

LINDA LINGLE
GOVERNOR



STATE OF HAWAII
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No. _

TESTIMONY ON HOUSE BILL 386
RELATING TO PUBLIC SAFETY

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 12, 2009; 8:30AM
State Capitol, Conference Room 309

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

The Department of Public Safety (PSD) strongly opposes House Bill 386, which seeks to require the Department to develop and implement an earned-time program to enable a convicted felon to be eligible for parole earlier than the minimum term date.

At the request of the legislature (Senate Concurrent Resolution 125), PSD has completed comprehensive research on this issue involving several statewide correctional jurisdictions. Our research found that of the states that did have earned-time/good-credit or a similar program, all required many more staff to do the sentence and time computations, as well as very advanced computer systems.

The state correctional system that was the closest to Hawaii in the size of the inmate population was Delaware, with approximately 7,500 inmates to Hawaii's 6,100 inmates. Delaware employs over 40 staff to compute sentences and track good time credits while Hawaii has 7 full time staff expressly for this function at the this time. A conservative estimate of the additional number of staff that would be required to implement a good time credit program in Hawaii would be 20 additional full-time staff solely dedicated to sentence computation, good time credits, and offender records management. Attached, please find PSD's comprehensive research report requested in SCR 125 previously provided to the legislature.

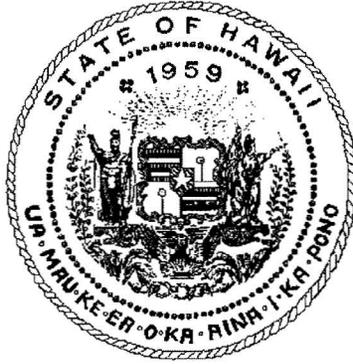
In addition, implementation of a good time credit program would affect the inmate disciplinary program, as inmate misconduct would surely be a reason to disallow earned-time credit. The current disciplinary program would have to be adjusted to account for the disallowance of earned-time, which would require additional staff, resources, and specialized training for both the earned-time system and the inmate disciplinary system.

The Federal Bureau of Prisons (BOP) has to compute the equivalent of earned-time credit, and a significant amount of inmate litigation filed against the BOP involves sentence computation and the amount of good time awarded, taken away, and subsequent adjudication processes.

The current minimum term date is a discretionary date set by the Hawaii Paroling Authority (HPA). Most of the other states with similar systems have set minimum terms, such as 1/3 of the imposed sentence. The intent of this measure, to shorten the minimum term length of stay, will erode the discretionary authority historically vested with the Hawaii Paroling Authority. The current reduction of minimum sentence (ROM) process used in Hawaii allows offenders that are not serving a court imposed mandatory minimum sentence to apply for a reduction in their minimum sentence(s) with the HPA after serving 1/3 of their longest minimum sentence. The current system also allows the PSD, Prosecutor's Office, and the Victim/Victim's Family the opportunity to provide input to the HPA regarding the offender's application for an ROM. However, the good time credit program outlined in this measure takes away the right to provide input from the PSD, Prosecutor's Office, and the Victim/Victim's Family to provide their input and recommendation.

Therefore, PSD strongly opposes this measure, as it is unnecessary. As written, House Bill 386 erodes the discretionary authority of the HPA, removes the ability of the PSD, Prosecutor's Office, and the Victim/Victim's Family from providing their input and recommendation to the HPA. It will also require an extraordinary amount of staff and substantial financial resources to implement, not to mention the increased litigation that will ensue regarding sentence computations. Given the current fiscal difficulties, implementation of this program would not be prudent at this time.

Thank you for the opportunity to testify on this matter.



