

STATE OF HAWAI‘I
OFFICE OF THE PUBLIC DEFENDER

**Testimony of the Office of the Public Defender,
State of Hawai‘i to the House Committee on
Corrections, Military, & Veterans**

February 5, 2021

H.B. No. 1080: RELATING TO THE PHASEOUT OF PRIVATE CORRECTIONAL FACILITIES

Chair Ohno, Vice Chair Ganaden, and Members of the Committee:

The Office of the Public Defender respectfully supports H.B. No. 1080.

Justice Michael D. Wilson and the HCR 85 Task Force’s Final Report of the House Concurrent Resolution 85 Task Force on Prison Reform to the Hawai‘i Legislature 2019 Regular Session addresses this very issue, recommending that “Hawai‘i Should Develop a Plan to Bring All of its Mainland Prisoners Back to Hawai‘i and to Stop Using Private Prisons.” The 116-page report discusses the detrimental and sometimes destructive effects of separating “local” inmates from their family, friends, and their island home; the transfer of Hawai‘i inmates to the mainland being a “drastic dislocation from their home, culture, family, job prospects, and community support.” The report also questioned the fiscal wisdom of sending Hawai‘i inmates to private facilities on the mainland and suggests that the immediate financial gains are short-sighted.

In a 1983 federal case, *Olim v. Wakinekona*, 461 U.S. 238 (1983), a Hawai‘i inmate, Delbert Wakinekona, challenged his transfer to a mainland prison. Although the Supreme Court held that his transfer did not violate his constitutional rights, in a dissenting opinion Justice Thurgood Marshall stated,

Wakinekona has in effect been banished from his home, a punishment historically considered to be “among the severest.” For an indeterminate period of time, possibly the rest of his life, nearly 2,500 miles of ocean will separate him from his family and friends. As a practical matter, Wakinekona may be entirely cut off from his only contacts with the outside world, just as if he had been imprisoned in an institution which prohibited visits by outsiders. Surely the isolation

imposed on him by the transfer is far more drastic than that which normally accompanies imprisonment.

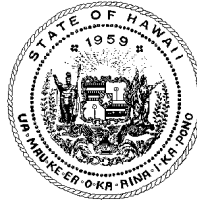
Olim, 461 U.S. at 252 (Marshall, J. dissenting).

The Native Hawaiian Justice Task Force Report in 2012 recommended that returning prisoners to Hawai‘i should be a top priority, and that they should be returned “as soon as practicable, consistent with public safety.”

Having been a “frontline trial attorney” and having represented hundreds of clients who have been incarcerated, uprooting inmates from the island and transferring them to a mainland facility is crushing. In many cases, seeing family members, being able to briefly touch or hold a loved one, and spending time with their children are some of the things that keep inmates from losing hope and they remind those inmates that they have reasons to rehabilitate and to improve themselves. Taking this simple necessity from inmates further disenfranchises and isolates them.

Thank you for the opportunity to provide testimony in this matter.

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

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No. _____

TESTIMONY ON HOUSE BILL 1080
RELATING TO THE PHASEOUT OF PRIVATE CORRECTIONAL FACILITIES.

by
Max N. Otani, Director

House Committee on Corrections, Military, and Veterans Affairs
Representative Takashi Ohno, Chair
Representative Sonny Ganaden, Vice Chair

Friday, February 5, 2021; 10:00 a.m.
State Capitol, Via Video Conference

Chair Ohno, Vice Chair Ganaden, and Members of the Committee:

House Bill (HB) 1080, seeks to require the State to phase out the use of private correctional facilities to incarcerate Hawaii inmates. This measure also seeks to prohibit the construction of new correctional facilities or the expansion of existing correctional facilities without the approval of the Hawaii Correctional Systems Oversight Commission (HICSOC).

The Department of Public Safety (PSD) respectfully provides clarifying comments on this measure pertaining to PSD's required use of private correctional facilities. As you are aware, Hawaii's correctional facilities, which includes eight (8) jails and prisons, are old and outdated, manpower-intensive, and constantly in need of repairs. As of January 31, 2021, six (6) of the eight (8) facilities were operating above their design capacity and have been for some time (see attached January 2021 inmate population report). The newest correctional facility in Hawaii is the Halawa Correctional Facility, which opened in 1985 and is now over 35 years old. The remaining seven (7) facilities range in age from 40 to over 100 years old.

Despite the increases in both the prison and jail populations over the years, Hawaii has not built a new correctional facility in over 35 years. In 1995 following a consent decree from the U.S. Department of Justice, PSD began housing inmates out of State in various private prisons on the mainland. While it is unfortunate that approximately 1,000 Hawaii inmates must be housed on the mainland via private prison contracts, the use of private prisons is required in order to prevent costly litigation and additional consent decrees relating to overcrowding and inhumane conditions in our facilities. It should be noted, federal consent decrees can be very costly and could require the State to allocate hundreds of millions, if not billions of dollars to build and modernize Hawaii's aging and decrepit facilities.

To that end, any plan to phase out the use of private correctional facilities must be accompanied by a thorough review of the criminal justice system as a whole, to include the Judiciary. For example, at present the Judiciary has more than 24,000 offenders on probation supervision statewide, which includes over 13,000 convicted felons. If only 10% of the sentenced felony probationers (approximately 1,300) were re-sentenced to prison, it would overwhelm the State's correctional system, which is already severely strained and unable to house all of our inmates in Hawaii facilities.

Finally, prohibiting PSD from proceeding with construction of new correctional facilities or expanding existing facilities without the approval of the HICSOC is in direct contravention to the intent and purpose of the commission as established through Act 179 (2019). Doing so would also add to the costs because of the delays of including another entity in the process. It is not feasible nor practical to require PSD to obtain the approval of the HICSOC before moving forward on any project as the HICSOC was created in part to be in an advisory role and make recommendations to PSD, not be in a position to approve or deny

Testimony on House Bill 1080
House Committee on Corrections, Military,
and Veterans Affairs
February 5, 2021
Page 3

any facet of PSD's operations, including decisions regarding correctional facilities.

Thank you for the opportunity to submit comments regarding HB 1080.

