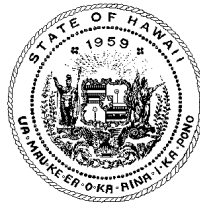


DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

1177 Alakea Street, 6th Floor
Honolulu, Hawaii 9681e

MAX N. OTANI
DIRECTOR

Maria C. Cook
Deputy Director
Administration

Tommy Johnson
Deputy Director
Corrections

Jordan Lowe
Deputy Director
Law Enforcement

No. _____

**TESTIMONY ON SENATE 3294, SENATE DRAFT 2
RELATING TO REENTRY PLANNING CIRCLES.**

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

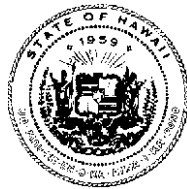
March 16, 2022; 10:00 a.m.
Via Videoconference

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

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

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

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



STATE OF HAWAII
HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION

March 16, 2022

TO: The Honorable Representative Takashi Ohno, Chair
Committee on Corrections, Military, & Affairs

FROM: Mark Patterson, Chair, Hawaii Correctional System Oversight
Commission

SUBJECT: **SB3294, SD2 Relating to Reentry Planning Circles**

POSITION: **STRONGLY SUPPORT**

Chair Ohno, Vice Chair Ganaden and Members of the Committee

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

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

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

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

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

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
SENATE BILL NO. 3294, S.D. 2

March 16, 2022
10:00 a.m.
Room 430 and Videoconference

RELATING TO REENTRY PLANNING CIRCLES

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

Senate Bill No. 3294, S.D. 2, appropriates an unspecified amount of general funds to the Department of Public Safety for FY 23 to fund reentry planning circles for at least 50 incarcerated women. This bill is intended to lower recidivism rates and provide solution-based planning processes for the development of detailed plans for obtaining housing, employment, and other necessities upon the release of inmates from incarceration.

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

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

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

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

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

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

Thank you for your consideration of our comments.



Hawai'i

Committees: Committee on Corrections, Military, and Veterans
Hearing Date/Time: Wednesday, March 16, 2022 at 10:00 a.m.
Place: Via Videoconference
Re: Testimony of the ACLU of Hawai'i in Support of S.B. 3294 S.D. 2
Relating to Reentry Planning Circles

Dear Chair Ohno, Vice Chair Ganaden and Committee Members:

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

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

Simultaneously, we advocate for humane conditions of confinement, and comprehensive re-entry support services that starts from the first day of incarceration. This includes Restorative Justice practices and reentry planning circles. Collectively, these strategies protect the civil rights and liberties of individuals and enhances individual and community health and wellness.

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

Sincerely,

Carrie Ann Shirota

Carrie Ann Shirota
Policy Director
ACLU of Hawai'i

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

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

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, & VETERANS

Representative Takashi Ohno, Chair

Representative Sonny Ganaden, Vice Chair

Wednesday, March 16, 2022

10:00 AM

STRONG SUPPORT - SB 3294 SD2 - REENTRY PLANNING CIRCLES

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 HD1 of the more than 4,008 Hawai'i individuals living behind bars¹ under the "care and custody" of the Department of Public Safety on any given day. We are always mindful that 1,110 of Hawai'i's imprisoned people are serving their sentences abroad -- thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

Mahalo for this opportunity to share Community Alliance on Prisons' strong support of SB 3294 SD2. This bill allows for 50 reentry circles for women. This restorative/transformational justice process is an important component of successful reentry. The circles include those impacted by wrongdoing, prison counselors, family, friends, employers who gather together to support the person requesting the circle. The circle becomes that woman's reentry team as everyone participates in helping her achieve her goals and aspirations.

This is a peacemaking, community-building, solution-focused process that looks ahead and doesn't keep the woman tied to her past behavior. Stigma is one of the most difficult things for people to overcome; it affects their self-image and self-esteem.

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

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

¹ Department of Public Safety, Weekly Population Report, March 7, 2022.

