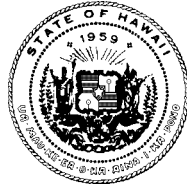


DAVID Y. IGE  
GOVERNOR



PANKAJ BHANOT  
DIRECTOR

CATHY BETTS  
DEPUTY DIRECTOR

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
P. O. Box 339  
Honolulu, Hawaii 96809-0339

February 15, 2020

TO: The Honorable Senator Donovan M. Dela Cruz, Chair  
Senate Committee on Ways & Means

FROM: Pankaj Bhanot, Director

SUBJECT: **SB 2345 – RELATING TO CHILDREN AND FAMILY OF INCARCERATED INDIVIDUALS**

Hearing: February 19, 2020, 10:00 a.m.  
Conference Room 211, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports this measure and provides comments.

**PURPOSE:** The purpose of the bill requires the department of human services to work with the department of public safety to establish a pilot visitation and family resource center at Waiawa correctional facility. Makes an appropriation.

Improving contacts and relationships between children and families with their incarcerated parents at the Waiawa facility will benefit multiple generations. These are first steps to improve the child's and family's overall well-being, as well as the incarcerated individual's return to society.

Here is a link to the HCR 205/SCR 7 (2019) Report to the Legislature:  
<https://humanservices.hawaii.gov/wp-content/uploads/2020/01/Visiting-Centers-at-all-State-Correctional-Facilities.pdf>. The work group participants worked collaboratively over the summer to address this long standing and important social issue.

AN EQUAL OPPORTUNITY AGENCY

Under the current administration, DHS is committed to a multigenerational approach to end poverty in Hawaii, and it is well known that growing up with an incarcerated parent is an adverse early childhood experience that has long lasting impact on children into adulthood. DHS will work with family members, community stakeholders, members and staff of the Legislature, the Office of Youth Services (OYS), the Department of Public Safety, the Office of Hawaiian Affairs, and other interested parties to address root causes and to reduce the impact of incarceration on Hawaii's children and families, especially native Hawaiian families who are overrepresented in the criminal justice system.

DHS will work with and support OYS as it drafts the proposal to the federal Office of Juvenile Justice and Delinquency Prevention, under The Second Chance Act Addressing the Needs of Incarcerated Parents and Their Minor Children.

However, DHS respectfully requests that any appropriation of general funds not replace budget priorities identified in the Executive Budget. It will take additional investment by the Legislature to support this ongoing work to build a comprehensive and successful evidence based approach to support families involved and impacted by the justice system.

Thank you for the opportunity to testify on this measure.



STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**OFFICE OF YOUTH SERVICES**  
1010 Richards Street, Suite 314  
Honolulu, Hawaii 96813

February 18, 2020

TO: The Honorable Senator Donovan M. Dela Cruz, Chair  
Senate Committee on Ways & Means

FROM: Merton Chinen, Executive Director

**SUBJECT: SB 2345, RELATING TO CHILDREN AND FAMILY OF INCARCERATED INDIVIDUALS**

Hearing: Wednesday, February 19, 2020, 10:00 a.m.  
State Capitol, Conference Room 211

**OFFICE'S POSITION:** Office of Youth Services (OYS) supports the measure but requests that any appropriation not affect the priorities in the Executive Biennium Budget. Children of incarcerated parents are faced with risk factors that often lead to adverse childhood experiences, and problems in domains such as economics, education, social, and emotional functioning. OYS, in collaboration with community stakeholders, is also applying for a competitive grant solicitation issued by the federal Office of Juvenile Justice and Delinquency Prevention, under The Second Chance Act Addressing the Needs of Incarcerated Parents and Their Minor Children, to address areas identified and recommendations made by the Work Group established by HCR 205 and SCR SD1 (2019 Legislature).

**PURPOSE:** The purpose of the measure is to require the Department of Human Services to work with the Department of Public Safety to establish a pilot visitation and family resource center at Waiawa correctional facility.

Thank you for the opportunity to present this testimony.



## SB2345

### RELATING TO CHILDREN AND FAMILY OF INCARCERATED PARENTS

Ke Kōmike 'Aha Kenekoa o ke Ki'ina Hana a me nā Kumuwaiwai

Pepeluali 19, 2020

10:00 a.m.

Lumi 211

The Office of Hawaiian Affairs (OHA) offers the following **COMMENTS** on SB2345, which would establish a pilot visitation and family resource center at the Waiawa Correctional Facility.

Addressing the unique needs of children with incarcerated parents is of particular concern to the Native Hawaiian community. In 2010, OHA produced a comprehensive report detailing the overrepresentation and disparate treatment of Native Hawaiians in the criminal justice system. This report found that Native Hawaiians comprise 39 percent of the adult incarcerated population, while they account for just 24 percent of the general population.<sup>1</sup> Other OHA research has further demonstrated that Native Hawaiians are more likely to have children in their households than other state households.<sup>2</sup> Accordingly, given the disproportionate number of Native Hawaiians in the prison system, and the high likelihood that they may have children, there may be a significant number of Native Hawaiian children being immensely and negatively impacted by the incarceration of their parents.

OHA notes that a growing body of national research demonstrates that children whose parents are incarcerated may experience great trauma as a result of their parents' incarceration. For example, such children may struggle with challenges including separation from their families, displacement from their homes, social stigmas, emotional isolation, and a lack of financial and other resources. Consequently, children with incarcerated parents often suffer from emotional distress, developmental challenges, poor academic performance, aggressive behavior, and truancy. These children are three times more likely to suffer from depression or behavioral problems and twice as likely to suffer from learning disabilities and anxiety than the average American child.<sup>3</sup> Moreover, in the long-term, these children may also be much more likely to enter the criminal justice system themselves.