DEPARTMENT OF PUBLIC SAFETY
REPORT TO THE 2009 LEGISLATURE

SENATE CONCURRENT RESOLUTION 125 REPORT

January 2009

SENATE CONCURRENT RESOLUTION 125 REPORT

In an effort to respond to Senate Concurrent Resolution (SCR) 125 with a comprehensive report, the Department of Public Safety (PSD) investigated five other state corrections departments' practices regarding good time or credit time practices in order to respond to this measure. PSD found that of the five states, three states had a determinative sentencing system, where the inmate serves the entire sentence that was imposed. The remaining two states have parole systems similar to Hawaii's system. The states that have determinative sentencing have some sort of good time credit system in place, which is an incentive for inmates to follow institutional rules, and not become disciplinary problems. In these states, an inmate who remains free from disciplinary charges will accrue a number of days to be deducted from the maximum term release date, ranging up to 16 days a month. A spreadsheet of the data collected from all five states is attached as part of this report.

In states with a parole system, only New Jersey deducts good time credit from the minimum term release date, while all of the remaining four states deduct good time credit from the maximum term release date. Deducting the good time credit from the maximum term release date would not achieve the desired effect sought in SCR 125, as it calls for a way to shorten the parole minimum term date. The most significant difference in the Hawaii system and the other states we contacted that had parole systems, is that the Hawaii Paroling Authority (HPA) sets a discretionary minimum term date, while most other states use a set formula, such as the first parole hearing after 1/3 of the sentence has been served, as New Jersey does. This permits New Jersey to practically deduct good time from the set minimum term. It would be less practical for Hawaii to do this since its minimum term date is a discretionary date. This system does permit HPA to use its discretion to individually review and evaluate the needs in every case, which includes any system of good time credit that may be proposed. Practically, this would result in good time being deducted from the maximum term release date in Hawaii, but probably not having much effect on shorter minimum term dates.

There are several factors that were consistently reported by the states we contacted, starting with the fact that any type of good time credit system requires many more calculations to perform the sentence computation time. This is because, by the nature of the program, extra time off the sentence is earned if the inmate does not violate any disciplinary rules. However, if the inmate is found to be responsible for a disciplinary violation, the good time that would be deducted from his sentence as a disciplinary sanction has to be added back to his sentence. All the states have some sort of appeal process for lost good time, as well as a partial reinstatement process for the lost good time based upon continued good behavior after the disciplinary violation. Therefore, whenever an inmate loses good time as a result of a disciplinary sanction, a new sentence

computation has to be done, and conversely a computation also has to be done when any good time is earned. These results in many more man-hours required for sentence computation, as well as the possibility for more mistakes, often resulting in costly litigation over disputed release dates.

The increased demand for staff is demonstrated by a review of the attached spreadsheet, which indicates the number of staff the different departments have to perform this function. Delaware, for example, has a similar number of inmates, approximately 7,500, in custody, and has over 40 staff assigned to records and sentence computations alone. Most of the states we contacted had many more staff assigned to records and sentence computations, for example, Connecticut has over 120 staff assigned, but is also a much larger department, with approximately 23,651 inmates. PSD currently has a total of 6 staff assigned to sentence computations, including the administrator and support staff. The average annual salary for a staff position performing sentence computations in PSD is around \$35,000. The staff assigned to perform sentence computations must be able to complete complex computations, have a thorough understanding of the state statutes and the principles of law regarding the service of sentences, such as concurrent and consecutive sentences. The position also requires an understanding of other jurisdictions laws and policies, and how Hawaii laws interact with dual jurisdiction cases.

Given the already difficult task for the limited number of staff assigned to perform sentence computations for all the inmates currently in PSD custody, it would be impossible for these staff to add to their responsibilities the increased number of calculations brought about by implementing a good time credit process. The initial cost of implementing a good time credit program in Hawaii would be the addition of at least 20 more staff at an average of \$35,000 per year (\$700,000), which does not include the additional costs for the benefits afforded full time state employees (i.e., 41% fringe). In addition, initial costs for required equipment and furnishings cost is estimated to be approximately \$70,000 (\$3,500 per new employee). This would require an additional \$ 770,000 to be budgeted for PSD per year and do not include the 41% fringe nor negotiated pay raises.

