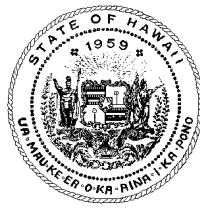


DAVID Y. IGE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
919 Ala Moana Boulevard, 4th Floor  
Honolulu, Hawaii 96814

**MAX N. OTANI**  
DIRECTOR

**Maria C. Cook**  
Deputy Director  
Administration

**Tommy Johnson**  
Deputy Director  
Corrections

**Jordan Lowe**  
Deputy Director  
Law Enforcement

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

TESTIMONY ON SENATE CONCURRENT RESOLUTION 108  
URGING THE DEPARTMENT OF PUBLIC TO INCREASE ITS INVESTMENT IN  
COMPREHENSIVE OFFENDER REENTRY TRAINING PROGRAMS FOR  
INDIVIDUALS EXITING CORRECTIONAL FACILITIES

by  
Max N. Otani, Director

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

Wednesday, April 7, 2021; 9:00 a.m.  
State Capitol, Via Video Conference

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

The Department of Public Safety (PSD) is in full agreement with the basic premise of Senate Concurrent Resolution (SCR) 108 of the critical need for a comprehensive and effective Reentry Program for individuals exiting the State's correctional facilities, and which urges the Department to increase investment in Reentry training programs for offenders. PSD supports this resolution and has already established a Reentry Coordination Office that provides a variety of comprehensive, evidence-based programs designed to assist offenders with successful reintegration into the community.

The Department is pleased to report that it has recently entered into a Memorandum of Agreement (MOA) with the Department of Transportation (DOT) on the process by which PSD, with the assistance of the City and County of Honolulu's Department of Customer Service (DSC), will issue State identification cards to exiting inmates. PSD is currently working with the Attorney General's office and the DSC on the MOA between our two agencies. We anticipate the

Testimony on SCR 108  
House Committee on Corrections, Military, and Veterans  
April 7, 2021  
Page 2

MOA to be in place within the next few months. At that time, the Department will be authorized to procure the equipment needed to issue State ID cards at the Halawa Correctional Facility (HCF), enabling offenders to apply in person, as required by State law.

Thank you for the opportunity to provide testimony on this measure.

**SCR108**

**URGING THE DEPARTMENT OF PUBLIC SAFETY TO INCREASE ITS INVESTMENT IN  
COMPREHENSIVE OFFENDER REENTRY TRAINING PROGRAMS FOR INDIVIDUALS  
EXITING CORRECTIONAL FACILITIES**

Ke Kōmike Hale o nā mea Pa‘ahao, ke Kuleana Pū‘ali Koa, a me Nā Koa Kahiko  
House Committee on Corrections, Military, & Veterans

‘Apelila 7, 2021

9:00 a.m.

Lumi 430

The Office of Hawaiian Affairs **SUPPORTS** SCR108, which requests the Department of Public Safety (PSD) to actively seek out information regarding existing barriers to the successful reentry of formerly incarcerated individuals into the community and to work with community stakeholders to develop, support, and implement policy changes that dismantle the barriers identified by PSD.

Hawai‘i’s traditional criminal justice approach has led to mass incarceration in our State at tremendous cost to prisoners, their communities, and our society as a whole. Over the last several decades, Hawai‘i’s prison and jail populations have increased at an alarming rate.<sup>1</sup> The Native Hawaiian community has been particularly impacted by this increase: Native Hawaiians and part-Native Hawaiians make up approximately 21% of the general population, but 37% of the prison population.<sup>2</sup> Although Hawai‘i now faces a tremendous prison population that, for the most part, will inevitably be released, there are very few reentry services available or provided by PSD to successfully reintegrate pa‘ahao upon release.<sup>3</sup>

Notably, PSD is required to develop a comprehensive and effective reentry system plan for adult offenders exiting the prison system, including but not limited to providing education, substance abuse treatment, and cognitive skills development services, and issuing requests for proposals for such services from community-based non-profit programs. Furthermore, under HRS § 353H-31, the Director of Public Safety may authorize the purchase of service contracts for adult offender reentry programs and services that establish or improve the offender reentry system in which each adult offender in state correctional custody is provided an individualized reentry plan. Finally, PSD can

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<sup>1</sup> See HCR85 TASK FORCE, CREATING BETTER OUTCOMES, SAFER COMMUNITIES FINAL REPORT OF THE HOUSE CONCURRENT RESOLUTION 85 TASK FORCE ON PRISON REFORM TO THE HAWAI‘I LEGISLATURE 2019 REGULAR SESSION 1 (2018).

<sup>2</sup> *Id.* at xiii.