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<sup>1</sup> THE OFFICE OF HAWAIIAN AFFAIRS, *THE DISPARATE TREATMENT OF NATIVE HAWAIIANS IN THE CRIMINAL JUSTICE SYSTEM* 36 (2010), <https://19of32x2yl33s8o4xza0gf14-wpengine.netdna-ssl.com/wp-content/uploads/2015/01/native-hawaiians-criminal-justice-system.pdf>.

<sup>2</sup> THE OFFICE OF HAWAIIAN AFFAIRS DATA BOOK, *Native Hawaiian Housing Data Table 2.05* (2019), [http://www.ohadatabook.com/go\\_newtables.19.html](http://www.ohadatabook.com/go_newtables.19.html).

<sup>3</sup> Kristin Turney, *Stress Proliferation Across Generations? Examining the Relationship Between Parental Incarceration and Childhood Health*, 55 *JOURNAL OF HEALTH AND SOC. BEHAVIOR* 302 (2014).

A visitation center that facilitates contact visits may be one means of mitigating the trauma felt by children with incarcerated parents, and reducing the harms of our criminal justice system on the Native Hawaiian community. Friendly and safe contact visits could provide comfort to children, by allowing them to see that their parents are safe and healthy while in prison.<sup>4</sup> Parents and children spending time together in a welcoming and family-focused visitation center can also help mitigate children's feelings of abandonment and anxiety, while enabling them to strengthen or establish new bonds, and repair strained relationships.

Notably, the maintenance of a parent-child relationship as facilitated by a visitation center can also contribute to the emotional stability of the incarcerated parent, contributing to their eventual rehabilitation.

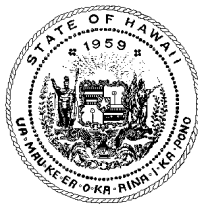
Accordingly, given that Native Hawaiians make up the largest percentage of the state prison population, the establishment of a pilot visitation and family resource center would serve to constructively address the harmful and long-term effects of disproportionate pa'ahao incarceration on Native Hawaiian children, families, and the Native Hawaiian community as a whole.

Mahalo piha for the opportunity to testify on this measure.

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<sup>4</sup> THE EFFECTS OF PRISON VISITATION ON OFFENDER RECIDIVISM 1-2 [https://mn.gov/doc/assets/11-11MNPrisonVisitationStudy\\_tcm1089-272781.pdf](https://mn.gov/doc/assets/11-11MNPrisonVisitationStudy_tcm1089-272781.pdf); Melinda Tasca et al., *Families Coming Together in Prison: An Examination of Visitation Encounters*, PUNISHMENT AND SOCIETY (2016).

DAVID Y. IGE  
GOVERNOR



**LATE**

NOLAN P. ESPINDA  
DIRECTOR

Maria C. Cook  
Deputy Director  
Administration

Shari L. Kimoto  
Deputy Director  
Corrections

Renee R. Sonobe Hong  
Deputy Director  
Law Enforcement

STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**

919 Ala Moana Boulevard, 4th Floor  
Honolulu, Hawaii 96814

No. \_\_\_\_\_

**WRITTEN TESTIMONY ONLY**

TESTIMONY ON SENATE BILL 2345  
RELATING TO CHILDREN AND FAMILY OF INCARCERATED INDIVIDUALS.

by

Nolan P. Espinda, Director  
Department of Public Safety

Senate Committee on Ways and Means  
Senator Donovan M. Dela Cruz, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Wednesday, February 19, 2020; 10:00 a.m.  
State Capitol, Conference Room 211

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

The Department of Public Safety (PSD) supports the intent of Senate Bill (SB) 2345 to work with the Department of Human Services (DHS) to establish, develop, and implement a pilot visitation and family resource center at the Waiawa Correctional Facility on Oahu.

PSD's data confirms that approximately 4,000 children a year are affected by parental incarceration and the Department reiterates its interest in continuing to participate with DHS and the Family Reunification Working Group and other entities in developing the proposed pilot visitation and family resource center. PSD supports the concept of starting the pilot program at a smaller facility and providing modest funding to DHS and PSD to assist in making the program and facility modifications necessary to establish the pilot visitation and family resource center. The smaller scope will enable more efficient establishment and monitoring of the program and greater ease in making adjustments to increase successful outcomes. The lessons learned can

Testimony on SB 2345  
Senate Committee on Ways and Means  
February 19, 2020  
Page 2

then be applied to developing Visitation and Family Resource Centers at other correctional facilities.

Thank you for the opportunity to present this testimony.

TESTIMONY ON SB 2345 RELATING TO CHILDREN AND FAMILIES OF  
INCARCERATED INDIVIDUALS BEFORE THE SENATE COMMITTEE ON WAYS AND  
MEANS

February 19, 2020  
10:00 am  
Conference Rm. 211

Aloha Chair Dela Cruz, Vice-Chair Agaran, and members of the Senate Ways and Means Committee, **my name is Stephen Morse. I am the Executive Director of Blueprint for Change (BFC) and am here today to support SB 2345 Relating to Children and Families of Incarcerated Individuals.**

Members, for the record, BFC is the fiscal, technical, and administrative support entity for seven Neighborhood Place centers statewide that provide support and strengthening services to families at risk of child abuse and neglect under two POS contracts with the Department of Human Services. Historically, our work has focused on traditional risk factors for child abuse, including homelessness or unstable housing, unemployment and low incomes, substance abuse, chronic health problems, and physical disabilities. However, in 2014, after much research and analysis, BFC determined that one of the most severe risk factors for child neglect in the families we serve is that there is at least one parent who is incarcerated.

