Bethel	Individual	Support	Written Testimony Only

Comments:

SB3294 SD2 HD1 appropriates funds for reentry planning circles for incarcerated women.

Preparation for release should always include making a detailed plan of action. When family members, friends, and supportive officials, employers, teachers, etc., are involved, the chances of success are the best. The views of all stakeholders are aired, relationships are mended, and all participants focus on mapping out a successful reentry process for the individual.

Making a reentry plan is the key to successful reintegration into society. It is a cost-effective way to reduce recidivism and reduce costs to taxpayers while at the same time increase public safety. It will be money well spent.

Mahalo for your support of SB 3294 SD2 HD1.