In addition to the most obvious cost factor of additional staff and required equipment, other costs would be required that would need to be considered such as improvements to PSD's computer information system to keep track of all the changes in each computation, as well as the disciplinary violations, and the grievance system. Both the current inmate disciplinary process and the inmate grievance system would require extensive changes in order for any type of good time system to be implemented. These updated systems would require many man-hours to complete, and the cost of an improved computer system would be in the hundreds of thousands of dollar. In addition to the aforementioned costs, training would have to be developed and conducted for both the redesigned inmate disciplinary system and the inmate grievance systems. The costs for

developing and implementing these two systems would be at least two hundred thousand dollars for the costs of overtime to cover the staff positions while the training is taking place. Therefore, based on the above referenced reasons, the additional cost of implementing a good time credit system would be in excess of \$500,000 as a start up cost, (which includes the cost of development of the new systems, the training, and the new equipment required for the new staff and new systems), with ongoing costs of a minimum of \$770,000 per year for the staff salaries. This does not include annual litigation nor maintenance costs on the new computer system.

Finally, a new good time system would not allow for the consideration of victim impact, as our current system does, and it would provide the inmates with a new liberty interest that would lead to drastic increases in litigation with the PSD and the State. The current system is functioning well, and to repeat an old adage, "if it isn't broken, don't fix it."

STATE	POPULATION	SENTENCE SYSTEM	GOOD TIME CREDIT PROGRAM YES/NO	GOOD TIME CREDIT MIN/MAX	STAFFING REQUIRED #'S	ANNUAL COST	INITIAL EQUIPMENT COST
CONNECTICUT	23,651	PAROLE	NO	MAX	120	4.2 mil	\$ 420,000
DELAWARE	7,500	DETERMINATIVE	YES	MAX	40	1.4 mil	\$ 140,000
NEW JERSEY	26,700	PAROLE	YES	MIN & MAX	73	2.6 mil	\$ 255,500
OREGON	14,000	DETERMINATIVE	YES	MAX	32	1.12 mil	\$ 112,000
WASHINGTON STATE	18,049	DETERMINATIVE	YES	MAX	192	6.72 mil	\$ 672,000

LINDA LINGLE
GOVERNOR



STATE OF HAWAII
HAWAII PAROLING AUTHORITY
1177 ALAKEA STREET, GROUND FLOOR
Honolulu, Hawaii 96813

ALBERT TUFONO
CHAIR

DANE K. ODA
MEMBER

ROY W. REEBER
MEMBER

MAX OTANI
ADMINISTRATOR

No. _____

TESTIMONY ON HOUSE BILL 386
RELATING TO PAROLE

HAWAII PAROLING AUTHORITY
Alfred Tufono, Chairman

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

Thursday, February 12, 2009, 8:30 a.m.
State Capital, Conference Room 309

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

The Hawaii Paroling Authority (HPA) does not support House Bill 386, establishing a system of earned-time that would allow inmates to earn credit toward their minimum time of imprisonment. HPA and the Department of Public Safety (Department) currently have procedures in place to address reduction of minimum terms.

While HPA acknowledges that reinforcement of positive behavior is important in rehabilitation, HB 386 as written would be in conflict with minimum term sentencing procedures that are in place today. Under HRS 706-669(7), the prosecuting attorney can be present at the minimum term of incarceration hearing to present testimony to the parole board, and victims or their designees have the right to submit testimony at this hearing. Under current procedures, this right is extended each time an inmate submits an application for reduction of minimum term and testimony could be submitted before a decision to reduce the term is made. Under HB 386, this extended right to the prosecuting attorney and victim would be removed and notification would be made after the term is reduced.

Also under current sentencing practices, information such as length of criminal history, seriousness of the crime, and impact to the community are key factors that the parole board will look at when determining minimum terms. There have been situations where minimum terms were equal to maximum terms due to the parole board's determination that the crime was so heinous or the inmates criminal record so lengthy that punishment and public safety was priority in their decision. HB 386 would diminish the authority and intent of the parole board as the inmate would be able to reduce the minimum term by up to twenty five percent.

HB 386 as written would create a tremendous workload issue for the Department and impact other agencies in the criminal justice system. The daily monitoring of credit time for thousands of inmates would be a difficult task for the Department without additional funding and staff. Failure to comply with this enormous undertaking would increase litigation against the State.

