

COMMUNITY ALLIANCE ON PRISONS

76 North King Street, Honolulu, HI 96817

Phone/E-Mail: (808) [533-3454](tel:8085333454)/kat.caphi@gmail.com



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

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

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative working to improve conditions of confinement for our incarcerated individuals, enhance our quality of justice, and promote public safety. We come today to speak for the 6,000+ individuals whose voices have been silenced by incarceration, always mindful that more than 2,000 of those individuals are serving their sentences abroad, thousands of miles from their homes and loved ones.

HB 386 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.

Community Alliance on Prisons is in strong support of this measure. Good time or earned time was enacted to control inmate behavior and relieve prison overcrowding; it was enacted as a management tool for corrections administrators. Today's incarcerated population is quite different than it was twenty years ago because the majority of incarcerated individuals have some substance abuse problems. The data show that what works with drug offenders are incentives, not sanctions.

The majority of jurisdictions use the good time/earned time credit system as an incentive for inmates to serve disciplinary-free time. Good time credit is earned for good behavior, described in the law as 'exemplary compliance with institutional disciplinary regulations.' Good time credit reduces a prisoner's sentence. This time off is also called 'good conduct time' or earned time. The federal law governing good time is found at 18 U.S.C. § 3624(b), which provides that prisoners serving a term of imprisonment of more than a year may "*receive credit toward the service of the prisoner's sentence, beyond the time served, of up to 54 days a year.*"

Among the findings of the Criminal Justice Institute's Classification study is that Hawai'i is over-classifying individuals and that the majority of Hawai'i's incarcerated population will be re-classified as Minimum or Community Custody with 84% of the women and 63% of the men recognized as being nonviolent lawbreakers.

Earned time is the incentive that has been proven by the federal RDAP (Residential Drug Abuse Program) Reentry/Reintegration program where participants can receive a year off their sentence for successful completion of the RDAP treatment and RDAP Reentry program.

Among the recommendations in the Pew Center on the States One in 100: Behind Bars in America 2008 is **Risk reduction credits** that allow slightly earlier release for inmates who complete treatment and education programs designed to reduce recidivism. [.http://www.pewcenteronthestates.org/uploadedFiles/8015PCTS_Prison08_FINAL_2-1-1_FORWEB.pdf](http://www.pewcenteronthestates.org/uploadedFiles/8015PCTS_Prison08_FINAL_2-1-1_FORWEB.pdf)

This austere financial climate mandates that we examine the effectiveness of current policies and make the necessary changes to produce successful outcomes. Hawai'i cannot afford to continue incarcerating low level offenders at the risk of further fraying the safety net for the neediest members of our community.

Community Alliance on Prisons urges the committee to pass HB 386.

Mahalo for this opportunity to testify.