

LINDA LINGLE  
GOVERNOR



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

**TESTIMONY ON HOUSE BILL 413  
RELATING TO PUBLIC SAFETY**

By

Clayton A. Frank, Director  
Department of Public Safety

House Committee on Finance  
Representative Marcus R. Oshiro, Chair  
Representative Marilyn B. Lee, Vice Chair

Friday, February 27, 2009; 12:00PM  
State Capitol, Conference Room 308

Representative Oshiro, Representative Lee, and Members of the Committee:

The Department of Public Safety (PSD) strongly opposes HB 413, which seeks to require the Department to develop and implement a community substance abuse treatment program with a community-based transition phase of the program where the offender completes at least six (6) months of the program while in the community.

This measure is misleading, clearly inaccurate, risks public safety, and cannot be accomplished without additional funds and possibly additional full-time staff to both provide security and administer the program.

First, Section 1 of HB 413 states, "one hundred and fifty inmates currently housed on the mainland at a medium security facility actually qualify as low risk community custody inmates who are eligible to be placed in community programs in Hawaii." In reality, while their classification level may be minimum, they have not yet completed all the programs identified that will assist them with successful reintegration to be placed in a community setting. It is important to make a clear distinction between the identified program needs of offenders and their level of custody. An offender can have

a security classification of community custody, but may not be able to move on to a community custody level facility because they still have not completed all required programs, which may not be provided at a community custody level facility. To prematurely move and/or override an offender's custody level may place the staff, other inmates, and the public at risk.

Secondly, Section 1 of HB 413 is also misleading with respect to the statement "Short-term incarceration may be advantageous for nonviolent offenders with drug related convictions, but long-term incarceration should be reserved for violent criminals. Unfortunately, all convicted felons are stereotyped as violent criminals, resulting in lengthy prison sentences for violent and nonviolent offenders, alike." However, the fact of the matter is, non-violent criminals are the most prolific of the offenders and usually have been provided multiple opportunities to remain free in the community on probation. Unfortunately, at times, these non-violent and supposedly low risk offenders continue to victimize the community. As a result when finally held accountable are their actions, they have usually managed to commit additional felony offenses, which warrant court imposed mandatory minimum sentences.

Third, Section 1 of this measure states "A 2006 poll by Zogby International for the National Council on Crime and Delinquency found that seventy percent of the individuals polled favored services both during incarceration and after release from prison." While this may be true on a national scale, there is no poll information from the hundreds of thousands of victims of crime in the State of Hawaii, nor has this committee or any other source provided a forum for which victims of crime can come forward to provide their input and describe their experiences, sense of loss, utter frustration with the criminal justice system. Further, these citizens have not been able to express how they feel about a measure such as this and others that do not hold offenders accountable for their actions, but rather excuse their unacceptable behavior by rewarding them with early release to the very communities they so willingly victimized.

No information regarding the recidivism rate of those that participated in the federal program that this measure seeks to model is provided. It is also noted that this measure seeks to grant up to one (1) year reduction off an offenders sentence for completion of the program, yet the Prosecutor's Office, the victim(s), the Hawaii Paroling Authority, and the PSD are excluded from having any input into the reduction of the offender's sentence(s).

Further, Section 1 of this measure is mistaken. In that, the PSD provides various levels of substance abuse treatment at all of our correctional facilities statewide and at the Saguaro (male) and Otter Creek (female) facilities. Section 1 also wrongly assumes that Module 19 of the Oahu Community Correctional Center (OCCC) can be used for the pilot program described in HB 413. At present, Module 19 houses approximately 72 inmates that are members of various facility work lines, including, but not limited to the kitchen, maintenance, and grounds. Given PSD's current crowded conditions, we do not have the capacity to relocate the 72 inmates currently housed in Module 19 to other areas within the OCCC, nor do we have the staff to take over the duties and functions performed by these 72 inmates if we were to disperse them to other correctional facilities statewide.

As written, the goals of this measure cannot be accomplished without substantial additional resources and displacement of 72 inmates who currently work on various critically important facility operational work lines. In these very difficult fiscal times, when funds are scarce and PSD lacks the facility space to relocate inmates to accommodate the provisions of this measure, coupled with the fact that the PSD already has a comprehensive offender reentry system plan, it would not be prudent to pursue enactment at this time. Therefore, the Department respectfully requests that his measure be held.

Finally, thank you for the opportunity to provide testimony on this matter.



OFFICE OF HAWAIIAN AFFAIRS  
Legislative Testimony

**HB 413**  
**Relating to Public Safety**

Date: February 27, 2009

Time: 12:00 p.m.

Room: 308

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OHA **supports HB 413** which establishes a residential drug abuse treatment and community reintegration program for non-violent offenders.

