

**OPPORTUNITY
YOUTH
ACTION HUI**

04 February 2022

House Committee on Corrections, Military, & Veterans

Hearing Time: 10:00am

Location: Virtual

Re: HB 2311, Relating to Native Hawaiian Rehabilitation Programs

Aloha e Chair Ohno, Vice-Chair Ganaden, and members of the Committee:

We are writing in **strong support** of HB 2311, relating to Native Hawaiian Rehabilitation Programs. This measure will appropriate funds to the Department of Public Safety to collaborate with the Office of Hawaiian Affairs the creation of a Native Hawaiian rehabilitation program for prison inmates, which puts an emphasis on Native Hawaiian values and cultural practices.

This bill would focus on traditional practices in programs that contribute to the betterment of Kānaka 'Ōiwi in the prison system. Hawai'i's incarceration crisis has had a particularly severe impact on Native Hawaiians and Pacific Islanders. In 2018, this group made up only 23% of adults in the state, yet also a reported **47%** of people incarcerated under Hawai'i's jurisdiction that year (ACLU). We believe this measure is a very important step in the efforts to advance Native Hawaiian equity within the justice system.

The Opportunity Youth Action Hui is a collaboration of organizations and individual committed to reducing the harmful effects of a punitive incarceration system for youth; promoting equity in the justice system; and improving and increasing resources to address adolescent and young adult mental health needs.

We seek to improve the continuity of programs and services for youth and young adults transitioning from minor to adult status; eliminate youth houselessness and housing market discrimination against young adults; and promote and fund more holistic and culturally-informed approaches among public/private agencies serving youth.

Please support HB 2311.

HB-2311

Submitted on: 2/2/2022 9:20:13 PM

Testimony for CMV on 2/4/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Nikos Leverenz	Hawaii Health & Harm Reduction Center	Support	No

Comments:

Hawaii Health & Harm Reduction Center supports HB 2311.

HHHRC welcomes the development and support of programs in the state's carceral facilities emphasizing Native Hawaiian values and cultural practices. That said, the Legislature should undertake substantive reforms that operate to reduce the over criminalization of persons from under-resourced communities.

It is well established that Native Hawaiians remain disproportionately impacted at every stage of this state's criminal legal system, as they have been since the territorial era. With the Legislature declaring racism as a public health crisis last year via HCR 112, the ongoing maltreatment of Native Hawaiians in their homeland requires sustained remedial policy responses by state and local governments.

HHHRC's mission is to reduce harm, promote health, create wellness, and fight stigma in Hawaii and the Pacific. We work with many individuals impacted by poverty, housing instability, and other social determinants of health. Many have behavioral health problems, including those related to substance use and mental health conditions. Many of our program clients and participants have also been deeply impacted by trauma, including histories of physical, sexual, and psychological abuse.

Thank you for the opportunity to testify on this measure.

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON CORRECTIONS, MILITARY, & VETERANS

Representative Takashi Ohno, Chair

Representative Sonny Ganaden, Vice Chair

Friday, February 4, 2022

10:00 AM

HB 2311 - STRONG SUPPORT FOR NATIVE HAWAIIAN REHAB PROGRAMS

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 4,099 Hawai`i individuals living behind bars or under the "care and custody" of the Department of Public Safety or the corporate vendor on any given day. We are always mindful that 1,113 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 is in strong support of cultural programming, especially when delivered by cultural practitioners. We have witnessed the effect of programs that have resonated with Kanaka Maoli and others who gain a deeper understanding of their responsibilities to themselves, their families, and their communities.

These programs, initiated by our people serving sentences abroad in Minnesota, have been amazing. When our people were sent to prisons on the continent, they worked hard to keep their connections to home alive. We know many of the men who created the program; some have been released after serving many years in prison, and they are now contributing members of our communities. We know that facilitating people to maintain their connections to their culture has been transformative, not only for them and their families, but for their communities as well.

In the Saguaro program there is a rule that you leave your colors or gang symbols at the door and they do. In class they work together learning mele and oli and gaining a deeper understanding of who they are and what their responsibilities are to themselves, their families, and their communities. The program has been successful because the focus is on culture and values. We urge the committee to support programs that promote Hawaiian culture and values!

Mahalo for this opportunity to testify



OFFICE OF HAWAIIAN AFFAIRS

‘Ōlelo Hō‘ike ‘Aha Kau Kānāwai
Legislative Testimony

HB2311

RELATING TO NATIVE HAWAIIAN REHABILITATION PROGRAMS

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

Pepeluali 4, 2022

10:00 a.m.