Attachment

**DEPARTMENT OF PUBLIC SAFETY
END OF MONTH POPULATION REPORT**

Date: January 31, 2021

FAC.	DESIGN BED CAP.	OPER. BED CAP.	HEAD COUNT ENDING																		
			TOT.	M	F	SENT. FEL.		SENT. FEL. PROB.		SENT. MISD.		PRETRIAL FEL.		PRETRIAL MISD.		OTHER JURIS.		PAR VIOL.		PRB VIOL.	
						M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
HCCC	206	226	277	228	49	26	4	33	7	6	1	113	23	11	2	3		15	4	21	8
SNF	90	132	90	90	0	90															
HMSF	496	992	798	798	0	222		8		1		14						547		6	
KCCC	110	128	134	116	18	33	3	19	7	9		40	5	8	1					7	2
KCF	200	200	138	138	0	138															
MCCC	209	301	308	259	49	25	5	34	6	4	1	128	23	6	1	2	0	28	2	32	11
OCCC	628	954	949	860	89	127		74	14	14		416	36	46	9					183	30
WCCC	258	260	209	0	209		145						1						62		1
WCF	294	334	218	218	0	144												74			
TOTAL	2491	3527	3121	2707	414	805	157	168	34	34	2	711	88	71	13	5	0	664	68	249	52

	CONTRACTED FACILITIES																			
	TOT.	M	F	SF		SFP		SM		PTF		PTM		OJ		PARV		PRBV		
				M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
RED ROCK CC, AZ	0	0	0																	
SAGUARO CC, AZ	999	999	0	956													43			
FEDERAL DET. CTR. ¹	10	4	6		1		1		1		1		2							4
TOTAL	1009	1003	6	956	1	0	1	0	1	0	1	0	2	0	0	43	0	4	0	

FAC.	DESIGN BED CAP.	OPER. BED CAP.	ASSIGNED COUNT ENDING																		
			TOT.	M	F	SENT. FEL.		SENT. FEL. PROB.		SENT. MISD.		PRETRIAL FEL.		PRETRIAL MISD.		OTHER JURIS.		PAR VIOL.		PRB VIOL.	
						M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
HCCC	206	226	290	241	49	30	4	37	7	7	1	113	23	11	2	6		15	4	22	8
SNF	90	132	90	90	0	90															
HMSF	496	992	809	809	0	228		8		1		14						552		6	
KCCC	110	128	143	123	20	38	5	19	7	11		40	5	8	1					7	2
KCF	200	200	138	138	0	138															
MCCC	209	301	308	259	49	25	5	34	6	4	1	128	23	6	1	2	0	28	2	32	11
OCCC	628	954	968	879	89	135		75	14	15		417	36	47	9	2		2		186	30
WCCC	258	260	237	0	237		169		1	1		1							64		1
WCF	294	334	218	218	0	144												74			
MAINLAND			999	999	0	956												43			
TOTAL	2491	3527	4200	3756	444	1784	183	173	35	38	3	712	88	72	13	10	0	714	70	253	52

HB-1080

Submitted on: 2/3/2021 11:54:53 AM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeff Nash	Habilitat	Support	No

Comments:

Aloha,

I am writing today in full support of HB1080. While I understand the reasons for Hawaii's decision to contract with the private prison industry, I adamantly disagree with the entire concept of "Prison for Profit." It's time we rethink our justice strategy. "Prisons for Profit" is a despicable concept which fuels incarceration to meet contract requirements. Hawaii is perfectly capable of providing secure incarceration for Hawaii inmates along with all the added services which are included in the private prison facilities. Feasible, cost effective solutions will require a rethinking of the entire prison system.

I am adamantly against the building of new correctional facilities until the system itself evolves into a more effective and sustainable model. Spending 100's of millions of tax dollars on a new, bigger facility will only create a newer, bigger, broken system. The idea that building a bigger, newer facility is short sighted at best. The systemic issues with the correction system must be ironed out before we spend tax money to build a new facility.

I am really trying to understand why we even have a correctional oversight committee since they don't seem to have much authority. We should listen to them! Since we do have one, it makes perfect sense that that body should have authority over any new construction. We have a group of experienced experts on that committee yet I question who actually listens to them.

Having witnessed Hawaii's tendency to enter into big public works projects, only to have them burdened by scandals, expensive delays and costly overruns, I would hope our esteemed legislators would learn from their predecessor's massive mistakes. If we are going to expand our correctional system, let's fix the system first!

Respectfully,

Jeff Nash

Habilitat, Inc.

HB-1080

Submitted on: 2/3/2021 2:46:02 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lorenn Walker	Hawai'i Friends of Justice & Civic Education	Support	No

Comments:

The Hawai'i Friends of Restorative Justice supports this measure to phase out the state's use of private correctional institutions to incarcerate people and to prohibit the construction of new and/or expanded correctional facilities without the approval of the Hawai'i Correctional Oversight Commission.

Our state spends about \$230 million annually on incarcerating people. It has not pursued meaningful ways to reduce repeat crime of those it incarcerates. Consequently, most of those who the state incarcerates are recidivists. If the state had to go to any institutional human review board for approval of who and how it incarcerates, it would not be granted.

Please support this measure and end the state's waste of taxpayer dollars on correctional institutions that harm our people and community.

Please contact me at lorenn@hawaiiifriends.org if you have any questions about our support for this much needed law in Hawai'i.

Mahalo for your public service.

Lorenn Walker, JD, MPH

Director, Hawai'i Friends of Restorative Justice



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COMMITTEE ON CORRECTIONS, MILITARY AND VETERANS
FRIDAY, 2/5/21, 10 AM, Room No. 430

HB1080 RELATING TO THE PHASEOUT OF PRIVATE CORRECTIONAL FACILITIES
Beppie Shapiro, Legislative Committee, League of Women Voters of Hawaii

Chair OHNO, Vice-Chair GANADEN, and Committee Members:

The League of Women Voters of Hawaii supports this bill, which requires the State to phase out the use of private correctional facilities to incarcerate Hawaii inmates, and prohibits the construction of new correctional facilities or the expansion of existing correctional facilities without the approval of the Hawaii correctional system oversight commission.

Private prisons do not provide the transparency and accountability our State needs to ensure the civil rights, health, and well-being (including family interaction) which incarcerated people deserve.