An estimated 2.7 million children nationwide have at least one parent that is incarcerated, and studies conducted by the National Fatherhood Initiative show that in terms of negative impacts on children, incarceration may be worse than the death of a parent or the divorce of parents. Even more disheartening is the evidence that children of incarcerated parents are more likely to become incarcerated themselves as teenagers or adults, thus continuing the “cycle of incarceration” that sadly becomes generational in some families.

We know from data that has been collected by the Department of Public Safety since 2015 that over 3,000 minor children (under the age of 18) a year are affected by parental incarceration, and these are children of parents who are just entering the intake system during the year. It doesn’t include parents that have been in the prison system longer than a year. Furthermore, the UH Center on the Family did a study that estimated there were approximately 15,000 children affected by parental incarceration in 2015.

SB 2345 aims to do three things. First, it will continue the communication bond between an inmate and his children and family by providing a friendly visitation environment that will encourage families to visit more often. Second, it will help break the generational cycle of incarceration by providing affected families with a lifeline, a resource center that can keep the family strong during the period of incarceration. The families left behind often struggle to sustain themselves financially and socially after the incarceration of one or more parents. Many are left without adequate health care and other supports and are plunged into a deadly spiral of despair and hopelessness.

Third, it will reduce the rate of recidivism by former inmates who have been given the opportunity to maintain bonds with their children and families. National studies have shown that



recidivism rates of former inmates are reduced if they were able to maintain continuous communication with their children and families during the period of incarceration.

Passage of the bill will provide Waiawa Correctional Facility with funds to improve its visitation spaces to make them friendly and allow for more bonding activities between inmates and their children. We are proposing that \$150,000 be appropriated to the Department of Public Safety to allow it to make these improvements.

We are also proposing that another \$150,000 be appropriated to the Department of Human Services for the purpose of establishing a family resource component during visitation where social service professionals can provide families with information and referral, resource linkage services, guidance and counseling. These visits with the families can also extend to home visitation and wrap around services that will help the families address risk factors in the home such as, very low incomes, unstable housing, substance and alcohol abuse, physical and mental disorders, among others. These services will also play a large part in preparing the families for the eventual return home of their incarcerated loved ones.

From time to time, the resource component at visitation may also be staffed with kupuna and Hawaiian cultural practitioners who could provide Native Hawaiian families with more relevant cultural counseling and problem-solving practices.

Other States have funded similar initiatives. The State of Maryland already does this with a program called, "Reentry Mediation." California has successfully operated visitation centers like those being proposed by the bill for over thirty years. These centers are operated by a non-profit, social service organization called, Friends Outside.

We would like to alert the Committees to a technical error in the bill. The pilot project is proposed for the Waiawa Correctional Facility not Wahiawa.

Mahalo for allowing us to share this testimony with the Committees.

**From:** [smorse@blueprintforchange.org](mailto:smorse@blueprintforchange.org)  
**To:** [WAM Testimony](#)  
**Cc:** [Shayne Yoshimoto](#); [Lilinoe Kauahikaua](#)  
**Subject:** Testimony of June Toguchi-Tassill on SB 2345  
**Date:** Tuesday, February 18, 2020 9:14:39 AM  
**Attachments:** [Aloha Kakou WAM.docx](#)

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To whom it may concern,

Please see attached testimony for June Toguchi-Tassill SB 2345 to be heard tomorrow, February 19, 2020, on WAM's 10 am agenda.

Thank you for your assistance.

Stephen Morse

TESTIMONY ON SB 2345 RELATING TO CHILDREN AND FAMILIES OF INCARCERATED  
INDIVIDUALS BEFORE THE SENATE COMMITTEE ON WAYS AND MEANS

February 19, 2020  
10:00 am  
Conference Rm. 211

**Senator Donovan M. Dela Cruz, Chair**  
**Senator Gilbert S.C. Keith-Agaran, Vice Chair**  
**Committee on Ways and Means**

S. Kukunaokalā Yoshimoto  
Program Specialist, Blueprint for Change  
Family Reunification Working Group member  
Holomua Pu‘uhonua member

**STRONG Support for S.B. No. 2345, Relating to Children and Families of Incarcerated  
Individuals.**

Blueprint for Change is a non-profit organization with a strong track record for innovating and implementing effective support services that address the unique challenges facing Hawai‘i’s ‘ohana. The organization’s roots date back to 1994 when in response to a growingly overburdened Child Welfare System, the Hawai‘i State Legislature created the Child Welfare Services Reform Task Force for the purpose of developing a “Blueprint for reform in child protective services.”

After several years of rigorous evaluation, the Committee finalized the core elements of the Neighborhood Place model, and in 2000, Blueprint for Change (BFC) was formed and incorporated as a nonprofit organization to serve as the Department of Human Services, master contractor for Neighborhood Place services and to continue the Committee’s effort to improve the responsiveness of the State of Hawai‘i – Child Welfare System.

By maintaining fluid relationships between state agencies, local service providers and community advocates, Blueprint for Change and the Neighborhood Place Partnership is able to significantly improve the responsiveness of the state’s Child Welfare System while reducing instances of child abuse and neglect.