<sup>3</sup> See Yoohyun Jung, *Hawaii Behind Bars Critics Say Hawaii Prisons Are Failing to Help Released Inmates*, CIVIL BEAT (May 23, 2020), <https://www.civilbeat.org/2020/05/critics-say-hawaii-prisons-are-failing-to-help-released-inmates/>.

also authorize the purchase of service contracts for activities such as supervision and services to provide structured and transitional housing, link offenders with health resources, and provide education and job training, all which would greatly facilitate successful reentry.

In its 2018 report, the HCR85 Task Force on prison reform noted that there continues to be a need for pa‘ahao to be provided education, employment training, life skills, substance abuse and mental health treatment, and other programs that target their needs and maximize their likelihood of success upon release.<sup>4</sup> The HCR85 Task force also recommended that culturally relevant reentry programs be available to Native Hawaiians.<sup>5</sup> OHA strongly believes that when PSD makes a serious commitment to implementing reentry programs such as those required by statute and recommended by the HCR85 Task Force, pa‘ahao and our entire community will significantly benefit from the positive outcomes. OHA believes that this resolution would encourage PSD to make such a commitment.

Accordingly, OHA urges the Committee to **PASS** SCR108. Mahalo piha for the opportunity to testify.

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<sup>4</sup> HCR 85 Task Force, CREATING BETTER OUTCOMES, SAFER COMMUNITIES FINAL REPORT OF THE HOUSE CONCURRENT RESOLUTION 85 TASK FORCE ON PRISON REFORM TO THE HAWAI‘I LEGISLATURE 2019 REGULAR SESSION 47 (2018).

<sup>5</sup> *Id.* at xix.

House Committee on Corrections, Military & Veterans  
Wednesday, April 7, 2021, 9:00am  
Hawaii State Capitol, Rm. 430/Videoconference

### **Testimony in Strong Support of SCR 108**

Chair Ohno, Vice Chair Ganaden, and members of the committee,

Thank you for the opportunity to testify in **strong support of SCR 108**, urging the Department of Public Safety to increase its investment in comprehensive offender re-entry training programs for individuals exiting correctional facilities.

YWCA O'ahu is dedicated to eliminating racism, empowering women and promoting peace, justice, freedom, and dignity for all. In 1900 we opened our doors to provide opportunity to women for growth, leadership and power to change. Today, over a century later, the YWCA O'ahu is the largest and oldest women's membership organization in the State of Hawaii. We are a charter member of the YWCA USA and is one of more than 200 community associations nationwide that share the mission of empowering women and eliminating racism.

As a new core of women are preparing for our future, we are committed to reinventing the YWCA for the 21<sup>st</sup> century so it remains relevant to all women as their lives and needs change. The YWCA offers a unique place – a place where women and girls can build relationships for life and have opportunities to move forward in life and give back to their community. Our three centers at the YWCA, Fernhurst, Kokokahi and Laniakea, provide valuable programs and services that develop women and girls' social, economic, leadership and community skills.

In December of 2018, the HCR 85 Task Force released its findings and final report to the legislature. In this report they stated that while they came from diverse backgrounds and viewpoints that they all agreed that "Hawaii's correctional system is not producing acceptable, cost-effective, or sustainable outcomes and needs immediate and profound change". The primary recommendation from the task force was to "begin to transition from a punitive to a rehabilitative correctional system".

YWCA's Fernhurst location is home to the State's only community-based work furlough program for women. Losing funding for this successful program would be devastating for the State and we know that once a program is lost – that it is nearly impossible to bring back. We support the urging of the Department of Public Safety to continue funding of this program and encourage increased investment so that more women can benefit from the program as well as invest into

eliminating racism  
empowering women

**ywca**

O'ahu

**Fernhurst YWCA**

1566 Wilder Avenue  
Honolulu, Hawai'i 96822  
808.941.2231

**Kokokahi YWCA**

45-035 Kāne'ohe Bay Drive  
Kāne'ohe, Hawai'i 96744  
808.247.2124

**Laniākea YWCA**

1040 Richards Street  
Honolulu, Hawai'i 96813  
808.538.7061

[ywcaohu.org](http://ywcaohu.org)

similar programs in every county in the State as recommended by the HCR 85 Task Force on page 91 of their report.

We are also very supportive of the section urging the Department of Public Safety to comply with its statutory obligation to provide exiting offenders with civil identification documents. Without these documents, securing safe housing and employment difficult to nearly impossible thus making successful re-entry that much harder.

Thank you for the opportunity to testify in strong support of SCR 108.