The proposed Residential Drug Abuse Program (RDAP) for drug treatment and re-entry is offered in 50 of the Federal Bureau of prisons 100 institutions. The Federal program has enjoyed a successful outcome in reducing recidivism, increasing employment rates, and reintroducing inmates back into the community as productive citizens. After 3 years of release, only 34.4% male and 16.1% female offenders are arrested for new offenses. The overall recidivism rate of the RDAP is 37-40%; Hawai'i's recidivism rate hovers between 50% and 80%.

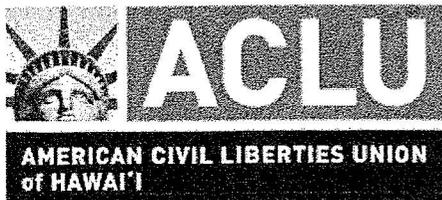
The 1994 Congress authorized a year off sentences of non-violent offenders who successfully completed the RDPA, which serves as an incentive and also reduces the cost of incarceration. All RDPA participants are required to transition from prison to half-way houses or Community Corrections Centers (CCCs), which require inmates to work and to continue participation in drug treatment programs. The inmates here required to give a portion of their earnings to the half-way house in support of the cost of their community corrections participation.

For Native Hawaiians, those who are sent overseas to serve punishment causes a great disruption to family connections and support. When a Hawaiian person is jailed or imprisoned, the impact of incarceration extends far into families and communities. *Keiki* are left without their natural caregivers, *kupuna* must now care for their grandchildren, and the community loses its vitality of productive citizenship. In short, Hawaii's culture begins to deteriorate as its people become displaced, hidden, and removed from its environment.

OHA has supported many non-profit organizations that assist in reducing recidivism rates through community re-integration and holistic interventions. We have received reports that clients who are engaged in these types of programs are able to address the root causes of their problems, and create change of positive movement within themselves.

These programs offer vital support in sustaining their mental health and well-being. HB 413 offers vital support to help inmates, and it greatly reduces cost-savings to Hawaii's economy. The bill's plan offers solutions that have been carefully planned with collaboration with the University of Hawaii's, Shidler College of Business.

OHA **supports HB 413**. Mahalo for allowing OHA to testify on this important matter.



Via Web

Committee: Committee on Finance  
Hearing Date/Time: Friday, February 27, 2009, 12:00 p.m.  
Place: Room 308  
Re: Testimony of the ACLU of Hawaii in Support of HB 413, Relating to Public Safety

Dear Chair Oshiro and Members of the Committee on Finance:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in strong support of HB 413, which establishes a state residential drug abuse program to help inmates’ reentry into the community.

The ACLU of Hawaii supports every effort to develop diversion programs and health-based solutions to individuals with drug addictions. In general, these types of programs are far more cost-effective – and far more effective at reducing recidivism – than incarceration, and they deserve the Legislature’s full support. Every effort should be made to provide Hawaii’s inmates with the support and services they need to become productive and responsible community members.

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,

Laurie A. Temple  
Staff Attorney  
ACLU of Hawaii

American Civil Liberties Union of Hawaii  
P.O. Box 3410  
Honolulu, Hawaii 96801  
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the  
**Drug Policy  
Forum**  
of hawaii

February 27, 2009

To: Representative Marcus Oshiro, Chair  
Representative Marilyn Lee, Vice Chair  
And Members of the Committee on Finance

From: Jeanne Ohta, Executive Director

RE: HB 413 Relating to Public Safety  
Hearing: February 27, 2009, 12:00 p.m., Room 308, Agenda #3

Position: Support

I am Jeanne Ohta, Executive Director of the Drug Policy Forum of Hawai'i. Thank you for this opportunity to testify in support of HB 413 which establishes a state residential drug abuse program with an in-community component to help inmates' reentry into the community upon their release from prison. Expands number of transition beds in module nineteen at the Oahu Community Correctional Center.

Since 1993 the Drug Policy Forum has been dedicated to safe, responsible, humane, and effective drug policies. Establishing effective drug treatment programs are more effective and less costly than incarceration; reduces recidivism and enhances public safety.

This proposed reentry program would be based on the Federal Residential Drug Abuse or Alcohol Reintegration Program that is a six-month follow up to their treatment program; which assists participants in making a successful transition from prison back into the community. If the department opposes locating the program as designated in the measure, it could certainly be placed in an alternate location that is appropriate and accessible for participants.

The National Institute on Drug Abuse in its guide "Principles of Drug Abuse Treatment for Criminal Justice Populations" says that "drug abuse treatment is cost effective in reducing drug use and bringing about associated healthcare, crime, and incarceration cost savings. Positive economic benefits are consistently found for drug abuse treatment across various setting and populations."