We also support consideration of alternatives to new prisons or jails, which the Hawaii Correctional System Oversight Commission is qualified to provide.

Please pass HB1080.

Thank you for the opportunity to submit testimony.

COMMUNITY ALLIANCE ON PRISONS

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

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



COMMITTEE ON CORRECTIONS, MILITARY AND VETERANS

Rep. Takashi Ohno, Chair

Rep. Sonny Ganaden, Vice Chair

Friday, February 5, 2021

10:00 AM

STRONG SUPPORT FOR HB 1080 PHASE OUT CORPORATE CAGE CONTRACTS

Aloha Chair Ohno, Vice Chair Ganaden, 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 more than 4,100 Hawai`i individuals living behind bars or under the “care and custody” of the Department of Public Safety on any given day. We are always mindful that 1,000 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 supports this measure that seeks to phase out the use of the corporate cages to which we banish our people, mostly Kanaka Maoli, in the Sonoran Desert of Arizona by July 1, 2025 . The bill also asks that PSD obtain the Hawai`i Correctional System Oversight Commission’s approval before constructing any new correctional facility or expanding any existing correctional facility.

We support stopping the exiling of our people to corporate cages on the continent far away from their loved ones, their homes, and everything with which they are familiar. Research on which I was a reviewer, found that people who served their sentences in Hawai`i and were re-arrested after release were arrested for drug crimes; people who served their sentences abroad and were released, were arrested for violent crimes.

There is plenty of evidence about the problems in these corporate dungeons. Several of our people have been killed because of the negligence of PSD to monitor CCA, now CoreCivic.

I worked with a family whose loved one was murdered while he was in the SHIP program – locked down 23 hours a day. The murder was heinous and I was with the family when he body came home. He was stabbed over 100 times and it is a visual I can't forget.

Another incident involved a young man with developmental disabilities who asked to be moved because he was afraid of his cellmate, who was a martial arts fighter. His request was refused despite CCA knowing that the cellmate was violent since he had threatened ACOs there yet moved him to the cell of this young man anyway. The young man was strangled by his cellmate and died. Another preventable death.

Hawai'i's 'monitoring' of this contract is shameful. CCA/CoreCivic is never sanctioned for violating terms of the contract. I checked with other states and many have assessed penalties for understaffing, poor management, etc. Not Hawai'i. Eyes wide shut.

Instead of the millions of dollars wasted on consultants, it is time to have a full and honest discussion about corrections with the larger community. Should we even be considering building when we know that more than half of all the people incarcerated by the state are pre-trial detainees – innocent until proven guilty? How do we address the social and mental health issues that are creating the pathway to incarceration for so many of our community members who are suffering every day with a myriad of challenges? Our failed 'lock `em up' philosophy has only bankrupted the state both economically and morally.

The Correctional Oversight Commission is the only entity in the state that interacts and seeks the wisdom of the community. Everything else is top down, and we all see how that is working.

Community Alliance on Prisons urges the committee to pass this important measure.

Mahalo for this opportunity to testify.

Testimony on HB621, HB1080, HB1082, and HB1389
February 4, 2021
House Committee on Housing, State of Hawaii

Aloha Honored Members of our State House Committee on Housing,

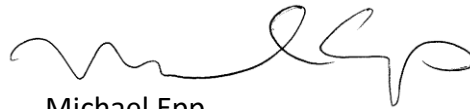
We fully support HB621, HB1080, HB 1082 and HB1389, all of which address important changes to our State corrections system.

- HB621 establishes a community working group to guide the redevelopment of the current Oahu Correction Center site. Acreage under the current Oahu Correction Center Site is a key community asset that should be redeveloped using principles and strategies that ensure their alignment with 'aina values and the sustainability, resilience, and health of current Kalihi residents. For the last two years, Kokua Kalihi Valley has been working with a collaborative of leaders focused on increasing community voice in urban development in Kalihi. We look forward to fully participating in this essential working group.
- HB1082, HB1080, and HB1389 phase out the use of private correctional facilities, transfer the Hawaii Correctional System Oversight Commission to the State Department of Human Services, and place a moratorium on the construction of new private correctional facilities in the State until such time as a reconfigured commission reviews, advises, and approves new construction and any correction facility expansions. We fully support this legislation. Many of our Kalihi subcommunities are over-represented in our prison systems, due to significant economic, social, and cultural barriers to equity and empowerment. Prisoners are among our beloved friends and family members and deserve a correctional system that minimizes the perverse and harmful incentives of the for-profit prison industry and that maximizes opportunities for humane and caring rehabilitation that employs the best practices of community, social and human service. Phasing out dependence on the for-profit prison industry and transferring the commission to the Department of Human Services are both important steps in creating a correctional system the better aligns with Hawaii's unique cultural and community values.

Thank you.



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Michael Epp
Special Projects Coordinator
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Hawai'i

LATE

Committees: House Committee on Corrections, Military, & Veterans
Hearing Date/Time: Friday, February 5, 2021, 10:00 a.m.
Place: Via videoconference
Re: Testimony of the ACLU of Hawai'i in Support of H.B. 1080, Relating to the Phaseout of Private Correctional Facilities

Dear Chair Ohno, Vice Chair Ganaden, and members of the Committee,

The American Civil Liberties Union of Hawai'i ("ACLU of Hawai'i") writes **in support of H.B. 1080**, which requires the State to phase out the use of for-profit prisons to house Hawai'i inmates by 2025, and prohibits the construction of new correctional facilities or the expansion of existing facilities without the approval of the Hawai'i Correctional System Oversight Commission. Given the safety risks posed by these facilities, the devastating family separation caused by shipping Hawai'i residents thousands of miles from home, and the increased cost Hawai'i incurs by using for-profit prisons, it is time to end our State's reliance on for-profit prisons.

For-profit prisons are a multibillion-dollar industry. By definition, a for-profit prison will be driven by maximizing profit, not by what is best for rehabilitation and public safety. In a 2016 review of for-profit prisons, the U.S. Office of the Inspector General found that overall, for-profit prisons are *less safe and less secure* than government-run prisons.¹ For-profit prisons are typically paid per person housed there. As a result, they benefit from harsher sentencing and the curtailment of probation and parole. While the State has a joint duty to protect public safety and the civil rights of those in its custody, private prison executives have fiduciary duties to shareholders and incentives to maximize profits — incentives that often conflict with public safety and ensuring civil rights of those in custody.