Thank you for this opportunity to testify on this important public safety matter.



the
**Drug Policy
Forum**
o f h a w a i ' i

February 12, 2009

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To: Representative Faye Hanohano, Chair
Representative Henry J.C. Aquino, Vice Chair
And Members of the Committee on Public Safety

From: Jeanne Ohta, Executive Director

RE: HB 386 Relating to Parole
Hearing: February 12, 2009, 8:30 a.m., Room 309

Position: Support

The Drug Policy Forum of Hawaii supports this measure which would establish an earned-time program that provides incentives for inmate rehabilitation by allowing inmates to become eligible for parole when they make consistent progress in completing programs while incarcerated.

An earned-time program would help relieve prison over-crowding by providing positive incentives for good behavior and successful participation in vocational, educational and substance abuse treatment programs.

Participation and completion of programs, especially substance abuse treatment programs help to reduce recidivism and thus help reduce prison costs. Earned-time programs can also be used to encourage non-violent offenders to transition to or be sentenced directly to community-based programs. Community-based programs are less expensive than incarceration.

The Justice Policy Institute released a briefing paper, "Substance Abuse Treatment and Public Safety." It found that community-based treatment programs help reduce incarceration rates, help reduce incarceration costs, and improve public safety by reducing crime; and these programs help offenders successfully transition from the criminal justice system back into the community.

Please pass this measure so that these types of sensible programs are established by the Department of Public Safety.

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COMMITTEE ON PUBLIC SAFETY
Rep. Faye P. Hanohano, Chair
Rep. Henry J.C. Aquino, Vice Chair
Thursday, February 12, 2009
8:30 am Room 309

**STRONG SUPPORT
HB 386 RELATING TO PAROLE (EARNED TIME PROGRAM)**

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

I am writing in support of HB 386 for three simple reasons.

First, Hawai'i's prison population is bursting at the seams. Shamefully, we export the highest percentage of prisoners in the nation to out of state for profit prisons. Other states confronted with similar issues of prison overcrowding have enacted or expanded earned time credit programs as a means of reducing the prison population, without comprising public safety. Significantly, Nevada recently expanded their "good time" eligibility statute, extending the maximum number of days a sentence may be reduced for "good time" on the condition that a certain percentage of the sentence has been served. In Nevada, an individual can earn an increased number of days to be subtracted from his or her sentence for good behavior, participating in substance abuse treatment and/or completing vocational education and training.

Second, evidence based practice research demonstrates that positive incentives work. In fact, Dr. Edward Lantessa, a consultant hired by Hawai'i's Intermediate Council of Intermediate Sanctions who provided training in 2007 for criminal justice agency staff, including the Department of Public Safety, emphasized this principle. According to Dr. Latessa, "not a single reviewer of studies of the effects of official punishment alone (custody, mandatory arrests, increased surveillance, etc.) has found consistent evidence of reduced recidivism."

Third, I have witnessed firsthand the power of incentives and a strength based approach to transformation working with a reintegration program on Maui. The vast majority of men and women in prison want to make positive changes in their lives, but have not had the training, education, role models and support to rebuild their lives and sustain those positive changes. Human beings are creatures of habit and complex, but what I know for sure is that positive incentives are far more effective than punishment alone. The attached article connecting incentives to higher education illustrates this principle in practice, and should be implemented in Hawai'i. Please enact this important legislation!

Respectfully submitted,

Carrie Ann Shirota, Esq.
Wailuku, Hawai'i 96793
(808) 269-3858

Corrections Education Program helps reduce recidivism rate in Indiana *February 15, 2007*

While about 40 percent of prison inmates in Indiana are back behind bars within three years of their release, this is not true of inmates who earn college degrees.

Through Indiana State University's Corrections Education Program, about 350 place-bound students at correctional facilities in Carlisle, Plainfield, Putnamville and Rockville, are earning their associate's or bachelor's degrees.