I urge the committee to pass HB 413, which would save the state money and would help stop the revolving doors of our prison system.

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# COMMUNITY ALLIANCE ON PRISONS

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## COMMITTEE ON FINANCE

Rep. Marcus Oshiro, Chair

Rep. Mailyn Lee, Vice Chair

Friday, February 12, 2009

12 noon

Room 308

## STRONG SUPPORT

**HB 413 - RDAP Reintegration Program at OCCC**

[FINTestimony@capitol.hawaii.gov](mailto:FINTestimony@capitol.hawaii.gov)

Aloha Chair Oshiro, Vice Chair Lee 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 413 establishes a state RDAP (Residential Drug Abuse Program) Reintegration Program that mirrors the successful federal program.

### A Reentry Plan Created as a Business Model

Community Alliance on Prisons strongly supports HB 413. The plan for this program was developed by Community Alliance on Prisons and a team from the UH Shidler College of Business. With our input, the team went to work developing a complete business model. Copies are available upon request (it is 58 pages).

Hawai'i offers RDAP treatment programs in many of its facilities, which teach individuals about drug abuse and how to identify the triggers that lead to using intoxicating substances. This bill would create the all-important application piece of treatment. A formerly incarcerated person described treatment to me as being given a book to learn how to drive. One might understand the written word, however, getting behind the wheel (the application of learned skills) is crucial to becoming a safe driver.

By establishing a six-month RDAP Reintegration/Reentry Program at OCCC after completion of the RDAP treatment phase, an individual gains experience and confidence in applying the skills learned in treatment. This program would be open only to non-violent drug offenders.

### Reentry Programs Reduce Recidivism

The federal RDAP Reintegration Program reports a recidivism rate of 37% - 40%. Hawai'i's recidivism rate is 65.7% for parolees and 48.2% for probationers in 2003 (the most recent numbers available), as reported to the Legislature on January 22, 2008 by the Intermediate Sanctions Policy Council.

The Classification Study that the Department is currently conducting with their consultants, Criminal Justice Institute Inc., is showing that Hawai'i has been over-classifying our incarcerated population. This is not correctional best practices.

Research by Keith Chen of Yale and Jesse Shapiro of the University of Chicago entitled, 'Does Prison Harden Criminals?' looked at 950 inmates with the same lengthy rap sheets and similar criminal histories but held in different classifications (some minimum custody and some low custody) and then studied them 1, 2, and 3 years after release to see if prison conditions and classification made them more apt for re-arrest. Their findings show that harsher prison conditions - classifications from low on up -- are associated with significantly more post-release crime. (Source: "Does Prison Harden Inmates? A Discontinuity-based Approach - [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=470301](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=470301))

### **Application - The Crucial Component of Reentry**

The purpose of establishing the RDAP Reintegration/Reentry Program at OCCC for non-violent drug offenders is to give the participants a chance to find work outside the facility, thereby facing the temptations, barriers and obstacles that will be presented when they are released from incarceration. The program would be a six-month follow up to treatment where the participants would continue living at OCCC, but would leave during the day to go work and return in the evening, where group therapy and other appropriate classes would be conducted. This gives an individual the chance to experience life on the outside, but with the support so desperately needed for successful transition.

### **Program Participants Can Contribute a Percentage of Their Wages Toward Program Costs**

The federal RDAP Reintegration Program also calls for the participants to pay 25% of their wages to the facility toward program costs. In these austere financial times, this could help maintain the program and, more importantly, help participants learn the reality of paying bills and supporting oneself, not to mention reducing recidivism, which would be a huge savings to Hawai'i.

### **How Hawai'i Can Save Millions of Dollars Every Year**

Upon successful completion of the program, participants will be granted one year off their sentence. If, for example, Module 19 was used for this purpose there would 144 participants going through the program each year (72 participants each 6 months). The Department of Public Safety reported to the Public Safety Committees in January that it costs \$50,000 a year to incarcerate a person in Hawai'i. **If only 100 people of the 144 participants successfully transitions into the community and each has one year cut off his sentence, that is a savings of \$5 million a year. Even if, with program costs, we save only half that amount, an extra \$2.5 million a year would certainly help our ailing budget.**

Of course the economics are important, but rebuilding lives and restoring families is the BIG savings. Reducing recidivism by assisting individuals who are working to change their lives will have huge benefits, especially in Hawai'i, where we see intergenerational incarceration all too often.

### **The RDAP Reintegration Program Works**

The two tables below show the numbers from a study done in 2004. Treatment, followed by reentry services increases the success rate for individuals transitioning from incarceration to the community.