For-profit prisons do not necessarily save Hawai'i money, either. On the contrary, it may cost the State *more* to incarcerate inmates in private prisons than in state-run facilities.² This is despite private prisons' tendency to cherry pick their prisoners, often choosing the least expensive

¹ This report concerns for-profit facilities contracted to house federal inmates. U.S. Department of Justice Office of the Inspector General, *Review of the Federal Bureau of Prisons' Monitoring of Contract Prisons*, Aug 2016, available at <https://oig.justice.gov/reports/2016/e1606.pdf>.

² D. M. Levine, *What's Costlier than a Government Run Prison? A Private One*, Fortune, Aug 18 2010, https://money.cnn.com/2010/08/17/news/economy/private_prisons_economic_impact.fortune/index.htm.

inmates to incarcerate.³ Phasing out the Department of Public Safety's use of for-profit prisons to house inmates, while simultaneously enacting comprehensive reforms in the areas of bail, sentencing, and probation/parole, could offer long-term cost savings for the state.

Even if contracting with private corporations to house inmates *did* save money, however, Hawaii's existing relationship with a for-profit prison has a devastating human impact. Hawaii's contract with Saguaro Correctional Center, an Arizona facility owned and operated by the large private prison corporation, CoreCivic, has resulted in the separation of thousands of Hawai'i families. Saguaro currently houses 999 people sent from Hawai'i,⁴ many of whom have children back home. A 2010 report by the Office of Hawaiian Affairs found that Native Hawaiians are more likely to be transferred to Saguaro, which is especially cruel given Saguaro's history of discriminating against Native Hawaiian religious and cultural practices.⁵ Shipping people to Arizona to serve their sentence is also antithetical to the reentry process and harmful to long-term prospects for sustainable reintegration of formerly incarcerated individuals into society. H.B. 1080 offers a positive step forward to reunite these families and repair the harm done by the criminal legal system.

H.B. 1080's requirement that any expansion or construction of a correctional facility be approved by the Hawai'i Correctional System Oversight Commission is a sensible one; the Commission, created by Act 179, is tasked with:

- (1) Overseeing the State's correctional system, investigating complaints at correctional facilities, and facilitating a correctional system transition to a rehabilitative and therapeutic model;
- (2) Establishing maximum inmate population limits for each correctional facility and formulating policies and procedures to prevent the inmate population from exceeding the capacity of each correctional facility;
- (3) Working with the department of public safety in monitoring and reviewing the comprehensive offender reentry program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii paroling authority's

³ Richard A. Oppel Jr., *Private Prisons Found to Offer Little in Savings*, May 18, 2011, <http://www.nytimes.com/2011/05/19/us/19prisons.html>.

⁴ State of Hawaii, Department of Public Safety, *Weekly Population Report*, February 1, 2021, <https://dps.hawaii.gov/wp-content/uploads/2021/02/Pop-Reports-Weekly-2021-02-01.pdf>.

⁵ See, Rui Kaneya, *Settlement Protections Religious Rights for Hawaiian Prisoners*, Honolulu Civil Beat (February 6, 2017), available at <https://www.civilbeat.org/2017/02/settlement-protects-religious-rights-for-hawaiian-prisoners/>.

Chair Ohno and Members of the Committee on Corrections, Military, & Veterans
February 5, 2021
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oversight of parolees. The commission may make recommendations to the department of public safety, the Hawaii paroling authority, and the legislature regarding reentry and parole services; and

- (4) 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 when the maximum terms have been served instead of delaying the release for lack of programs and services.

It aligns with the purview and expertise of the Commission to make this decision. For these reasons, we request that the Committee support this measure. Thank you for the opportunity to testify.

Sincerely,



Mandy Fernandes
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
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LATE

HB-1080

Submitted on: 2/4/2021 10:17:26 AM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ronald S. Fujiyoshi	Ohana Ho`opakele	Support	No

Comments:

Ohana Ho`opakele strongly supports HB 1082, a bill "Relating to the Phaseout of Private Correctional Facilities.

We commend those who submitted this bill. Ohana Ho`opakele is a not-for-profit organization formed in 2000 that has advocated for the disproportionately large number of native Hawaiian pa`ahao, those incarcerated in Hawai`i's prisons. We believe that the philosophy of incarceration should change from that of punishment to that of healing. We have advocated for the building of Pu`uhonua or Wellness Centers as an alternative to prison. We are mentioned in Act 117 signed into law by Governor Abercrombie in June 2012 that directed the Department of Public Safety to work with Ohana Ho`opakele and other restorative justice groups to plan for a Pu`uhonua or Wellness Center to be built at Kulani unless a better site is found.

This bill is in the right direction. Even President Joe Biden has signed an executive order stopping the use of private correctional centers on the federal level.

Our president, Mr. Van Keoki Kahumoku, is incarcerated at the Saguaro Correctional Facility in Eloy, AZ. Any rehabilitation of a pa`ahao requires a strong, support community. To have pa`ahao stranded in Arizona without easy access from family and supporters does not help in healing. We are an advocate for the process of Ho`oponopono, to repair broken relationships. This cannot be done easily if the pa`ahao is not in contact with family and friends. The experiment of using private prisons has been alive since 1994. We have seen how detrimental it has been to have families torn apart by distance, economy and accessibility. The funds paid to the private prison leaves the State of Hawai`i and cannot circulate in Hawai`i to help the economy. Enough already.

Although we like what we have seen with the Prison Oversight Commission, it is too soon to know if they will insure transparency in the State's correctional system, support safe conditions for employees, inmates, and detainees; and provide positive reform towards a rehabilitative and therapeutic correctional system. However, as long as they strive to achieve this mission, we the public must rely on them to be pono in their oversight of the prison system.