Jen Wilbur  
Director of Advocacy  
YWCA O'ahu

**YWCA IS ON A MISSION**



## Hawai'i

Committees: Committee on Corrections, Military, and Veterans  
Hearing Date/Time: Wednesday, April 7, 2021, 9:00 a.m.  
Place: Via videoconference  
Re: *Testimony of the ACLU of Hawai'i in Support of S.C.R. 108, Urging the Department of Public Safety to Increase its Investment in Comprehensive Offender Reentry Training Programs for Individuals Exiting 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 S.C.R. 108**, which calls upon the Hawai'i Department of Public Safety ("PSD") to comply with its statutory obligations to provide effective and comprehensive reentry planning and to issue civil identification documents to those exiting correctional facilities. The resolution further calls upon PSD to increase investment in reentry programs—or, at least maintain current funding levels for reentry programs—and to identify and work to dismantle existing barriers to successful reentry.

Comprehensive reentry planning services are more important now than ever because those exiting jails and prisons in the time of COVID-19 face incredible challenges, including high unemployment rates<sup>1</sup> and an increase in the number of people requiring housing assistance. Prioritizing reentry planning is not only humane—it makes our communities safer. Ninety-five percent of people incarcerated in state prisons will eventually be released.<sup>2</sup> Reentry programs that help people secure jobs, treatment, housing,<sup>3</sup> and education,<sup>4</sup> have proven effective in facilitating the successful transition of formerly incarcerated people out of jail/prison and back to their families and communities, and have been shown to reduce recidivism.

PSD is required to provide comprehensive reentry and support services,<sup>5</sup> but has failed to meet its obligations. For example, PSD *still* does not always provide people leaving facilities with civil identification documents, despite a 2017 law requiring it to do so.<sup>6</sup> These documents are necessary to secure housing and employment, to enroll in many benefit programs, and to fill prescriptions for

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<sup>1</sup> *Hawaii's unemployment rate ties for third-worst in nation*, Associated Press (September 18, 2020), <https://apnews.com/article/virus-outbreak-archive-hawaii-cc0f4e3fcdcafb3cc5f80f0b35347cea>.

<sup>2</sup> Timothy Hughes and Doris James Wilson, *Reentry Trends in the United States*, U.S. Dep't of Justice, Office of Justice Programs, Bureau of Justice Statistics (last revised Dec 29, 2020), <http://www.bjs.gov/content/reentry/reentry.cfm>.

<sup>3</sup> Nathan James, *Offender Reentry: Correctional Statistics, Reintegration into the Community, and Recidivism*, Congressional Research Service (2015), <https://fas.org/sgp/crs/misc/RL34287.pdf>.

<sup>4</sup> Patrick Oakford, Cara Brumfield, Casey Goldvale, Laura Tatum, Margaret diZerega, and Fred Patrick. *Investing in Futures: Economic and Fiscal Benefits of Postsecondary Education in Prison*. New York: Vera Institute of Justice, 2019, <https://www.vera.org/downloads/publications/investing-in-futures.pdf>.

<sup>5</sup> Haw. Rev. Stat. § 353H-3(a) provides, "[t]he department of public safety shall develop a comprehensive and effective offender reentry system plan for adult offenders exiting the prison system."

<sup>6</sup> Act 56, Session Laws of Hawai'i 2017; Haw. Rev. Stat. § 353H-32.

ACLU of Hawai'i testimony in support of S.C.R.108  
April 7, 2021  
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medication. Between October 2018 and November 2019, more than half (56 percent) of people exiting jails and nearly as many (46 percent) exiting prison statewide left without state identification cards.<sup>7</sup>

This resolution recognizes the barriers faced by those exiting jails and prisons—barriers exacerbated by the COVID-19 pandemic—and affirms the importance of comprehensive reentry services for people transitioning back into their communities. The resolution acknowledges that, despite HRS § 353H-32, PSD has failed provide necessary civil identification documents to those exiting correctional facilities, and urges PSD to comply with these legal obligations. The resolution calls upon PSD to, at the very least, maintain its existing reentry services and funding for those contracts, and to ultimately *increase* investment in reentry programs. The resolution further calls upon PSD to identify opportunities to divest from its retributive approach to corrections and reinvest in reentry programs, and to identify barriers to successful reentry and work with community stakeholders to develop and implement policy changes to dismantle these barriers.

For the above reasons, we urge the Committee to support S.C.R. 108. 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.*

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<sup>7</sup> Hawai'i Department of Public Safety, *Reentry Coordination Office Annual Report on Civil Identification Documents* (December 2019), <https://dps.hawaii.gov/wp-content/uploads/2019/12/RCO-Annual-Report-on-Civil-Identification-Documents-Transmittal.pdf>.

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**SCR-108**

Submitted on: 4/4/2021 4:14:27 PM

Testimony for CMV on 4/7/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Courtney Mrowczynski	Individual	Support	No

Comments:

I strongly **SUPPORT** SCR108.