**Table 1. BOP Drug Treatment Received - 1999 Releasees (n=5320)**

	<u>Number</u>	<u>Percent</u>
Completed RDAP - No transitional services	316	5.9%
Completed RDAP - Failed transitional services	445	8.4%
Completed RDAP - Completed transitional services	2977	56.0%
Failed RDAP - No transitional services	545	10.2%
Failed RDAP - Failed transitional services	19	.4%
Failed RDAP - Completed transitional services	33	.6%
Transitional services (TS) only - Failed	178	3.3%
Transitional services (TS) only - Completed	807	15.2%

Table 1 provides information on the numbers of those receiving one or both of these services by completion status.

- More than half of those who received drug treatment completed both the in-prison and the halfway house treatment components.
- Another 14% completed RDAP but they either did not receive transitional services (5.9%) or they did receive TS but they did not successfully complete it (8.4%). We note that many of those who completed RDAP but did not receive TS did not receive a halfway house placement and thus could not receive TS.
- The majority of those who failed RDAP also did not receive TS.
- While 10.2% of those receiving treatment were RDAP failures who did not receive TS, only 1% were RDAP failures who received such services.
- Lastly, more than 18% of those receiving one of both types of services received services only during their halfway house placement (e.g., TS).
- We note that an additional 1% of the release cohort (n=294) received RDAP and/or TS in a previous incarceration. Many of these individuals were revoked and served an insufficient amount of time to be readmitted to RDAP.

**Table 2. AOUSC (Administrative Office of the U.S. Courts) Treatment Received Within 90 Days After Admission to Supervision: BOP RDAP and TS Recipients**

	<u>Number</u>	<u>Percent</u>
Completed RDAP - No transitional services	51 ( 316)	16.1%
Completed RDAP - Failed transitional services	194 ( 445)	43.6%
Completed RDAP - Completed transitional services	1160 (2977)	40.0%
Failed RDAP - No transitional services	183 ( 545)	33.6%
Failed RDAP - Failed transitional services	8 ( 19)	42.1%
Failed RDAP - Completed transitional services	13 ( 33)	39.4%
Transitional services (TS) only - Failed	74 ( 178)	41.6%
Transitional services (TS) only - Completed	319 ( 807)	39.5%

Table 2 provides information on treatment services received while under supervision for all those individuals who received treatment while under BOP custody. Information is provided for each of the BOP treatment categories contained in Table 1.

(Source: Interagency Priorities at the Crossroads: Aftercare Among Drug Users, Bernadette Pelissier, Federal Bureau of Prison, Timothy Cadigan, Administrative Office of the U.S. Courts, February 2004)

HB 413 will bring to fruition the original plan for OCCC – to create a community correctional center that would help to address individuals’ pathways to crime and become more of a transition center, than a prison.

Donald Moore, director of the Hawai'i Council on Crime and Delinquency, in his speech to the Honolulu chapter of the Public Relations Society of America in the 70's said, *"To be sure, prisons will be needed.*

*But not for so many or for so long (a period of confinement). We ought to punish criminal deviance, especially violence. But that punishment must be restrained and principled." He went on to say, "...the extensive imprisonment which has become our policy not only does considerable harm but is likely to impede the discovery of the more rational solutions that currently elude us."*

The 1974 Annual Action Program - Comprehensive Planning for a Statewide Corrections Master Plan (page C-89) states: *"The Objective: This is a continuation program to prove a comprehensive basis and framework for the development and implementation of a broad range of in-community, community based and institutional treatment programs designed to rehabilitate the offender and reintegrate him into the community.*

*The rationale underlying this program's effort is that the rehabilitation of the offender, consistently with the protection of the society, is the most meaningful objective of the corrections system; and that the most promising method of rehabilitating the offender is through in-community and community based treatment programs which facilitate the offender's interaction with his community. While this rationale is not new, it has not been consistently pursued. A comprehensive corrections plan is being developed to assure more consistent and uniform development and implementation of corrections programs which will promote the rehabilitation and reintegration of the offender."*

So this bill would bring OCCC full circle, so to speak. The Business Plan concludes: *"The new re-entry program in an existing facility, such as Module 19, could be initiated immediately and implemented in six months to a year. This program could act as a pilot program that would give the Department of Public Safety the opportunity to learn from the implementation to better prepare for a program expansion of similar re-entry programs on a larger scale (i.e. The Annex) in alternate locations (i.e. the stronger communities). As the cost savings from the program would be generated and the funds could be used to seed additional program services for re-entry programs such as increased elements of family reunification or educational services. CAP supports a pilot that would be a cooperative effort between Public Safety officials and community leaders. The joint effort and monitoring in the initial years of implementation will allow for a variety of opinions and ideas related to best practices. Cooperation and non-partisan support for the success of the program is critical."*

CAP would like the public record to reflect our deep appreciation to each of the amazing students who worked so hard and dedicated so much time to develop a business plan that is researched, analyzed, and comparative to similar services. The A Team was: Eric Wong, MBA, Accountant; Jonathan Spiker, MBA, Research Analyst & Trading Assistant; Emily Kukulies, MBA, Director of Student Life and Development at HCC; Marina Berkovich, MBA and JD.