As part of the oversight of the (7) NP across the state, BFC collects Quarterly Activity Reports (QAR), which is designed to inform services, procedures, and practices moving forward. In 2013 the QAR were showing a significant increase in services delivered to families impacted by incarceration. This led BFC to exploring this issue further. Thus, the creation of the Family Reunification Working Group (FRWG). The FRWG gained support and interest through the Legislative Keiki Caucus, and began meeting regularly to explore and advocate for solutions to problems encountered by children and families in the State who are affected by incarceration.

SB 2345 aims to do three things. First, it will continue the communication bond between an inmate and his children and family by providing a friendly visitation environment that will encourage families to visit more often. Second, it will help break the generational cycle of incarceration by providing affected families with a lifeline, a resource center that can keep the family strong during the period of incarceration. The families left behind often struggle to sustain themselves financially and socially after

the incarceration of one or more parents. Many are left without adequate health care and other supports and are plunged into a deadly spiral of despair and hopelessness.

Third, it will reduce the rate of recidivism by former inmates who have been given the opportunity to maintain bonds with their children and families. National studies have shown that recidivism rates of former inmates are reduced if they were able to maintain continuous communication with their children and families during the period of incarceration.

**The following are reasons for STRONG SUPPORT OF S.B. No. 2345:**

- Family friendly visitation centers will encourage families to stay in frequent contact with their significant others who are incarcerated;
- National data shows that incarcerated individuals who maintain regular contact with their children and families are less likely to recidivate when they reenter society;
- Having the visitation centers staffed by social service professionals will provide families with opportunities to receive information and referral and resource linkage services, guidance and counseling, wrap around services to address issues relating to poverty, etc;
- Visitation centers could also be staffed with kupuna and Hawaiian cultural practitioners who could provide Native Hawaiian families with more relevant cultural counseling and problem-solving practices;
- The bill provides all stakeholders with the opportunity to begin the conversation about how we break the cycle of incarceration and not only help families sustain themselves but also save the State millions of dollars in the future by reducing our prison population and welfare costs; and
- The State of California has successfully operated visitation centers like those being proposed by the bill for over thirty years. These centers are operated by a non-profit, social service organization called, Friends Outside.

Mahalo a nui loa for the opportunity to provide testimony.

Blueprint for Change is in STRONG SUPORT of S.B. No. 2345

# HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 904 Honolulu, Hawaii 96813

Phone: (808) 489-9549

Web site: <http://www.hysn.org> E-mail: [info@hysn.org](mailto:info@hysn.org)

Rick Collins, President

Judith F. Clark, Executive Director

Bay Clinic

Big Brothers Big Sisters of Hawaii

Big Island Substance Abuse Council

Bobby Benson Center

Child and Family Service

Coalition for a Drug Free Hawaii

Collins Consulting, LLC

Domestic Violence Action Center

EPIC, Inc.

Family Programs Hawaii

Family Support Hawaii

Friends of the Children of

West Hawaii

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Children's Action

Network

Hawaii Health & Harm

Reduction Center

Hawaii Student Television

Ho'ola Na Pua

Kahi Mohala

Kokua Kalihi Valley

Kokua Ohana Aloha (KOA)

Maui Youth and Family Services

Na Pu'uwai Molokai Native

Hawaiian Health Care

Systems

P.A.R.E.N.T.S., Inc.

Parents and Children Together

(PACT)

PHOCUSED

PFLAG – Kona Big Island

Planned Parenthood of the

Great Northwest and

Hawaiian Islands

Residential Youth Services

& Empowerment (RYSE)

Salvation Army Family

Intervention Services

Sex Abuse Treatment Center

Susannah Wesley Community

Center

The Catalyst Group

February 16, 2020

To: Senator Donovan Dela Cruz, Chair  
And members of the Committee on Ways and Means

## **Testimony in Support of SB 2345 Relating to Children and Family of Incarcerated Individuals**

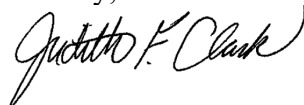
Hawaii Youth Services Network, a statewide coalition of youth-serving organizations, supports SB 2345 Relating to Children and Family of Incarcerated Individuals.

Children of incarcerated parents experience grief and loss, similar to the experience of divorce or the death of a parent. Studies show that children of incarcerated parents are at increased risk of abuse or neglect, and more likely to have mental problems, and difficulty in school. Children of incarcerated parents are seven times more likely to enter the juvenile or adult correctional systems themselves. Regular visitation provides opportunities to sustain the parent-child bond while a parent is incarcerated, which can alleviate many of these problems.

Prisoners who have regular contact with their children benefit as well. They are less likely to violate prison rules and create trouble for prison authorities. They are more likely to take advantage of rehabilitation and educational opportunities while in prison. Regular contact with children increases the chances of successful reintegration into the community when a parent is released from prison.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH  
Executive Director

# COMMUNITY ALLIANCE ON PRISONS

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

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



## COMMITTEE ON WAYS AND MEANS

Sen. Donovan Dela Cruz, Chair

Sen. Gilbert Keith-Agaran, Vice Chair

Wednesday, February 19, 2020

10:00 am – Room 211

### STRONG SUPPORT for SB 2345 – FAMILY VISITATION/RESOURCE CTR. at WAIAWA CF

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran 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 families of **JAMES BORLING SALAS, ASHLEY GREY, DAISY KASITATI, JOEY O'MALLEY, JESSICA FORTSON AND ALL THE PEOPLE WHO HAVE DIED UNDER THE "CARE AND CUSTODY" OF THE STATE**, including the eleven (11) people that we know of, who have died in the last six (6) months. We also remind the committee of the approximately 5,200 Hawai'i individuals living behind bars or under the "care and custody" of the Department of Public Safety on any given day, and we are always mindful that more than 1,200 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 strongly supports this bill and we humbly ask the committee to include a \$150,000 appropriation to PSD to create a safe and healthy space for a family visitation and resource center along with a report, due to the legislature before the 2021 session, that includes a brief description of and an income and expense statement for the project.