Thank you for the opportunity to testify in support of this bill.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

LATE

The Thirty-First Legislature, State of Hawaii
House of Representatives
Committee on Corrections, Military & Veterans

Testimony by
Hawaii Government Employees Association

February 5, 2021

H.B. 1080 – RELATING TO THE PHASEOUT OF
PRIVATE CORRECTIONAL FACILITIES

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of H.B. 1080 which requires the State to phase out the use of private correctional facilities to incarcerate Hawaii inmates and prohibits the construction of new correctional facilities or the expansion of existing correctional facilities without the approval of the Hawaii Correctional System Oversight Commission.

Research has shown the severe adverse effects on inmates who reside in out-of-state contracted private, for-profit prisons and that lack of oversight and accountability hampers an inmate's rehabilitation. Further, we find that H.B. 1080 is in direct alignment with President Joseph Biden's recent order to curb the use of private prisons by directing the U.S. Attorney General not to renew contracts with privately operated criminal detention facilities. While it may be necessary for our state to enter into a partnership to facilitate the design or finance the construction of a new facility, we strongly oppose private operation or ownership. Lastly, the Hawaii Correctional System Oversight Commission was established to ensure transparency, support safe conditions for employees, inmates, and detainees, and provide positive reform towards a rehabilitative and therapeutic correctional system, therefore it makes sense to include the Commission in decision-making for a new or expanded facility.

Thank you for the opportunity to testify in strong support of H.B. 1080.

Respectfully submitted,

Randy Perreira
Executive Director

HB-1080

Submitted on: 2/3/2021 10:32:48 AM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrew Foy	Individual	Support	No

Comments:

It is essential that the state of Hawaii phaseout their contracts with private prisons. If the goal of prisons is to rehabilitate, the business model of private prisons is not in alignment. What benefit do private prisons get if an inmate is successfully rehabilitated? To them, that's a loss of governmental income of thousands of dollars each year to feed, warehouse, and "care" for the inmate. Private prisons do not rehabilitate. They are incentivized to perpetuate the cycle of incarceration & re-incarceration. Prisons and private prisons recidivism rates nationally hover around 60% - meaning they are not effective, a waste of taxpayers money, and fail to rehabilitate / successfully transform & heal the inmates who fall under their care.

HB-1080

Submitted on: 2/3/2021 11:22:40 AM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Jamaica Heolimeleikalani Osorio	Individual	Support	No

Comments:

To the Corrections, Military, and Veterans committee of the Hawaii State Legislature.

I write this testimony in full support of HB1080. The use of private correctional facilities to incarcerate Hawai'i's citizens has had a devastating impact on our Hawai'i Community. It has been well documented that there has been a dramatic increase in incarcerated peoples in the United States (specifically of peoples of color) in the private prison era. We in Hawai'i are no exception to this phenomenon.

In Hawai'i we are in dire need of reform to our current policing and prison system—where three in four arrests are for non-violent, non-property offenses. Meaning that the primary number of people in our prisons are there because of “crimes of poverty.” The reduction of these “crimes” is not possible through an increase in policing and incarceration but rather with an increase of proper social and health programs to invest in the wellbeing and safety of our entire community. Furthermore, far too many of our people remain incarcerated simply because they (and their families) cannot afford bail. This system is specifically targeting our most vulnerable communities, including our Native Hawaiian community, and there are many more just solutions that we could invest in.

In addition, the exporting of our Kanaka Maoli and local sons and fathers to prisons beyond Hawai'i has caused an intergenerational strain on the health and wellbeing of our families and communities and has made it nearly impossible for these families to maintain the proper relationships to support our incarcerated loved ones in their rehabilitation. This results in an increase in recidivism, further crowding our jails and prisons and resulting in further trauma to all our people.

It should also be clear that in addition to phasing out the use of private prisons that Hawai'i must cease the planning and construction of any/ all new correctional facilities. We are in a dire economic situation in Hawai'i and these resources could be spent elsewhere and would have a far more positive impact on the safety of our communities—including those who are currently and have previously been incarcerated.

The ongoing covid-19 crisis is offering us an opportunity as a community to realize just how violent and backwards our system of policing and prisons truly is. We must pay attention to the way this current pandemic has highlighted the health and safety concerns present in our prisons (there are current 400 active Covid-cases in OCC that our mayor refuse to recognize), while also not simply blaming those realities on the current health crisis. Our system of policing and prisons will continue to require ongoing reform, well after the threat of covid-19 has passed.

Specifically,

Hawai'i needs increased funding for residential treatment programs & outpatient mental health and substance abuse treatment services. Funding treatment programs not only prevents people from doing time to begin with, but also helps those coming home transition more successfully back into the community—and would, over time, limit our need to expand our prison system (and instead allow us to shrink the major footprint of our prisons in the best interest of our citizens).

Our people also need adequate access to healthcare. Regular and preventive care for people of all ages and backgrounds has been proven to have a positive effect on all aspects of community stability and sustainability. These resources must be specifically expanded to support our at risk, and previously incarcerated citizens.

And finally, since the majority of “crimes” in Hawai'i are crimes of poverty our community needs to expand job training programs and living wage jobs for all workers, including undocumented workers. Access to meaningful work and job training, education and healthcare, should be a core value and top funding priority for any city or county that values community stability, health, and wellbeing. Furthermore, these kinds of programs have been documented to support in the reduction of recidivism.

All people in Hawai'i have the right to healthcare, housing, and a living wage. These rights should certainly extend to our at risk and formally incarcerated peoples. In 1998,

Hawai'i was one of the first states to pass Ban the Box legislation, but we must do more to change attitudes of discrimination in the hiring of people with records.

Mahalo,

Dr. Jamaica Heolimeleikalani Osorio
Assistant Professor
Indigenous & Native Hawaiian Politics
Department of Political Science

University of Hawai'i at MÄ• noa
2424 Maile Way, Saunders
Honolulu, HI 96822

HB-1080

Submitted on: 2/3/2021 3:13:10 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Katie Foy	Individual	Support	No

Comments:

The criminal justice system was created to keep communities safe, to respect and restore victims, and to return offenders who leave prison to be self-sufficient and law-abiding. The system does not properly function. The privatized, for-profit model disincentivizes rehabilitating people and cages human beings for the sole purpose of deepening the pockets of already wealthy-enough individuals who benefit from the privatized system.