HB 413 will add the much-needed reentry component to the existing RDAP that Hawai'i already has and will save the state money. Community Alliance on Prisons urges the committee to pass this important bill. We will happily give the department the business plan. We are extremely grateful to the brilliant students who created a plan that can enhance public safety and preserve precious resources.

Mahalo for this opportunity to testify.



**COMMITTEE ON FINANCE**

Rep. Marcus Oshiro, Chair  
Rep. Marilyn Lee, Vice Chair  
Friday, February 27, 2009  
12 Noon  
Room 308

**STRONG SUPPORT HB 413 - RELATING TO PUBLIC SAFETY  
(Residential Drug Abuse Program with Community Component)**

Aloha Chair Oshiro, Vice Chair Lee and Members of the Committee!

My name is Carrie Ann Shirota and I offer my strong support for HB 413. As a former deputy public defender and staff member of a re-entry program in Hawai'i, I have had direct contact working with the prison population and their families to promote successful reentry.

HB 413 establishes a state residential drug abuse program with an in-community component to help inmates' reentry into the community upon their release from prison. It would also expand the number of transition beds in module nineteen at the O`ahu community correctional center.

Recent findings from the Urban Institute on Substance Abuse and Reentry provide support for HB 413:

- A majority of prisoners have extensive substance abuse histories.
- Prisoners identify drug use as the primary cause of many of their past and current problems
- Despite high levels of drug use, relatively few prisoners receive drug treatment while incarcerated. In Hawai'i, a report commissioned by PSD indicated that less than 15% of all prisoners receive substance abuse treatment. *See Ten Year Corrections Master Plan Update.*
- Consensus in the field holds that individualized in-prison treatment in concert with community based aftercare can reduce substance use and dependency.
- Those with substance abuse use histories and those who engage in substance use after release are at a high risk to recidivate.

Given the challenges that substance abuse among former prisoners presents to successful re-entry, particularly upon release into the community, I strongly encourage you to pass HB 413!

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

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

1286 Queen Emma Street  
Honolulu, Hawaii 96813

[www.idlinks.com](http://www.idlinks.com)

Andy Botts, Director

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February 27, 2009

COMMITTEE ON FINANCE

Rep. Marcus R. Oshiro, Chair

Rep. Marilyn B. Lee, Vice-chair

Friday, February 27, 2009

12:00 pm.

Conference room 308

HB 413

RELATING TO PUBLIC SAFETY

**SUPPORT**

My name is Andy Botts, Director of The Hepatitis Network's Prisoner Reintegration Program, and author of *Nightmare In Bangkok*. I strongly support implementation of the reintegration phase of RDAP within Hawaii's correctional system. As an RDAP participant and graduate, I know from experience that it is an exceptional program which boasts a success rate of over 60%. That rate may be even greater for Hawaii's inmates considering the cultural differences that we have from the mainland US. The Federal Bureau of Prisons adapted RDAP from the early 1990's, and continues to expand due to its phenomenal success. Additionally, RDAP's time-off incentive is strategic as well as rewarding due to the fact that it isn't vested until a participant successfully completes the program. This serves as a tool to prevent former addicts from relapse for at least 6 months, which statistics show is when they are most vulnerable. Furthermore, community based prison programs are a cost-effective alternative to incarceration, and a common sense approach to reduce recidivism.

Thank you for the opportunity to testify in this matter, it is of great importance to consider.

Andy Botts, Director  
Prisoner reintegration program  
Author, *Nightmare In Bangkok*

Wednesday, February 25, 2009

*Marcus*  
Aloha Finance Committee-Chair, Vice Chair and Members!

On Friday, at 12 noon, HB 413 will be heard on Agenda #3 - it's the 5th bill on the agenda.

Community Alliance on Prisons understands the economic situation that we are in and we want to help find ways to save the state money while protecting public safety. To that end, we worked with a team of MBA students from the UH Shidler College of Business to develop a real business plan that would focus on assisting individuals to successfully transition from incarceration to the community.

A successful model is the Federal Bureau of Prisons' RDAP (Residential Drug Abuse Program) Reintegration Program, which is a 6-month transitional program that follows the RDAP treatment program (9-12 month program), which has much better outcomes than what we are currently doing. Hawai'i and the CCA prisons abroad have the RDAP treatment program - what we don't have is the crucial follow-up reentry/reintegration program.