Community Alliance on Prisons is part of the working group established by the legislature in HCR 205. The department of human services has convened the meetings and has been wonderful in seeking input from everyone, keeping notes, and putting together the report<sup>1</sup> that was released on December 26, 2019. Kudos to Malia Taum for her patience and diligence and to the department of public safety's Shari Kimoto and Waiawa Warden Sean Ornellas for listening to the community and working with our group.

This has been an interesting collaboration as we continue to work together to make visitation more meaningful for the imprisoned person and their loved ones and friends. We know that in-person, contact visitation, where people can eat together, play games together, pray together, and touch is crucial to a person's humanity.

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<sup>1</sup> HOUSE RESOLUTION 205 & SENATE RESOLUTION 7 SENATE DRAFT 1 (2019) REQUESTING THE DEPARTMENT OF HUMAN SERVICES, IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC SAFETY, TO WORK WITH THE FAMILY REUNIFICATION WORKING GROUP AND OTHER COMMUNITY STAKEHOLDERS TO DEVELOP A PLAN TO ESTABLISH VISITATION CENTERS AT ALL STATE CORRECTIONAL FACILITIES AND JAILS. December 26, 2019. <https://humanservices.hawaii.gov/wp-content/uploads/2020/01/Visiting-Centers-at-all-State-Correctional-Facilities.pdf>.

**“Nothing can replace sitting with a parent and hugging a parent,”** said Ann Adalist-Estrin, director of the National Resource Center on Children and Families of the Incarcerated at Rutgers University.

Excerpts from a 2017 article in Stateline, *Face-to-Face Family Visits Return to Some Jails*<sup>2</sup>:

A study of prisons in Minnesota published in the *Criminal Justice Policy Review*, a quarterly academic 2017 publication, found that inmates who had visits from their family, friends or counselors were much **less likely to be convicted of another crime** once they got out of jail. Of 16,420 inmates studied, recidivism rates for those who had visits of any kind from their families were 13 percent lower for subsequent felonies and 25 percent lower for technical violations, such as breaking parole.

“Psychology and common sense tells you that it’s better for the prisoners and families to sit across from each other and see each other, rather than talking through an iPad,” said Dallas County Judge Clay Jenkins. (In Texas, a county judge is the chief executive of the county and its top elected official.)

**Keeping regular ties with children is particularly important for the children of inmates, said (Rebecca) Shlafer, who was part of the study of prisons in Minnesota. “The overwhelming majority of people who are incarcerated are getting out one day — and most have children,” she said.**

The U.S. had about 2.2 million people incarcerated in 2015, the latest numbers available, according to the U.S. Justice Department. And more than half of them are parents. According to a Pew Charitable Trusts study at the start of the decade, **54 percent of inmates have children** age 17 or younger. One in every 28 children in America (4 percent) has a parent who is incarcerated, according to the study. (Pew also funds *Stateline*.) That’s 2.7 million children with a jailed parent.

The rates are higher for some minorities, according to the study. One in nine African-American children (11 percent) and one in 28 Hispanic children (4 percent) have a parent in jail — compared to one in 57 for white children (2 percent).

Discussing the importance of visitation with government agencies is a great first step. We are still working together and Community Alliance on Prisons is excited about this step towards transforming visitation in Hawai`i. We urge the committee to be part of this transformation that brings family and community together and to enthusiastically support this measure.

Please pass this bill with a \$150,000 appropriation. That is the figure that Warden Ornellas and the Department of Public Safety have said they need to create a visitation/resource center to enhance visitation and help families stay connected.

Mahalo for this opportunity to testify.

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<sup>2</sup> Face-to-Face Family Visits Return to Some Jails, STATELINE ARTICLE By: Mindy Fetterman, February 15, 2017. <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2017/02/15/face-to-face-family-visits-return-to-some-jails>

**SB-2345**

Submitted on: 2/17/2020 8:40:46 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carrie Ann Shirota	Testifying for Hawaii Justice Coalition	Support	No

Comments:

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran and Committee Members:

Hawai'i Justice Coalition is comprised of individuals and organizations working to reduce the number of people incarcerated in our jails and prisons. We seek to shift the state's spending priorities away from mass criminalization and incarceration towards rehabilitation, education, restorative justice, health and human services.

We strongly support SB2345, and ask that you pass this measure for the following reasons:

- Parental incarceration is associated with a variety of outcomes for children. They are more likely to become incarcerated, homeless and live in poverty.
- National data shows that incarcerated individuals who maintain regular contact with their children and families are less likely to recidivate when they reenter society.
- According to research published in Western Criminology Review in 2006, "a remarkably consistent association has been found between family contact during incarceration and lower recidivism rates."
- According to a 2005 report by the Re-Entry Policy Council, correctional practices that "facilitate and strengthen family connections during incarceration" can "reduce the strain of parental separation, reduce recidivism rates, and increase the likelihood of successful re-entry."
- Visitation centers staffed by social service professionals will provide families with opportunities to receive information and referral and resource linkage services, guidance and counseling, wrap-around services to address issues relating to poverty, and the collateral consequences of incarceration that impact the entire family.

Recidivism rates in Hawai'i are approximately 50%. Strengthening family visitation is a critical step towards reducing recidivism rates, and allowing meaningful opportunities for family visitation in a safe, supportive and healthy environment.