HB-1080

Submitted on: 2/3/2021 3:14:30 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica dos Santos	Individual	Support	No

Comments:

When private prisons are able to make more money off of more prisoners, there can not be true justice reform.

HB-1080

Submitted on: 2/3/2021 3:34:43 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Support	No

Comments:

Strongly Support! Prison should not be an 'industry'.

HB-1080

Submitted on: 2/3/2021 4:02:18 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Will Caron	Individual	Support	No

Comments:

Aloha committee members,

Please support HB1080. Mass incarceration is both a racial justice issue and community health issue, and it is driven, at least in part, by profit incentives built into the carceral system. Private companies have no place in the criminal justice system, which must remain focused on the pursuit of justice, not profit. When profit is incentivized, justice becomes compromised.

Hawai'i must end all contracts with private entities connected to the criminal-legal and justice systems. Instead, we must pursue the many smart justice policies available that will move us toward a more effective and less costly (in every sense of the word) restorative justice system.

Expand parole and probation to get more people under community supervision; end the war on drugs and put the campaign to curb drug use under the Departments of Health and of Human Services, where it belongs; end the over-policing of communities of color & reduce the scope of police purview along with departmental budgets that, again, would be put to better use through DOH & DHS; work to address racial injustice by passing antiracist policies.

Ending mass incarceration will cost less in every sense of the word. We can use the money that save to improve our schools and to create opportunities for the people of Hawai'i to thrive, which will do far more to reduce crime than incarceration, with its high rates of recidivism, is capable of doing.

Mahalo for the opportunity to testify,

HB-1080

Submitted on: 2/3/2021 4:30:26 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jim Albertini	Individual	Support	No

Comments:

I support HB 1080. We need to phase out Private prisons that seek to profit off of punishment and human misery. The constructive alternative in Hawaii is Pu'uhonua -- places of healing and the broader use of Ho'oponopono ==to make right. If we establish centers in our communities where ho'oponopono is done to heal problems when they are small, it will prevent problems escalating into criminal activity involving the judicial system and jails and prisons. I appeal to Hawaiian charter schools to increase the practice and training of Ho'oponopono and I appeal to the Hawaiian trusts to help establish Pu'uhonua (places of Healing) on every island. This is extremely important since 60% or more of people incarcerated in Hawaii and Native Hawaiians. We need healing not more punishment, especially punishment in prisons for profit..Mahalo.

HB-1080

Submitted on: 2/3/2021 4:49:24 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Polli Oliver	Individual	Support	No

Comments:

I strongly support the passage of this bill which is long overdue.

Mahalo

HB-1080

Submitted on: 2/3/2021 5:16:51 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Julia Dunville	Individual	Support	No

Comments:

Sending Hawaii's inmates to mainland for-profit prisons strips them of crucial social resources and inflicts additional trauma on these inmates and their families. This practice disproportionately affects native Hawaiians in a system which is already leveraged against them in so many ways. Bringing our inmates back to Hawaii is a small but critical step in reforming our criminal justice system and transforming the way that we deal with crime and punishment.

HB-1080

Submitted on: 2/3/2021 5:26:28 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Raelyn Reyno Yeomans	Individual	Support	No

Comments:

Strong support.

HB-1080

Submitted on: 2/3/2021 5:46:11 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Van Wishingrad	Individual	Support	No

Comments:

The prision system is barbaric and unjust and should be abolished. It's past time we move toward more humane practices.

HB-1080

Submitted on: 2/3/2021 5:52:33 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kara Akiyama	Individual	Support	No

Comments:

Private prison systems don't belong in Hawai'i and I don't believe Hawai'i should send local prisoners out to private prisons on the mainland. Private prisons promote and incentivize over-incarceration. Privatized prisons are proven to have higher risk of violence on staff and prisoners and overall quality is lower. We need to take more responsibility of our incarcerated, especially considering that there is a disproportionate percentage of native Hawaiians incarcerated. Lets focus on reform and youth programs.

HB-1080

Submitted on: 2/3/2021 5:58:59 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
cathy lee	Individual	Support	No

Comments:

The privatization of correctional facilities has created a monstrous system that puts profits over people consistently. The separation of Hawai'i inmates from their family and culture is cruel and unusual. The phaseout of this malpractice is long overdue. The State should do everything it can to phase out any connection we have with private correctional facilities.

HB-1080

Submitted on: 2/3/2021 6:10:02 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Blair	Individual	Support	No

Comments:

I support this bill.

HB-1080

Submitted on: 2/3/2021 6:19:40 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joan Gannon	Individual	Support	No

Comments:

This is Joan Gannon of West Hawaii asking you to please vote for HB 1080.

Thanks you

HB-1080

Submitted on: 2/3/2021 8:29:41 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carolyn Eaton	Individual	Support	No

Comments:

Aloha, my name is Carolyn Eaton and I am in strong support of HB 1080. Hawai'i must phase out the use of private prisons. In our case, it has meant sending Hawai'i's people far from home and family support, and we must realize the practice is counter-productive. Further, any new construction of, or expansion of existing, correctional facilities must meet the approval of the Hawai'i Corrections Oversight Commission. I have followed the consistent, faithful work of the Commission. I applaud its creation and feel strongly that the State would do well to consult it for matters of major investment. This bill would ensure that best outcome.

HB-1080

Submitted on: 2/3/2021 9:42:28 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Greg Puppione	Individual	Support	No

Comments:

People shouldn't make money off of incarcerating other people. Period. This should not be a for-profit business. We should never incentivize locking people up.

HB-1080

Submitted on: 2/3/2021 10:46:41 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Akira Kanamaru	Individual	Support	No

Comments:

Private prisons do close to nothing in terms of reducing crime. In fact, research shows that the private prison industry incentivizes governments to detain convicted citizens longer, increasing crime rates. I fully support this measure.