This business plan calls for the establishment of that 6-month reentry/reintegration program at OCCC. It calls for the use of Module 19, a stand-alone building with a back entrance to Pu'u hale Road, which would be perfect for the men leaving to go to work and returning to the facility after work. The department has focused on Module 19 and how that just can't be done, however, the program could go anywhere at OCCC.

I am respectfully asking that you not focus on the location, but on the program and its viability. I met with Clayton Frank, Director of PSD, shortly after he was appointed and he spoke of the need for more transition beds. However, in their testimony, they focused on how they have the Laumaka Work Furlough program across the street. Well, that's great, we just need 1,000 more reentry slots!

The majority of Hawai'i's incarcerated population is nonviolent (84% of the women and 63% of the men) and Minimum or Community Custody. Surely the department can find people who went through the RDAP program who would be eligible for the RDAP Reentry/Reintegration Program. In my humble opinion, they need a push to implement the reentry law. They have stalled and made plenty excuses, the latest being that they are aware of the state's economic condition so they can't do anything - yet they admitted that they didn't expend more than \$2 million allocated to them. They also 'found' \$1 million for their tent proposal. What is going on at PSD?

This plan, which is captured in the attached power point presentation, can save the state millions of dollars each year and, we believe, improve the outcomes of individuals transitioning to the community with the bonus of reducing recidivism.

*This plan is something that neither Community Alliance on Prisons nor the state could afford. We gladly give this to the state as a way to save money, rebuild lives, and professionalize the Department of Public Safety.*

We hope that you will consider this proposal favorably.

Mahalo nui for all your hard work. I truly appreciate the dedication that it takes to be a public servant and I know what a thankless job it can be. Please know that you are appreciated!

Me ke aloha pumehana,



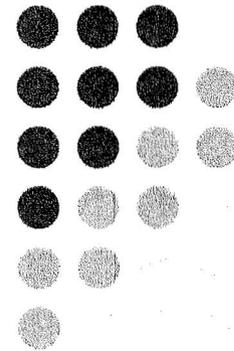
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# **Advocating for a Re-entry Program: Improving the Success of Prisoners Transitioning into the Community While Reducing Costs**

## **Presentation to Community Alliance for Prisons**

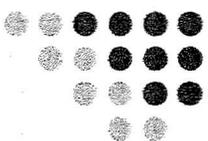
By WSKB Consulting Group, University of Hawaii



December 8, 2008



# Mafalo



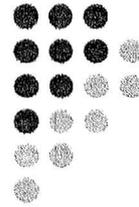
80 Shidler College of Business

80 Professor John Butler

80 WSKB Consulting Team Members

\* CAP – Kat Brady and Andy Bots

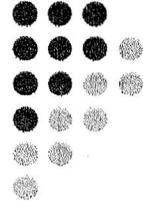
December 8, 2008



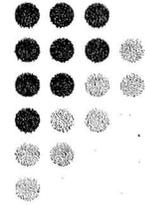
# Introduction

- 650,000 people are released from prisons yearly
  - >50% of them will recidivate within 3 years
  - Proposed Re-entry Program:
    - Expand job training and placement
    - Provide transitional housing
    - Provide mentoring and counseling
- GOALS: REDUCE RECIDIVISM, INCREASE PUBLIC SAFETY, and SAVE MONEY TO THE STATE**

# The Need

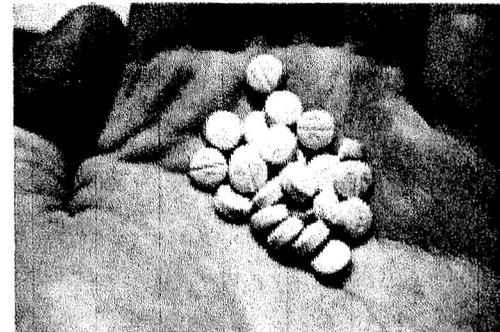


- Incarceration Rates in America
- Individuals under Probation and Parole Supervision in the Community
- Increasing Numbers of Offenders Returning to Communities
- Rates of Victimization
- Resource Investment and Fiscal Consequences
- The Social Costs on Future Generations
- Failure Abounds



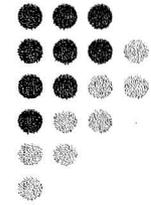
# Challenges

- Mental Health Disorders – 1/3 of prisoners
- Substance Abuse Problems – 3/4 of prisoners
- Co-Occurring Disorders – 60-75% of prisoners
- Lack of Education and Vocational Skills – 40% no GED
- Lack of Access of Financial Aid – The Higher Ed Act of 1998
- Bans to Public Assistance – lifetime ban
- Housing Difficulties
- Employment Barriers
- Health Issues – AIDS, HIV, Hepatitis C, TB
- Lack of Documentation
- Family Issues
- Communities & Neighborhoods