Hālāwai Keleka‘a‘ike

The Office of Hawaiian Affairs submits the following **COMMENTS** on HB2311, which urges the Department of Public Safety (PSD) to recognize the value of culture-based rehabilitation activities in the State’s correctional system and to increase the use and access to culture-based programming in the correctional system.

OHA has long supported the integration of culturally-based models to better rehabilitate pa‘ahao, reconcile them with their ‘ohana and communities, and reduce recidivism. The Native Hawaiian Justice Task Force has similarly encouraged the exploration of options to address systemic issues in the criminal justice system, such as by supporting indigenous models of healing, and bolstering reintegration programs and services.¹ In this regard, OHA agrees that an increase and expansion of culture-based rehabilitation activities in the State’s correctional system will better ensure that pa‘ahao can access critically-needed cultural programs. Moreover, OHA agrees that culturally-based support services may best aid formerly incarcerated pa‘ahao in reconnecting with their culture, ‘ohana, and community, increasing their chances of successfully reintegrating with and becoming productive members of society.

However, OHA did not have the opportunity to discuss this measure with the Department of Public Safety, the Legislature, and interested parties and would appreciate further consultation on the matter.

Accordingly, OHA asks the Committee to please **Note in the Committee Report** that OHA desires further consultation to address the intention and possible implementation of this measure. Mahalo piha for the opportunity to testify.

COMMITTEE ON CORRECTIONS, MILITARY & VETERANS

Rep. Takashi Ohno, Chair

Rep. Sonny Ganaden, Vice Chair

HEARING DATE: Friday, February 4, 2022

TIME: 10:00 PM Via Videoconference

SUPPORT FOR HB2311 RELATING TO NATIVE HAWAIIAN REHABILITATION PROGRAMS

My name is Edgy Lee. I am testifying today on behalf of the Women's Prison Project (WPP) in **Strong Support of HB2311** RELATING TO NATIVE HAWAIIAN REHABILITATION PROGRAMS.

WPP is a group of twenty-nine (29) bi-partisan professionals from diverse backgrounds whose intent is to see long term sustainable social and restorative solutions implemented for Hawaii's incarcerated women. As you know, we have submitted *A New Approach to Women's Corrections in Hawai'i* for your review and support of policies and programs that will improve rehabilitation for Hawai'i's incarcerated women, particularly for mothers of young children. One aspect of our proposal advocates for Native Hawaiian Rehabilitation programs. Concurrently, we have been developing a documentary film for submission to the Corporation for Public Broadcasting for national and Hawaii television broadcast, highlighting some unique and effective programs at the Women's Community Correctional Center (WCCC), most of which are embedded in Native Hawaiian traditional values and practices. These programs have struggled to stay afloat pre-pandemic, sustained solely by the commitments of volunteers and modest donations.

My experience spans 30 years in the arts & film. I have been overseeing WPP's documentary film endeavor and would like to share a glimpse of what we have been witnessing as to the efficacy of particular programs. During early interviews and filming inside and out of the women's prison, whether we met with former inmates now graduating with their masters degrees and reuniting with their children, or in conversations with women living out life sentences, the narrative was similar. Women who experienced "Huikahi Circles" (akin to ho'oponopono, the traditional Hawaiian practice of reconciliation and forgiveness) or inmates who recalled working in the prison's now fallow taro lo'i a few years ago when it was cared for as an essential program (as one woman described, "*Working in the lo'i, feet in the earth, was*

healing for the soul."); or Halau Hula Kamaluokukui, founded by Kumu Hula Malina Kaulukukui, a program that successfully instills discipline, respect for one's self and for others, humility, patience, and kindness in women facing decades of incarceration — I am testifying to authentic narrative by these women. They are not thinking about stealing your car or breaking into your home, nor buying drugs or committing violent crimes. Through these programs influenced by ancient Native Hawaiian practices, they realize that their shame was in fact surmountable. They are worthy of better lives. They want to lead productive peaceful lives with their families. Tending the land and growing greens in the lo'i, learning to read and proving to themselves that they are not lesser and that they can excel in science and math, or Hula—experiencing and learning through Native Hawaiian cultural and educational programs can successfully lead them to self awareness, self esteem, and hope.

More than half of WCCC inmates are Native Hawaiian. Many from impoverished backgrounds, broken homes, entering prison with 4th to 5th grade educations, some illiterate, some victims of sexual and spousal abuse, mothers, grandmothers, and drug users who became addicted in their youth, yet the women we met who had found education as rehabilitation and managed to make prison a "*pu'uhonua*" a place of refuge, sanctuary and healing, where traditional cultural practices were emphasized, for these women the volunteer-driven Hawaiian based programs steered them toward sobriety and to discovering their self-worth so that the pursuit of higher education and successful re-entry into society became obtainable realities.