HB-1080

Submitted on: 2/3/2021 11:15:52 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
RaeDeen Keahiolalo	Individual	Support	No

Comments:

February 3, 2021

DEAR REPRESENTATIVES GANADEN, KAPELA, D. KOBAYASHI, MORIKAWA, OHNO, PERRUSO, TAM, WILDBERGER, AND MIZUNO:

RE: HB 1080 Phase out Private Prisons to Incarcerate Hawaii’s People

I **strongly support** phasing out the use of private prisons to incarcerate Hawaii citizens. We have been shipping people out of state for twenty-five years, primarily to “reduce prison overcrowding.” There is ample evidence pointing to serious failings in this approach. Moreover, the state’s refusal to reduce prison overcrowding with viable, effective and proven alternative methods of accountability, begs real questions as to the state’s priorities.

Data show a large majority of Hawaii’s incarcerated individuals are non-violent and eligible for minimum or community custody, including but not limited to probation, treatment and electronic monitoring.

For every dollar spent incarcerating one individual, we lose tremendous opportunities to fund much needed areas such as public education, health and economic revitalization— all of which is proven to reduce crime and increase public safety.

Please support HB 1080 to Phase out Private Prisons to Incarcerate Hawaii’s People.

Mahalo,

RaeDeen M. Keahiolalo, PhD

rbkarasuda@hotmail.com

808-429-7166 (mobile)

HB-1080

Submitted on: 2/3/2021 11:57:02 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kalona Leah Nani	Individual	Support	No

Comments:

Aloha,

No more sending our people away, and no to building a private correctional facility. There are countless examples of how the system works to ensure minorities keep private prisons in business. The below is why I support this bill.

"The report also found that when the inmates returned to the State, they were more likely to encounter difficulties when reentering society due to the lack of adequate reentry programs at the out-of-state prisons and the long length of time they spent away from their support networks and Hawaii culture."

"However, the legislature takes notice of the negative impacts of using private correctional facilities, including a lack of oversight and accountability and recurring violations of inmates constitutional rights. Accordingly, the legislature does not believe it would be prudent to move forward with the construction of a new, privately operated jail within the State."

Mahalo for the opportunity to testify!

HB-1080

Submitted on: 2/4/2021 7:24:49 AM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Polk	Individual	Support	No

Comments:

Chair Ohno and Vice Chair Ganadin,

Thank you for scheduling this bill. I am in strong support of its purpose, to stop using for-profit prisons. It is important for Hawaii to reconsider it's criminal laws and actively reduce incarceration of Hawaii's population. In particular, moving inmates to the mainland, as has been the case now for more than two decades, seems to me to be a crime in itself. If we are the Aloha state, let's take it seriously and stop shipping people to the mainland.

Barbara Polk

ROBERT K. MERCE
2467 Aha Aina Place
Honolulu, Hawai'i 96821
(808) 398-9594

TO: Committee on Corrections, Military, & Veterans
RE HB 1080
HEARING DATE: Friday, February 5, 2021
TIME: 10:00 a.m. .
CONF. Via Videoconference
POSITION: **Support**

Dear Chair Ohno, Vice Chair Ganaden, and Members of the Committee:

My name is Robert Merce. I am a retired attorney and previously served as vice chair of the HCR 85 Task Force on Prison Reform. I also chaired the Task Force's Correctional Facility Design Subcommittee and I was the principal author of the Task Force's 2017 Interim Report to the 2018 Legislature and its 116-page final report to the 2019 Legislature.

I support HB 1080.

In 2012 the Native Hawaiian Justice Task Force said that returning prisoners to Hawai'i should be a top priority, and that they should be returned "as soon as practicable, consistent with public safety."¹ In 2019 the HCR 85 Task Force on Prison Reform made a similar recommendation.² Despite these recommendations Hawaii remains one of the few states to house 20 percent or more of its prisoners in private prisons.³

HB 1080 is a step in the right direction to bring our mainland prisoners home and bring greater transparency and accountability to the construction or expansion of new correctional facilities.

Thank you for allowing me to testify on this bill.

¹ Report of the Native Hawaiian Justice Task Force (2012) 29.

² See HCR 85 Task Force on Prison Reform, "Creating Better Outcomes, Safer Communities: Final Report to the 2019 Hawaii Legislature, 57.

³ HCR 85 Task Force Final Report, 57.

HB-1080

Submitted on: 2/4/2021 9:20:00 AM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jacquie Esser	Individual	Support	No

Comments:

Chair Ohno, Vice Chair Ganaden, and Members of the Committee:

I **strongly support** H.B. No. 1080, which requires the State to phase out the use of private correctional facilities.

It's time to end the use of private prisons and stop profit-driven cruelty against incarcerated people.

Thank you for the opportunity to comment on H.B. No. 1080.

HB-1080

Submitted on: 2/4/2021 9:24:21 AM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Whispering Wind	Individual	Support	No

Comments:

Please support HB1080.

PRIVATE CORRECTIONAL FACILITIES should be abolished.

February 4, 2021

Rep. Takashi Ohno, Chair
Rep. Sonny Ganadan, Vice Chair
Committee of Public Safety, Veterans & Military Affairs
Friday, February 5, 2021
10:00 a.m.
Conference Room

**RE: Support HB 1080 RELATING TO THE PHASEOUT OF PRIVATE
CORRECTIONAL FACILITIES**

Dear Chair Ohno, Vice Chair Ganaden and Committee Members:

My name is Carrie Ann Shirota, and I am writing in support of HB1080 that requires the State to phase out the use of private correctional facilities to incarcerated Hawaii's incarcerated people. The bill would also prohibit the construction of new correctional facilities or the expansion of existing correctional facilities without the approval of the Hawaii Correctional System Oversight Commission.

As background, I am an attorney and have experience enforcing state and federal fair employment, housing and public accommodation laws. Additionally, I have previously served as the Director for Maui Economic Opportunity's Reintegration Program, and have studied the impacts of Hawaii's reliance on private for profit prisons.

My message is simple: We need a broader vision for Reimagining Public Safety in Hawai'i. **Building and expanding jails and prisons, and contracting with private prisons are not solutions to overcrowding. Nor do they address the drivers of incarceration.**

Reimagining public safety requires us to create, invest and sustain institutions, policies and programs that meet the needs of our community to divert and significantly reduce the number of youth and adults in our criminal legal system.

How do we do this? By shifting the state's budget priorities away from mass criminalization and incarceration towards health and human services, housing, education, rehabilitation and restorative justice. '

In order to end overcrowding in our jails and prisons and stop our banishment policies to out-of-state private prisons, we must implement Justice Reinvestment strategies at different entry and exit points within the criminal legal system.