Please pass SB 2345. Mahalo!





Statement Before The  
**SENATE COMMITTEE ON WAYS AND MEANS**Wednesday, February 19, 2020  
10:00 AM  
State Capitol, Conference Room 211in consideration of  
**SB 2345**  
**RELATING TO CHILDREN AND FAMILY OF INCARCERATED INDIVIDUALS.**

Chair DELA CRUZ, Vice Chair KEITH-AGARAN, and Members of the Senate Ways and Means Committee

Common Cause Hawaii comments in support of SB 2345 which would require the department of human services to work with the department of public safety to establish a pilot visitation and family resource center at Waiawa correctional facility and appropriate funds.

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to reforming government and strengthening democracy. Common Cause Hawaii understands that we need a democracy that guarantees a more equitable and just society. The mass criminalization and incarceration of the most vulnerable in our society disenfranchise and disempower our people and undermine the promise of a democracy that works for everyone.

SB 2345 will hopefully operate to end the cycle of incarceration in families and work towards healing families separated and traumatized our prison system.

Thank you for the opportunity to comment in support of SB 2345. If you have further questions of me, please contact me at [sma@commoncause.org](mailto:sma@commoncause.org).

Very respectfully yours,

Sandy Ma  
Executive Director, Common Cause Hawaii

**SB-2345**

Submitted on: 2/18/2020 1:53:15 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lorenn Walker	Testifying for Hawai'i Friends of Restorative Justice	Support	No

Comments:

Hawai'i Friends of Restorative Justice supports this measure for a pilot visitation and family resource center at Waiawa correctional facility. We have provided services for incarcerated people and their families since 2004 and [researched the outcomes of a reentry planning program for the children of imprisoned parents](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2666828) (https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2666828). Our research shows it is vital for healing and health that families have personal contact visitation and family resources, which this bill can help provide.

Mahalo for your public service.

Lorenn Walker, JD, MPH, Director, Hawai'i Friends of Restorative Justice



Committees: Committee on Human Services  
Committee on Public Safety, Intergovernmental, and Military Affairs  
Hearing Date/Time: Wednesday, February 19, 2020, 10:00 a.m.  
Place: Conference Room 211  
Re: Testimony of the ACLU of Hawai'i in Support of S.B. 2345

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Committee:

The American Civil Liberties Union of Hawai'i writes in **support** of S.B. 2345, which would require the Department of Human Services to work with the Department of Public Safety to establish a pilot visitation and family resource center at Waiawa Correctional Facility.

Imprisonment is not one-dimensional as thousands of families are victims of mass incarceration. Recognizing the benefits of parent-child visiting and improving their current environments to be more family-friendly and provide greater opportunities for visiting is a part of a better and improved vision for corrections. Research shows that visits and maintaining family ties are among the best ways to reduce recidivism<sup>1</sup>. Reducing Hawai'i's incarceration numbers will ultimately save the state money.

The HCR 85 Task Force report on prison reform states, "While incarcerated, every inmate should be provided with the resources and opportunity to build and maintain family relationships, thereby strengthening the support system available to them upon release." We agree which is why ACLU of Hawai'i supports S.B. 2345.

Thank you for your time and the opportunity to testify.

Sincerely,

Monica Espitia  
Smart Justice Campaign 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 50 years.*

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<sup>1</sup> Separation by Bars and Miles: Visitation in State Prison, Prison Policy Initiative, October 20, 2015, available at <https://www.prisonpolicy.org/reports/prisonvisits.html>.



# Adult Friends for Youth

## Testimony on SB2345 Relating to Children and Family of Incarcerated Individuals

Submitted to: Senate Committee on Ways and Means  
Senator Donovan M. Dela Cruz, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Submitted by: Deborah L.K. Spencer-Chun, M.S.W.  
President and CEO of Adult Friends for Youth

Chair Dela Cruz, Vice Chair Keith-Agaran and Members of the Committees:

I support SB2345 relating to Children and Family of Incarcerated Individuals. I am a member of the Family Reunification Working Group that started several years ago with the concerns of families affected by incarceration. I am grateful that in these years we have made some strides and SB2345 is the next step to helping families. I joined this group because in my capacity of President and CEO of Adult Friends for Youth we deal with many families affected by crime, violence and incarceration.

AFY's mission is "Redirecting lives to stop violence in order to strengthen family and community safety, while promoting well-being for all youth so that they can reach their full potential." In our capacity we have had the opportunity to serve some of the highest risk youth in our communities, whom are also some of the brightest young people we have ever met. The difference between them and others not at high-risk are their circumstances which include but not limited to: exposure to violence, drugs, incarcerated parents as well as siblings, living in distressed neighborhoods, less opportunities and in many cases lack of proper guidance and love.

We have also learned that many of our youth are angry and their anger stems from the lack of being in or having the control of their circumstances. I have heard youth share that they are angry with their parents for doing drugs or getting locked up but at the end of the day they love their parents and wish things were different. The visitation center proposed in SB2345 allows youth to deal with their anger and learn to rebuild a relationship that has been strained far too long between parent(s) and child.

Incarceration affects everyone in the family and the community at large. We need to take steps to begin the healing and promote a more PEARL community by promoting Peace, Empathy, Acceptance, Respect and Love. Thank you for your time.