To those of us who believe that we are not, nor are any of our family members, directly affected by the quality of rehabilitation we currently provide Hawaii's incarcerated population, we fail to make the big picture connection. For every woman (and man) who successfully does her time, makes parole, and re-enters society we add one more neighbor to our community. Please do not bypass this sector of society. Support Native Hawaiian rehabilitation programs for their healing and positive effects on Hawaii's prison population.

Thank you for your time and consideration.

HB-2311

Submitted on: 2/3/2022 9:37:14 AM

Testimony for CMV on 2/4/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Wendy Gibson-Viviani	Individual	Support	No

Comments:

Dear Chair Takashi Ohno, Vice-Chair Sonny Ganaden, and Members of the Committee,

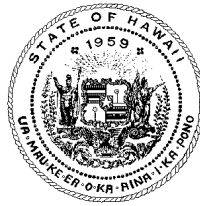
Please support HB2311. I do because I believe it is important to bring culturally appropriate rehabilitation practices to prison inmates, especially when they are delivered by cultural practitioners.

Thank you for your attention to this important matter.

Wendy Gibson-Viviani RN/BSN

Kailua

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
1177 Alakea Street, 6th Floor
Honolulu, Hawaii 96813

MAX N. OTANI
DIRECTOR

Maria C. Cook
Deputy Director
Administration

Tommy Johnson
Deputy Director
Corrections

Jordan Lowe
Deputy Director
Law Enforcement

No. _____

**TESTIMONY ON HOUSE BILL 2311
RELATING TO NATIVE HAWAIIAN REHABILITATION PROGRAMS.**

by
Max N. Otani, Director
Department of Public Safety

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

Friday, February 4, 2022; 10:00 a.m.
State Capitol, Via Videoconference

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

The Department of Public Safety (PSD) supports the intent of House Bill (HB) 2311, which appropriates funds to PSD to collaborate with the Office of Hawaiian Affairs (OHA), to create a Native Hawaiian rehabilitation program for prison inmates that emphasizes Native Hawaiian values and cultural practices.

PSD is very willing to work with OHA to gain their valuable input, guidance, and expertise on creating such a program that will benefit Native Hawaiian inmates, to include an estimated cost for this initiative. If the program is successful, the Department is hopeful that it can be expanded to be inclusive of all interested inmates.

Thank you for the opportunity to provide testimony supporting the intent of HB 2311.

HB-2311

Submitted on: 2/3/2022 10:10:00 AM

Testimony for CMV on 2/4/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
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 2311 which appropriates funds to the Department of Public Safety to collaborate with the Office of Hawaiian Affairs for the creation of a Native Hawaiian rehabilitation program for prison inmates.

Cultural programs that help Hawaiian individuals to become grounded in the values and practices of their culture have been shown to yield positive outcomes and should be supported as much as possible.

Please pass HB 2311.

Mahalo,

Diana Bethel, Honolulu

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
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EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

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

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON CORRECTIONS, MILITARY, & VETERANS
ON
HOUSE BILL NO. 2311

February 4, 2022
10:00 a.m.
Room 430 and Videoconference

RELATING TO NATIVE HAWAIIAN REHABILITATION PROGRAMS

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

House Bill No. 2311 appropriates an unspecified amount of general funds to the Department of Public Safety to collaborate with the Office of Hawaiian Affairs the creation of a Native Hawaiian rehabilitation program for prison inmates, which puts an emphasis on Native Hawaiian values and cultural practices.

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

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

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

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

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

Thank you for your consideration of our comments.

HB-2311

Submitted on: 2/3/2022 12:04:52 PM

Testimony for CMV on 2/4/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Carolyn Eaton	Individual	Support	Yes

Comments:

Aloha, Chair Ohno, Vice Chair Ganaden and members of this House committee. My name is Carolyn Eaton, and I strongly support HB 2311. Collaboration between the Department of Public Safety and the Office of Hawaiian Affairs enabled in this bill will ensure the health and growth of Native Hawaiian cultural programs among the State's incarcerated people. These programs have shown themselves to benefit incarcerated Native Hawaiian people. Non-Native Hawaiians have also benefitted from these programs, which teach cultural values and practices as pathways to rehabilitation. Please support this bill and prioritize the continuation of this inter-agency collaboration.

Representative Takashi Ohno
House Committee on Corrections
House Bill 2311

Hearing: February 4th, 2022
10am via Videoconference

IN SUPPORT

Aloha mai kākou,

My name is Alisha Kaluhiokalani. I am a student at the University of Hawaii at Mānoa currently enrolled in the Bachelor of Social Work Program. I am testifying in favor of HB 2311. I encourage the Senate Committee of Hawaiian Affairs to adopt this bill.