According to statistics from the Indiana Department of Correction's Planning & Research Division, the overall recidivism rate for Indiana in 2002 was 39.3 percent. For those offenders who received a time cut for achieving an associate's degree, however, the recidivism rate in 2002 was 18.4 percent. For those who earned a bachelor's degree, it was 18 percent.

Commissioner J. David Donahue says that ISU's Corrections Education Program is benefiting the state by helping the department of correction in its mission to return offenders to the community as law-abiding citizens.

"The educational programs and opportunities for advanced degrees provided by Indiana State University to our offenders are an important component in our campaign to reduce the recidivism rate in Indiana," Donahue said. "Offenders who participate in these ISU programs not only improve their minds and chances for employment when they are released, but their whole attitude and outlook on life is healthier."

With 50 instructors; 12 to 16 proctors; and about 120 sections, or class periods, every semester, Kathleen White, interim director of ISU's Corrections Education Program, has seen what a difference the program makes in the lives of the students.

"We see our students going from individuals who have anger issues, no self-esteem and never had success or very little success; who now are graduating with self-confidence, realizing what it takes to get along with their fellow man," White said. "In addition to picking up academic knowledge, in many cases, their educational accomplishments have helped them stay out of prison after they re-enter society."

David P. Davis, formerly of Muncie, is one of those students.

THE POET WITHIN

The first time David P. Davis wrote a poem was from a prison cell at the Wabash Valley Correctional Facility in Carlisle at the age of 38.

The poem was an assignment for English 219, a creative writing class he was taking through ISU's Corrections Education Program. Never having written creatively before, no one was more surprised than Davis when he was told that his poem, "Ode to the Man," was selected for publication in "Tonic," the literary magazine of Arion, ISU's student writing club.

"I would have never in a million years thought that I had any type of a talent for writing. This is all news to me," Davis said. "I've always been intimidated by writing an essay or a poem. We were given the parameters and I just went ahead with it to try to fulfill the requirements of the assignment."

Davis' poetry being published in "Tonic" was not just a first for him, it was a first for the magazine as well. Davis is the only Corrections Education Program student to have a work published in "Tonic."

It was in a creative writing class taught by Mary Wright, an instructor of English and psychology in the Corrections Education Program, that Davis penned not only his first poem, but several short stories as well. Wright was impressed with the writing he produced for his assignments.

"It was a total delight to have him in class," Wright said. "I always couldn't wait to see what he was going to turn in the next week."

To affirm her students in their creative writing efforts and share their work with others, Wright compiled their best short stories and poems into a booklet, which ended up being 90 pages.

"I gave copies to each of the students in the class, put some in the facility's library, and sent a copy to the governor and the department of correction director," Wright said. "Their names weren't listed in the booklet, but they knew what was theirs. I wanted them to have something which reflected all the hard work they've done."

After looking at the booklet of writings, one of Wright's students told her, "It's good to see that what I'm writing is as good as everybody else's."

"They think they're not creative and that they don't have any talent," Wright said. "When I read their short stories and poems, I feel the pain and see the hurt. I tell them that writing is a wonderful way for them to express themselves, and realize that there is something in there that needs to come out and can, in such beautiful ways."

Several of Davis' writings were published in the booklet, including three short stories and two poems.

"Mrs. Wright encouraged us to make our writing as vivid as possible," Davis said. "I'm interested in fine arts, painting and drawing, so that may have helped me to be descriptive with my writing."

Although Davis' earliest possible release date is March 2017, he is not letting his situation stand in the way of completing his degree. He was awarded his associate's degree in 2005 through ISU's Corrections Education Program, and is in his third semester working toward his bachelor's, which he is scheduled to receive this coming December.

"In addition to keeping your mind occupied, which is definitely helpful, the college experience has been much more than that," Davis said. "You grow up with a lot of self doubt, and being able to succeed in college is kind of like an affirmation that you do have some sort of value. That's what I've gotten out of it. I feel a sense of success maybe for the first time ever really. It's exciting."

