

LINDA LINGLE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
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No. \_

**TESTIMONY ON HOUSE BILL 1818  
RELATING TO COGNITIVE RESTRUCTURING**

By

Clayton A. Frank, Director  
Department of Public Safety

House Committee on Public Safety  
Representative Faye P. Hanohano, Chair  
Representative Henry J.C. Aquino, Vice Chair

Thursday, February 5, 2009; 9:15AM  
State Capitol, Conference Room 309

Representative Hanohano, Representative Aquino, and Members of the Committee:

The Department of Public Safety (PSD) supports the legislative intent of HB 1818 to ensure cognitive behavioral therapy in reentry/reintegration programs, since all of the department treatment programs are currently based on this premise. However, the cognitive behavioral therapeutic premise is most effective and applicable in the treatment programs than in the educational or vocational development programs that are designed to assist offenders with their successful reentry/reintegration into society.

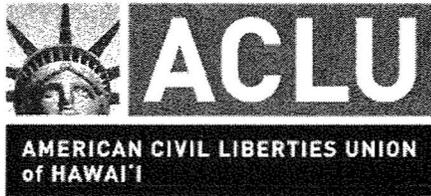
Therefore, the department does not support mandating the integration of cognitive behavioral therapy in all of its reentry/reintegration programs. PSD also finds that restricting "all new contracts for reentry/reintegration programs," to those with native Hawaiian holistic interventions, as implied in Section 2(b), line 1 through 3, of this measure would in essence be a selective disservice to offenders of other ethnic backgrounds and expose the state to liability with respect to disparity in treatment of offenders.

In the past, the department has been very supportive of programs with strong cultural persuasions. During fiscal year 2008, the Department collaborated with a

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non-profit organization to implement a pilot project funded by the Office of the Hawaiian Affairs to provide indigenous strategies that coincided with cognitive restructuring for inmates in transition. Although the program sought funding during the last legislative session through House Bill 3426, fiscal difficulties prevented the budgetary support of this program. The Department acknowledges that this measure has merit for therapeutic treatment programs; however, given the current, extreme, fiscal difficulties, it would not be prudent to pursue enactment at this time.

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



Via E-mail: PBSTestimony@Capitol.hawaii.gov  
Committee: Committee on Public Safety  
Hearing Date/Time: Thursday, February 5, 2009, 9:15 a.m.  
Place: Room 309  
Re: Testimony of the ACLU of Hawaii in Support of HB 1818, Relating to Cognitive Restructuring

Dear Chair Hanohano and Members of the Committee on Public Safety:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in strong support of HB 1818, which requires the Department of Public Safety to establish a reintegration pilot program combining cognitive behavioral theory with native Hawaiian holistic interventions.

The ACLU of Hawaii supports every effort to develop a comprehensive reentry system. In general, these types of programs are far more cost-effective – and far more effective at reducing recidivism – than incarceration, and we support efforts to make these reentry programs more culturally sensitive and individualized.

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii 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 Hawaii has been serving Hawaii for over 40 years.

Thank you for this opportunity to testify.

Sincerely,

Daniel M. Gluck  
Senior Staff Attorney  
ACLU of Hawaii

American Civil Liberties Union of Hawaii  
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## **HB1818 RELATING TO COGNITIVE RESTRUCTURING.**

Requires the department of public safety to establish a reintegration pilot program that combines cognitive behavioral theory with native Hawaiian holistic interventions that address domestic violence, addictions, self mastery through identity, and community connections for successful transitions back into the community.

### COMMITTEE ON PUBLIC SAFETY

Rep. Faye P. Hanohano, Chair

Rep. Henry J.C. Aquino, Vice Chair

**DATE:** Tuesday, February 5, 2009  
**TIME:** 9:15 a.m.  
**PLACE:** Conference Room 309

## **Hawaii Substance Abuse Coalition (HSAC)**

Aloha, Chair Rep. Hanohano, Vice Chair Rep. Aquino and distinguished members. My name is Alan Johnson, Chairperson of the Hawaii Substance Abuse Coalition, a hui of 22 treatment agencies throughout the State.

### **HSAC supports HB1818**

Cognitive restructuring is the preferred evidenced based practice (EBP) for offenders as well as for methamphetamine. Cultural competency practices are essential for quality treatment.

The issue will be to integrate acceptable and relevant Native Hawaiian practices into the treatment milieu. Such practitioners must have treatment knowledge for there to be an effective integration of services. HSAC recommends that such services work with knowledgeable community groups, such as Imi Ke Ola Mau, a community group dedicated to bringing proven Native Hawaiian practices into best practices treatment.

Also, it is critical to for treatment providers to develop collaborative relationships with the Native Hawaiian community.

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

COMMITTEE ON PUBLIC SAFETY  
Rep. Faye P. Hanohano, Chair  
Rep. Henry J.C. Aquino, Vice Chair  
Thursday, February 5, 2009  
Room 309 at 9:15am

**Support: HB 1818 Relating to COGNITIVE RESTRUCTURING**

Aloha Chair Hanohano, Vice Chair Aquino and Members of the Committee:

My name is Carrie Ann Shirota, and I support HB 1818 Relating to Cognitive Restructuring. My experiences as a former Public Defender staff member of a reentry program on Maui have shaped my advocacy efforts to promote accountability and transparency within our correctional system, and increase opportunities for individuals to successfully transition into the community after prison.

I support HB 1818 for the following reasons:

Recent meta-analysis of cognitive behavioral treatment for offenders by Landenberger & Lipsey (2005) reviewed 58 studies and found that on average Cognitive Based behavioral treatment for offenders reduced recidivism by 25%, but the most effective configurations found more than 50% reductions.

Cognitive behavioral theory is the new wave in corrections because it can be done in any setting; existing staff can be trained on CBT, it is relatively inexpensive to deliver, and there are a wide range of curriculums available. See Edward J. Latessa, Ph.D., Center for Criminal Justice Research, What Works and What Doesn't in Reducing Recidivism: The Principles of Effective Intervention.

Although I am unaware of meta-analysis studies of culturally based programs, I have observed firsthand men and women participating in MEO's BEST Reintegration Program make positive changes and transform their lives as a result of participating in culturally based training. As more culturally based programs are implemented in correctional settings, meta-analysis studies will be conducted to evaluate their effectiveness.

In light of the overrepresentation of Native Hawaiian in our youth and adult prisons, it is imperative that we provide Native Hawaiian holistic interventions that share traditional knowledge, values and skills that will assist individuals to reunite with their `ohana and successfully transition back into the community.

Please note that the Department of Public Safety should not define nor create culturally based cognitive restructuring training as they lack the expertise and knowledge of Native Hawaiian cultural practices and holistic interventions.

Mahalo for this opportunity to submit testimony in strong support of HB 1818 that will provide an appropriation for culturally based cognitive restructuring programs in corrections.

Sincerely,  
Carrie Ann Shirota, Esq.  
Wailuku, Hawai'i  
(808) 269-3858