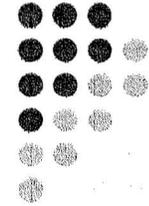
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# Federal Programs



- Second Chance Act of 2007: Community Safety through Recidivism Prevention
- The Serious and Violent Offender Re-entry Initiative
- The National Governors Association Prisoner Re-entry Policy Academy
- The Transition from Prison to Community Initiative
- The Council of State Governments
- President's Prisoner Re-entry Initiative

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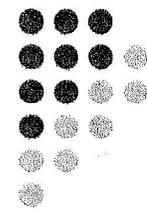


# Hawaii's Re-entry Landscape

- Community Safety Act (formerly SB932)
- TJ Mahoney (Ka Hale Ho'āla Hou No Nā Wāhine)
- Maui BEST (Being Empowered and Safe Together)
- Project Bridge
- Going Home
- HOPE (Hawaii's Opportunity for Probation with Enforcement)
- SKIP
- Prohibiting Homelessness
- Restorative Circles



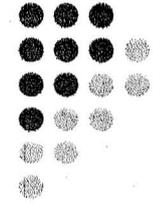
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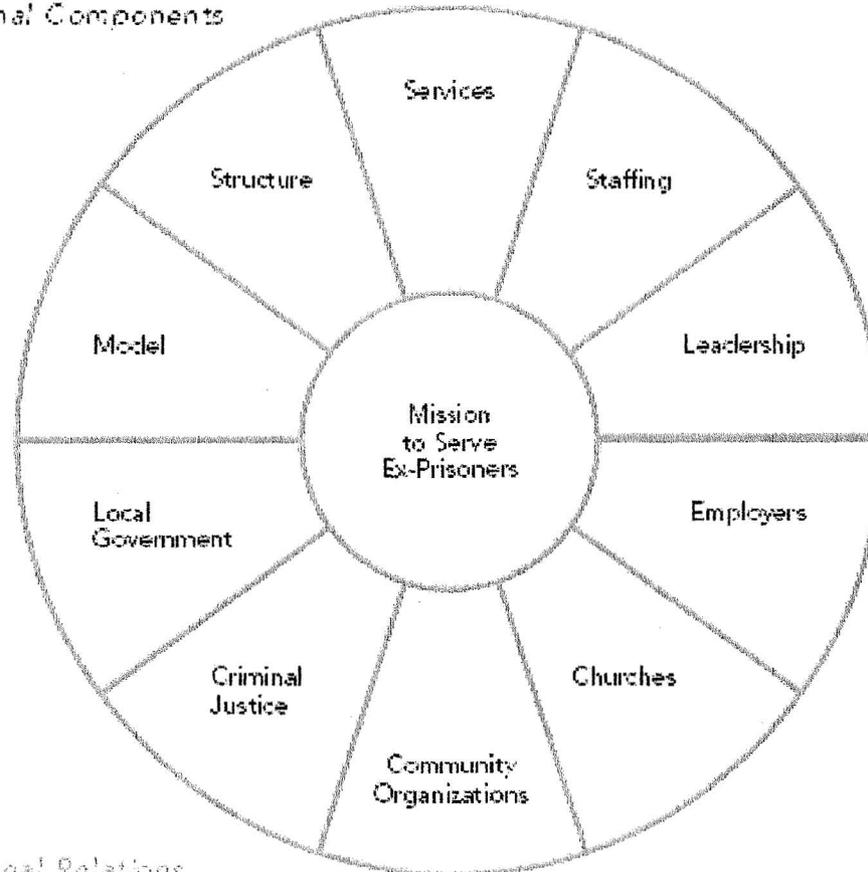
<b>Strengths</b>	<b>Weaknesses</b>
<p>Reduction in drug and alcohol abuse Increased participation in substance abuse and mental health services Increased success rates of re-entry Incentives to complete RDAP successfully Provides education Provides vocational skills Saves money by allowing time off for good behavior Makes transition to community smoother Provides an outlet for personal growth Can be implemented without additional expenses as facilities are available</p>	<p>Although a functional facility is available, it is not ideal, and it is difficult to find an ideal location Possible only with community support People are naturally resistant to change One bad act on behalf of one individual could tarnish the success of the entire program</p>
<b>Opportunities</b>	<b>Threats</b>
<p>Reduction in recidivism rates, which shall be reported in accordance with the measure selected by the Director of the Bureau of Prisons under section 234(c)(2) of the Second Chance Act of 2007; Reduction in crime rate; Increased employment and education opportunities; Reduction in violations of conditions of supervised release; Increased child support; Increased housing opportunities;</p>	<p>This program may give a false impression that the government appears "soft" on crime Problems that prisoners are facing in Hawaii often differ from those on the mainland US; what worked on the mainland may or may not work in Hawaii Potential political concerns</p>