I believe one of the major social issues in the community and even in the country is the trauma that people have experienced, have not been able to address, and the behavior or results that follow. The State of Hawai‘i is scarred with historical trauma and colonization. Native Hawaiians have grown up witnessing the injustices done to their people to where their culture of farming, fishing, living off the land, spiritual practices, hula, and even speaking their mother tongue was deemed uncivilized. Being stripped of their land & natural resources, and abruptly thrown into modernization with no escape has brought about confusion and intergenerational trauma causing many to act, live, and deal with it through indulging in substance abuse, violence, and crime, even from a young age. Colonization has destroyed the identity of Native Hawaiians.

Some of the major effects of this oppression have brought about homelessness, poverty, health issues, substance abuse, and mass imprisonment. Currently, Native Hawaiians make up less than 25% of the general population, but more than 40% are part of the prison population and 44% of them are Native Hawaiian women. I share this with you because I have been among that population and have dealt with this type of trauma.

As a Native Hawaiian, recovering addict, and being a part of the prison system, it has been a journey of finding out who I am, what my strengths and weaknesses are, and how to make the right choices in life. While incarcerated, I was given the opportunity to take college courses and was even able to work in the education and recreation unit as a Hawaiian culture instructor sharing with the women and some of the mental health patients my knowledge on the culture including history, language, chant, hula, and values. Teaching and helping others became my passion. It also allowed me to practice my culture, reconnect, and heal.

I went to numerous treatment facilities in and out of prison for the past 18 years. It took me to go back to prison to find myself and get grounded. I completed substance abuse treatment, life skills training, self-development classes, college courses, worked a job I enjoyed doing, exercised, but what made me feel whole was practicing my culture.

A couple years after my release, I decided to go back to college and continue the academic path I started on inside of prison. I attended Windward Community College, pursuing an AA in Hawaiian Studies/Liberal Arts and graduated with honors, maintaining a 4.0 GPA. I also became a student employee there as a Peer Tutor for ‘Ōlelo Hawai‘i 101/102, a former Pu‘uhonua Program Assistant helping the women at the Women's Community Correctional Center with academic advising and am currently pursuing a bachelor's in Social Work at UH Mānoa.

The loss of land, language, and culture has resulted in significant intergenerational, historical, and political trauma for Native Hawaiians. Individuals suffer poor economic, physiological, cultural, and educational consequences, which frequently shows itself in criminal behavior. Any endeavor to lessen the number of Native Hawaiians who come into touch with the criminal justice system must involve a multifaceted strategy to dealing with this trauma.

There are 2 ways to look at treatment when it comes to rehabilitating a Native Hawaiian. Yes, we do live in a Western world and that approach may be beneficial, but when it comes to Kānaka Maoli, their worldview is different, the Western approach alone isn't enough. I personally understand this concept. To feel complete, you must heal the mind and mend the heart. Think about it this way, Western medicine, or treatment deals with head knowledge by changing the way you think, focusing on cognitive development. Whereas Hawaiian medicine or practices deals with the heart or in a deeper sense, is felt within the na'au (gut). Our na'au is often known as our sixth sense in which Kānaka Maoli are born with, it is the center of our instincts and feelings. Have you ever heard of the saying, "trust your gut?" Yes, same concept. It is that feeling that will guide a Native Hawaiian to do what is pono (right). To strengthen your na'au would be to heal from the hurt that has been done. This is why implementing Native Hawaiian practices into rehabilitation programs or facilities is vital for reformation and healing.

The combination of Western and Hawaiian approaches to rehabilitation I feel is prevalent especially since we live in a modern world. However, we must take heed that it is of utmost importance that we do not deny a Kānaka Maoli the right to practice their culture. Which is why I reiterate: No ka piha pono, pono 'oe e ho'ōla i ka no'ono'o a ho'oponopono i ka na'au -To feel complete, you must heal the mind and mend the heart-

In closing, due to the experiences, challenges, and triumphs I have gone through, it taught me how important it is to give back and is the guiding force of why I chose this path. I know as a social worker, it is my responsibility and aim to positively encourage, empower, and enhance the well-being of my clients. I intend to share my experience, strength, hope, and aloha with everyone in hopes to be a beacon of hope and inspiration to 'onipa'a (be steadfast) and never give up. My story is what ignites my passion and willingness to kōkua (help) my lāhui (people). Therefore, I highly encourage House Bill 2311 to be passed because it will create a stronger foundation in the Hawai'i correctional facility programs. House Bill 2311 will effectively expand the current systems for my fellow lāhui, Kānaka Maoli to live and conduct their lives accordingly in society.

Alisha Kaluhiokalani
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Bachelor of Social Work Program
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