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Hawaii  
**Children's Action Network Speaks!**  
Building a unified voice for Hawaii's children

**LATE**

*Hawaii Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.*

To: Senator Dela Cruz, Chair  
Senator Keith-Agaran, Vice Chair  
Senate Committee on Ways & Means

Re: **SB 2345 SD1-relating to children and family incarcerated individuals**  
Hawaii State Capitol, Room 211  
10:00AM, 2/19/2020

Chair Dela Cruz, Vice Chair Keith-Agaran, and committee members,

**On behalf of Hawaii Children's Action Network (HCAN), we are writing to support in STRONG support Bill SB2345 SD1 Relating to Children and Family Incarcerated Individuals.**

The lack of parental contact during incarceration is incredibly detrimental to the child and the family as a whole. It is a sad reality that collateral and misplaced punitive punishment falls on the children of incarcerated individuals. There is no reason a child should be denied a relationship with their parent simply because they are incarcerated.

Additionally, the lack of visitation is counterproductive to the supposed goal of incarceration. If the goal of incarceration is to rehabilitate individuals so that they do not end up incarcerated again, then it is integral to take into account the factors that play a role in recidivism. There is national data that finds incarcerated individuals are less likely to recidivate and more likely to have a successful re-entry into society when they can maintain contact with their loved ones. The family acts as an important support system for individuals coming out of correctional facilities. Creating visitation centers staffed by social service professionals, families will be provided the opportunity to receive information and referral and resource linkage services, guidance and counseling, and wrap-around services.

Hawai'i should invest in a Family Visitation Center, as proposed in the bill. We will be helping families sustain meaningful relationships through incarceration, and also save the state dollars in the future by reducing our prison population and welfare costs.

Thank you,

Kathleen Algire  
Director, Public Policy and Research

**SB-2345**

Submitted on: 2/16/2020 10:28:34 PM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jacquelyn Esser	Individual	Support	No

## Comments:

I strongly support this Bill because maintaining the parent-child bond is in the public interest, in the best interest of the child(ren), and in the best interest of families. It is vital for parents, families, children, and communities to maintain and foster the bonds between incarcerated parents and their children. Often the conversation about public safety is limited in perspective. Someone committed a crime, therefore public safety demands punishment for the person who committed that crime. This limited perspective fails, however, to consider the ways in which our punishment, or our intervention after the punishment, can actually make us all less safe in the future. We know that depriving children of their parents, of the breadwinner in the home, puts them at risk for a wide range of trauma and an increased likelihood of involvement in the criminal justice system themselves down the road. Allowing for meaningful family visitation is a significant win for public safety.

**SB-2345**

Submitted on: 2/17/2020 5:52:58 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Steven Costa	Individual	Support	No

Comments:



I work with grieving children, this includes children who have lost a parent to incarceration. Losing a parent to incarceration affects a child deeply. They experience trauma and go through grief. Their relationship with their parents is vital to their wellbeing, emotional and mental health as children-it will shape the kind of adults they will be in our community.

I support this bill

**SB-2345**

Submitted on: 2/18/2020 3:56:05 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robert K. Merce	Individual	Support	No

Comments:

SB 2345 is an important first step in breeking the cycle of intergenerational incarceration and deserves everyone's full support. Please pass this bill.

**SB-2345**

Submitted on: 2/18/2020 8:53:46 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
M. Verdine Kong	Individual	Support	No

Comments:

TESTIMONY ON SB2345 RELATING TO CHILDREN AND FAMILIES OF  
INCARCERATED INDIVIDUALS BEFORE THE SENATE COMMITTEE ON WAYS AND MEANS

February 19, 2020  
10:00 am  
Conference Rm. 211

Aloha Chair Dela Cruz, Vice-Chair Agaran, and members of the Senate Ways and Means Committee, **my name is Lilinoe Kauahikaua, I am a Masters of Social Work Candidate at the University of Hawai'i at Mānoa, as well as an Intern with Blueprint For Change, and I am here today to support SB2345 Relating to Children and Families of Incarcerated Individuals.**

In my current study as a Master's of Social work Candidate, I have focused primarily on the over-representation of Native Hawaiians in the criminal justice system, in our jails and prisons here in Hawai'i, and those held in out of state facilities. I am called to this work because of my own experiences with incarceration, substance abuse, and homelessness.

I want to take a moment to share a personal experience of my encounter with a family resource and visitation center similar to the one proposed. I do not have any children, but there was one point in my life when I thought that might change. Back in the early 2000s, My fiance at the time had two amazing children whom I love deeply. In around 2004 or so, he was sentenced to prison for 1 year, which turned into 2, as is often the case. He served time at several of California's state prisons. During that time, his ex-wife filed for sole custody of his two minor children. She refused to tell the children that he was incarcerated; they had no idea why their father was suddenly absent. She denied his children to visit the facilities. She refused to give the children any mail with the facility address on it and declined his calls. He was allowed no access to his children, had defaulted on child support and was financially unable to do anything about any of it.

He was housed in one of California's State prisons. Shortly after his arrival at the long term facility, an organization called Friends Outside contacted me. They provided services aimed at preserving familial bonds between the children and their incarcerated parents. Every so often, they would call to update me on upcoming family court proceedings. They connected me with resources on how to address child support and resources available in our area to address many of the other issues that had contributed to his incarceration. Friends Outside helped my ex to create an audio recording of himself reading a book to his kids. The tapes were then sent to his children through the aid of their Friends Outside network. Through the help and guidance of this organization, he was able to open communication with his children and maintain their relationship.

SB2345 would be modeled on the success of Friends Outside and other similar programs across the country while continuing to address the unique cultural needs of our diverse population. With disproportionate numbers of our Native community incarcerated, a resource center staffed with cultural practitioners and social workers would provide Native Hawaiian families with access to more resonant models of cultural healing.