CHALLENGES FOR PLACE-BOUND EDUCATION

The degrees offered through the program are an associate's and a bachelor's in liberal studies, with a concentration in human interaction, community health and dietary management.

While a liberal studies degree is a good fit with a place-bound program, there are still many challenges instructors face.

"Videos and reading materials have to be pre-screened and approved," White said. "We don't have the availability of some of the technology that we would have on campus. We can't get on the Internet, so a computer course is probably not going to go very far, although we are working on one that uses the Intranet within the institutions. Not having access to the Internet also can make research difficult."

There are prison-based research tools such as Encarta and Incolsa, however, through which the students can receive sources related to their research topic, White says.

Laboratory courses also pose a difficulty.

"You can't take chemicals in," she said, "so we have to look at this program a little differently than we do our campus-based programs. But we do keep it as close to campus classes as we can, because some of our students do come back into a campus situation once they are released."

In the bachelor's program, which is available at the Carlisle and Putnamville facilities, courses also are taught via teleconference, where the instructor teaches from a classroom on ISU's campus, using the Indiana Higher Education Telecommunication System.

The majority of classes are taught face-to-face, however, in about two-hour blocks, from 4:30 to 9:30 in the evening.

"Normally our students will take between 15 and 18 credit hours per term," White said, "because we want them to graduate as quickly and economically as possible because of their financial aid or because they are self-paying."

NEW FEDERAL PILOT PROGRAM LAUNCHED

With 18 years of successful degree programs in the corrections environment at the state level under its belt, ISU was approached by the Federal Bureau of Prisons to bring an associate's degree program to the minimum-security work camp at the Federal Correctional Institution in Terre Haute.

"The Bureau asked us to assist them with their goal of providing higher-level educational opportunities to the offender population," White said, "thus better preparing the population for the 'outside' upon release."

The university and the Bureau signed a standard memo of understanding for a two-year pilot program, and the first students were enrolled this fall.

"The pilot calls for a two-year associate of arts degree program, majoring in liberal studies with a concentration in human interaction," White said. "We began with 22 students taking courses in English, nutrition, music, criminology, art appreciation, psychology and University 101."

Classes are held during both day and evening hours in a face-to-face teaching arrangement in the education building at the camp, which holds non-violent offenders.

"Our Corrections Education Program has utilized the most experienced adjunct faculty in each of the academic disciplines to get off on the right foot," White said. "The results of the fall term do indicate that while we lost six students due to transfers, illness and conduct issues, the remaining 16 persons all did quite well."

An assessment of the pilot program is scheduled for summer 2008, and depending on the success of the program, as determined by the Bureau, ISU could be asked to take the associate of arts degree program into the regular prison population beginning that fall, White said. A bachelor of science degree program also may be introduced at that time.

David P. Davis' poem, "Ode to the Man," is the first work by a Corrections Education Program student to be published in "Tonic." Davis earned his associate's degree through the program in 2005, and is working on his bachelor's. (Tony Campbell/ISU)

Contact: Kathleen White, interim director Corrections Education Program, Indiana State University, (812) 237-8398 or swhite12@indstate.edu

Writer: Katie Spanuello, media relations assistant director, Indiana State University, (812) 237-3790 or kspanuello@isugw.indstate.edu

**Hepatitis Prevention, & Support Network of Hawai'i
Prisoner Reintegration and Family Reunification Program**

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February 12, 2009

COMMITTEE ON PUBLIC SAFETY

Rep. Faye Hanohano, Chair

Rep. Henry J.C. Aquino, Vice-chair

Thursday, February 12, 2009

8:30 a.m.

Conference room 309

HB 386

RELATING TO PAROLE

SUPPORT

My name is Andy Botts, Director of The Hepatitis Network's Prisoner Reintegration Program, and author of *Nightmare In Bangkok*. I strongly support this overdue incentive. As a regular practice in most, if not all U.S. and foreign prisons, time-off for good behavior is an instrumental tool vital to alleviate overcrowding and recidivism. The objective to this widely used practice is to give the individual hope, using this incentive to re-program their thinking behaviors. This will also endorse a broader range of re-entry options for the Department of Public Safety, and generate a selection of programs now being considered for the individual needs of prisoners.