<https://dps.hawaii.gov/wp-content/uploads/2022/03/Pop-Reports-Weekly-2022-03-97.pdf>



SB3294 SD2 Huikahi Circles (Restorative Circles) for Offender Reentry
COMMITTEE ON CORRECTIONS, MILITARY, & VETERANS

Rep. Takashi Ohno, Chair

Rep. Sonny Ganaden, Vice Chair

Wednesday, Mar 16 2022: 10:00 am : Videoconference

Hawaii Substance Abuse Coalition Supports SB3294 SD2:

ALOHA CHAIR, VICE CHAIR AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization for substance use disorder and co-occurring mental health disorder treatment and prevention agencies.

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

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

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

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

COMMITTEE ON CORRECTIONS, MILITARY & VETERANS AFFAIRS
Honorable Representative Takashi Ohno, Chair
Honorable Sonny Ganaden, Vice Chair

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

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

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

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

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

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

The circles have been provided *pro bono* and with private grants to the state prisons. Except for the state's federal [2021 GEER grant](#), the state has never funded the process for adults.

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

Aloha, Lorenn Walker, JD, MPH on behalf of the Women's Prison Project

COMMITTEE ON CORRECTIONS, MILITARY & VETERANS AFFAIRS
Honorable Representative Takashi Ohno, Chair
Honorable Sonny Ganaden, Vice Chair

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

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

Hawai'i Friends of Restorative Justice (HFRJ) strongly supports this measure making an appropriation to provide [reentry planning process, known as huikahi circles](#) for incarcerated women in the Women's Community Correctional Center (WCCC). HFRJ was incorporated as a non-profit in 1981 by a group of educators and lawyers testing an education program ([Street Law](#)) for youth under Honolulu's family court jurisdiction. Since then, HFRJ has developed and studied numerous educational and restorative justice projects as alternatives to using the legal system to address social problems. Over 50 papers about HFRJ's work have been published.

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

HFRJ first piloted the huikahi reentry planning circle model in 2005 at Waiawa Correctional Facility. Since then it has been provided at several state prisons, and mainly at WCCC. The circles have been provided *pro bono* and with private grants to the state prisons. Except for the state's federal [2021 GEER grant](#), the state has never funded the process for adults.

The process has been [extensively researched](#). It is [healing for children](#) of incarcerated parents [and other loved ones](#). An [independent evaluation](#) of the process shows it reduces recidivism. A cost and benefit evaluation, recently accepted for publication in a criminology journal, shows huikahi reentry planning circles can help decrease Hawai'i's prison population, which would save \$4.5 million annually in state incarceration costs.

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

Aloha, Lorenn Walker, JD, MPH, Director HFRJ

SB-3294-SD-2

Submitted on: 3/13/2022 5:03:10 PM

Testimony for CMV on 3/16/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Carolyn Eaton	Individual	Support	Written Testimony Only

Comments:

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

My name is Carolyn Eaton and I support passage of this bill. Mahalo for your hard work and discernment.

SB-3294-SD-2

Submitted on: 3/12/2022 4:11:11 PM

Testimony for CMV on 3/16/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Dara Carlin, M.A.	Individual	Support	Written Testimony Only

Comments:

Stand in Support.

SB-3294-SD-2

Submitted on: 3/14/2022 11:03:07 AM

Testimony for CMV on 3/16/2022 10:00:00 AM

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

Comments:

SB3294 SD2 Description: Appropriates moneys to fund reentry planning circles for at least 50 incarcerated women.

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

Making a reentry plan is the key to successful reintegration into society. This is money well spent. It reduces recidivism and the high cost of incarceration that is imposed on tax payers.

SB-3294-SD-2

Submitted on: 3/14/2022 11:22:45 AM

Testimony for CMV on 3/16/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Carla Allison	Individual	Support	Written Testimony Only

Comments:

I strongly support SB3294 and ask CMV members to do the same.

Thank you.

SB-3294-SD-2

Submitted on: 3/15/2022 11:14:00 AM

Testimony for CMV on 3/16/2022 10:00:00 AM

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

Comments:

TO: House of Representatives, The Thirty-First Legislature Regular Session Of 2022

Committee On Corrections, Military, & Veterans

FROM: Wendy Gibson-Viviani RN/BSN

RE: SB3294 (In Support)

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

Please support this bill. We have a lot of work to do to improve our criminal justice system.

Passing this Restorative Justice, Reentry planning Circles bill is an important step towards this goal.

Thank you,

Wendy Gibson-Viviani RN/BSN

Kailua

(Oahu Resident for 29 years)