Our Hawaii Correctional System Oversight Commission agrees with this shift in philosophy, and recommends that we pause all planning and design related to the proposed new OCCC and other jail and prison projects.

We may also look to other jurisdictions that have successfully and significantly reduced their incarcerated population. Here are some concrete examples:

New Jersey Outcomes

- Between 1999-2012, NJ state prison population reduced by **26%**, while the nationwide state prison population increased by 10%
- The population went from 31,493 persons to 23,225 persons (**decrease of 8,268**)
- NJ's violent crime rate fell by 30%, while the national rate decreased by 26%
- NJ's property crime rates also decreased by 31% compared to the national decline of 24%

New York Outcomes

- Between 1999-2012, New York reduced its prison population by 26%, while the nationwide state population increased by 10%.
- Incarcerated population went from 72,896 persons to 54,268 persons (**decrease of 18,268**)
- NY's violent crime rate fell by 31%, compared to the national rate which decreased by 26%.
- NY's property crime rate fell by 29% compared to the national decline of 24%.

California

- Between 2006 and 2012, California downsized its prison population by **23%**, compared to the nationwide state prison population decrease of 1%.
- 173,942 to 134,211 (**decrease of 39,731**)
- CA's violent crime rate drop of 21% exceeded the national decline of 19%.
- California's property crime rate dropped by 13%, but that rate was slightly lower than the national reduction of 15%.

In addition, other states have significantly decreased or ended their reliance on private prisons by investing in "Justice Reinvestment" or criminal justice reform strategies. They considered the costs and benefits of contracting with prison prisons and ultimately concluded that the costs were too great.

Please support HB 1080.

Sincerely,

Carrie Ann Shirota, Esq.
Honolulu, Hawaii
(808) 269-3858
cashirota808@gmail.com

HB-1080

Submitted on: 2/4/2021 9:35:56 AM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Murphy	Individual	Support	No

Comments:

Please, support HB1080.

LATE

HB-1080

Submitted on: 2/4/2021 10:56:56 AM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Diana Bethel	Individual	Support	No

Comments:

Aloha Chair Ohno, Vice-Chair Ganaden, and Members of the Committee,

I am writing in strong support of HB 1080 which requires the State to phase out the use of private correctional facilities to incarcerate Hawaii inmates and prohibits the construction of new correctional facilities or the expansion of existing correctional facilities without the approval of the Hawaii Correctional System Oversight Commission.

Private prisons, for the benefit of their shareholders, have exploited inmates in too many ways to enumerate here, but finally states throughout the nation have acknowledged this deplorable track record and have moved to phase out private prisons. The Biden administration has ordered a ban on private prisons for the federal government and banks are refusing to loan to them.

Given the increasing realization of the harms of private prisons to inmates and the liability to states through their single-minded pursuit of profit, why would Hawaii even entertain the idea of partnering with a private prison company? This is a sad example of tone deafness, or perhaps catering to development interests?

If we are ever to improve our criminal justice system and make it more fair and humane, we must, first of all, avoid partnering with a private prison company. Secondly, we must heed the numerous studies whose recommendations point the way to a more efficient, cost-effective and successful system - a system that actually contributes to public safety rather than one that ensures weaker family ties, poverty, and community disintegration.

We must rely on the Hawaii Correctional System Oversight Commission for its unbiased recommendations. It is composed of members with decades of experience in the criminal justice system and the harms it has inflicted on people and communities. It is untainted by development interests and it actively seeks community stakeholder input. These characteristics are in stark contrast to the current decisionmaking process.

Please pass HB 1080. Mahalo for your consideration.

Diana Bethel, Honolulu

LATE

HB-1080

Submitted on: 2/4/2021 2:15:55 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
janice palma-glennie	Individual	Support	No

Comments:

aloha,

i strongly support the phasing out of private corporations running and owning our prisons. the U.S. has the dubious honor of housing more inmates than all other nations beside China, and providing financial incentives to house more is a travesty of justice.

Mahalo for voting "yes" on this bill.

Sincerely,

janice palma-glennie

kailua-kona

LATE

HB-1080

Submitted on: 2/4/2021 2:34:17 PM
Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Meredith Buck	Individual	Support	No

Comments:

I strongly support this bill and the decommissioning of private prisons. So many lives have been ruined by these establishments. My knowledge and belief is that Kā• naka Maoli deeply know restorative justice, yet they are disproportionately affected by the modern prison industrial complex. I would like to see restorative justice returned to Hawai'i, normal again as it once was, such that there is no need for private prisons and correctional facilities as they exist today.

LATE

HB-1080

Submitted on: 2/4/2021 3:47:17 PM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jessica hernandez	Individual	Support	No

Comments:

It's unconscionable that we would support the profit off of incarcerating people. It's even more disgusting to consider when we realize that the profit is made by reducing the quality of food (rotten and moldy food; food that has no nutrition; food that doesn't meet religious or other cultural requirements); providing inadequate medical care; exploiting inmates for labor; exploiting the families by requiring them to spend exorbitant prices for calls and commissary.

There's so much more that I could list. If the state is going to incarcerate people, then the state should be responsible for every part of their care.

It's past time to move away from private prisons. Do the right thing.

LATE

HB-1080

Submitted on: 2/5/2021 8:22:24 AM

Testimony for CMV on 2/5/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
John A. H. Tomoso	Individual	Support	No

Comments:

02-05-21

RE: HB 1080 RELATING TO THE PHASEOUT OF PRIVATE CORRECTIONAL FACILITIES.

Aloha,

As a Social Worker and Episcopal Priest, I am in support of this Bill. I have been "appalled" (I know of no better descriptive) at the experience we, as a State, have had with our Pa'ahao being literally "shipped out" and away from the positive influence, connection, support and love of family, friends and the community. It is, in my humble opinion, excruciatingly tragic and minimizing of justice, rehabilitation and community-building.

Mahalo

John A H Tomoso+, MSW

51 Ku'ula Street

Kahului, Maui, HI 96732-2906

808-280-1749. john.a.h.tomoso@gmail.com

cc: Maui Reentry Hui