Community social workers would allow community-based social services to develop comprehensive interventions and wrap-around services for families of incarcerated individuals. Being staffed with community social workers would serve to bridge the gap between services in the facility and services in the community. Families would have the opportunity to be assessed and connected with relevant resources to help families cope with the loss of a parent to incarceration, the loss of income, and the loss of stability in the family.

SB2345 would allow families to receive education on productive and healthy means of communication during in-person and phone visitation. National data shows that incarcerated individuals who maintain regular contact with their children and families are less likely to recidivate when they reenter society.

The event of visitation day is often stressful for a family. Therefore having a family-friendly visitation center would familiarize families with prison rules and practices to alleviate some stresses and encourage more frequent visitation.

SB2345 would also create more conducive visitation conditions for families with minor children so as not to compound trauma already experienced as a result of the incarcerated parent's environment.

Passage of the bill will provide Waiawa Correctional Facility with funds to improve its visitation spaces to make them friendly and allow for more bonding activities between inmates and their children. We are proposing that \$150,000 be appropriated to the Department of Public Safety to allow it to make these improvements.

We are also proposing that another \$150,000 be appropriated to the Department of Human Services for the purpose of establishing a family resource component during visitation where social service professionals can provide families with information and referral, resource linkage services, guidance, and counseling. These visits with the families can also extend to home visitation and wrap-around services that will help the families address risk factors in the home such as, very low incomes, unstable housing, substance and alcohol abuse, physical and mental disorders, among others. These services will also play a large part in preparing the families for the eventual return home of their incarcerated loved ones.

I strongly support SB2345. Mahalo for allowing me to share this testimony with the committee.

**LATE**

**SB-2345**

Submitted on: 2/18/2020 10:02:11 AM

Testimony for WAM on 2/19/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Malia Peters	Individual	Support	No

Comments:

Aloha,

My name is Malia Peters. I am a parent of a child whose father was incarcerated over 23 years ago. I strongly support SB 2345 relating to Children and Family of Incarcerated Individuals having access to a visitation and resource center.

Just over twenty years ago my life was forever changed when my husband (now ex-husband) committed a horrible crime sentencing him to a 20 year prison sentence, which left my three-year-old son and I very abruptly in a very difficult situation. While we understood the severity of his crime and prison sentence, we've had a long and challenging road ever since. Helping families of prisoners who are left behind has become a passion in my life, encouraging them that they too can overcome these challenging situations. My testimony is simply because I would like to make the road less tough, so that our state and society can have a better chance of decreasing the cycle of incarceration.

While there are various estimates of the number of children nationwide who have at least one parent that is incarcerated (over 2 million), we are still working to grasp the number of families affected here in our State of Hawaii. Studies have shown that in terms of negative impacts on children, incarceration may be worse than the death of a parent or the divorce of parents. When a parent passes away or when parents divorce, families receive a lot of sympathy, love, compassion, and financial support. In Hawaii, to make a divorce official, families are required to attend "Kids First", a program to help families survive divorce. However, when a parent is sentenced to prison, there is no "program" or "class" to attend, and very often there is no sympathy, but instead a "stigma" that is attached to these children/spouses/families. Many family members witnessed or were the victim of the crime, and there is often no emotional or financial assistance. The surviving spouse, significant other, or grandparent is often the sole provider putting physical, emotional, mental, and financial strain on families.

Something more concerning is the evidence that children who have a parent in prison are more likely to become incarcerated themselves as teenagers or adults, thus continuing the "cycle of incarceration" that sadly becomes generational in some families.

Having been through this personally, I can tell you first-hand how difficult this experience was for my son and I. I never wanted to ask for help for fear that I would minimize the horrible crime that my husband had committed, and/or offend the victim and their family. I also didn't ask for help because I was embarrassed to share why my husband was incarcerated. I was afraid that what he did would be a reflection on me and my own character. When I became desperate enough to seek assistance, I didn't know where to turn, and when I did try to apply for various types of assistance, we didn't qualify because I was working. My single income however was not sustainable to support my son and I, which forced me to take a second job. My son now lost both his parents, had emotional anxieties, became mute, and we had no medical coverage to get him the emotional support he needed. It was a horrible thing to go through and it is only by the grace of God, the family I was blessed with, that I am able to stand strong today, with my son grown and by my side, sharing my story with each of you.

I cannot emphasize enough how much support at the initial time of and throughout incarceration could have made a tremendous difference for us. Waiting until they are about to be released to try to re-engage them with their families is too late. The time of incarceration was the most difficult. Countless hours are spent wastefully getting to the prison early to get your place in line and then waiting to be processed and granted entrance for our visit. It would be so productive to have a Visitation Center that could provide counseling services, resources to direct assistance, in addition to an area that provides educational toys, books, ipads etc. so that adults and children of various ages can pass the time in a positive, productive way with both receiving comfort and support simultaneously in a very intentional environment.

I would oppose any fear or concern that something like this would give an impression that prison is a "fun" place. There will need to be a firm reminder of the situation at hand, however, I still dream of the amazing difference this could have made for us when we were lost, alone, and feeling despair and hopelessness.

Without these basic wrap-around services and support that a Visitation Center could provide, we will not be able to provide hope and opportunity to implement something new to work with and hopefully decrease this unique population. We need to reduce the cycle of incarceration and we should do whatever we can to seek out new opportunities to do so.

Mahalo nui to each of you for your service, and for your consideration of this letter of support.

With much aloha and blessings,

Malia Peters