Presently, the only avenue for an early release is through the reduction of minimum process. This process has proven to be a sham, as it's only been advantageous to some lifers who have committed violent crimes. Reductions are rarely given for non-violent drug offenders sentenced to terms of ten years or less - terms with minimums equal to the maximum. Passage of this bill will not duplicate or eliminate the functions of the Paroling Authority, as they still have the final say in regards to parole of the individual.

Andy Botts, Director

Prisoner reintegration program

Author, *Nightmare In Bangkok*

From: Helen Kon [sugoishu1@yahoo.com]
Sent: Monday, February 09, 2009 4:31 PM
To: PBStestimony
Subject: Testimony for 2/12/09

COMMITTEE ON PUBLIC SAFETY
Rep. Faye P. Hanohano, Chair
Rep. Henry J.C. Aquino, Vice Chair
Thursday, February 12, 2009
8:30 AM
Room 309
Bill #HB386, RELATING TO PAROLE

Thank you for the opportunity to submit my testimony on this very important bill.

I very strongly urge passage of this bill. This is the kind of action we need to take to motivate the inmates to do their best while in prison.

Presently, there is no incentive for good behavior and the reality is that people who behave well are intimidated by others who see them as fools. A couple of weeks ago, there was a rumor at Saguaro CC that this bill had passed and there was much jubilation among the inmates. It is something that they have desired for a long time.

Again, please help the inmates. They need an incentive program.

Elaine Funakoshi

Franklin Jackson
950 Luehu St Apt#403
Pearl City, Hawaii 96782
Fjpearlcityaol.com
February 12, 2009

COMMITTEE ON PUBLIC SAFETY
Rep. Faye Hanohano, Chair
Rep. Henry J.C. Aquino, Vice-chair
Thursday, February 12, 2009
8:30 a.m.
Conference room 309
HB 386
RELATING TO PAROLE
SUPPORT

My name is Franklin Jackson, and I support this bill. I supported this bill last year, because it's a common sense approach to incarceration and rehabilitation. Time-off for good behavior is a common sense approach used everywhere, except Hawaii.

Passage of this bill is consistent with the re-entry bill, and the Second Chance Act of 2007. It's merely a step in the right direction – a direction that the state and nation is heading towards to reduce recidivism. Considering the financial crisis of our nation, we can't put this off any longer. We need to reduce the inmate population to reduce the costs, which have gone from a few million a year to almost \$200 million a year to incarcerate. If we don't act immediately, we may find ourselves in the same position as the state of California, which is now considering a mass release of thousands of prisoners.

Thanks for the opportunity to testify, and I strongly encourage you to pass this bill.

Mahalo,

Franklin Jackson

COMMITTEE ON PUBLIC SAFETY

Rep. Faye Hanohano, Chair

Rep. Henry Aquino, Vice Chair

Thursday, February 12, 2009

Room 309

9:15 A.M.

STRONG SUPPORT – HB 386 – Earned Time

PBSTestimony@capitol.hawaii.gov

Chair Hanohano, Vice Chair Aquino and Committee Members:

My name is Diana Bethel, and I am writing in strong support of HB 386 which establishes an earned-time program that provides incentives for inmate rehabilitation by allowing inmates to become eligible for parole when they make consistent progress in completing programs while incarcerated.

The majority of Hawaii inmates are nonviolent offenders who have been incarcerated for low-level drug offenses and who should be classified as Minimum or Community Custody (84% of women; 63% of men). A good time or earned time credit will provide the incentive that these individuals need to get back on track and prepare for reentry into the community.

Given the state budget deficit, it is imperative that the State put cost-effective and proven policies into place in the criminal justice system. HB 386 is one such policy that has been implemented all over the nation to good effect. It is time to enact laws that make sense.

Thank you for your serious consideration of HB 386.

Sincerely,

Diana Bethel
1441 Victoria St.
Honolulu, Hawaii 96822