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# Model of Successful Programs



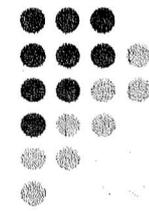
Internal Components



External Relations

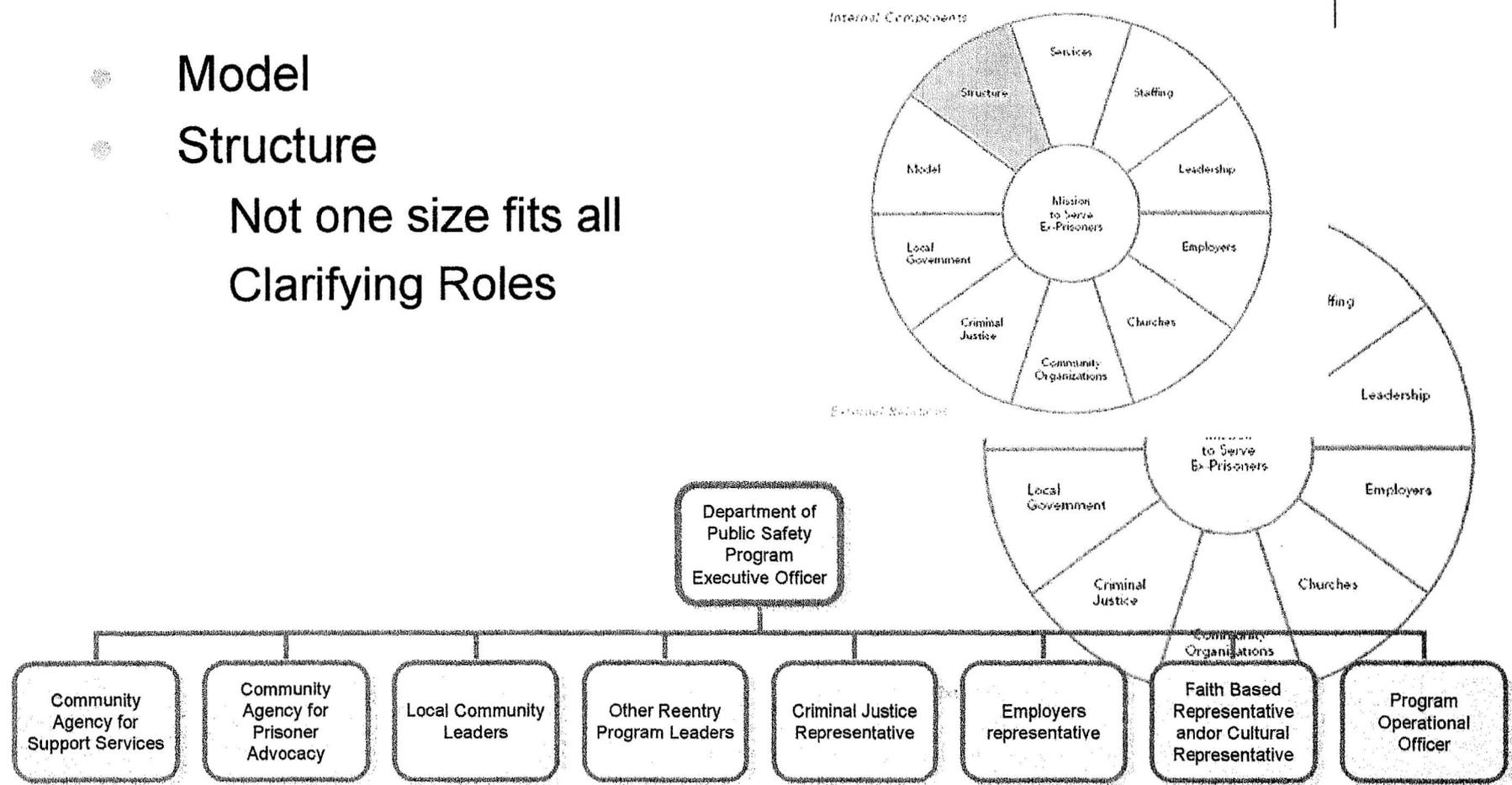
From Ready 4Work

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# A Program with Best Practices

- Model
  - Structure
- Not one size fits all  
Clarifying Roles



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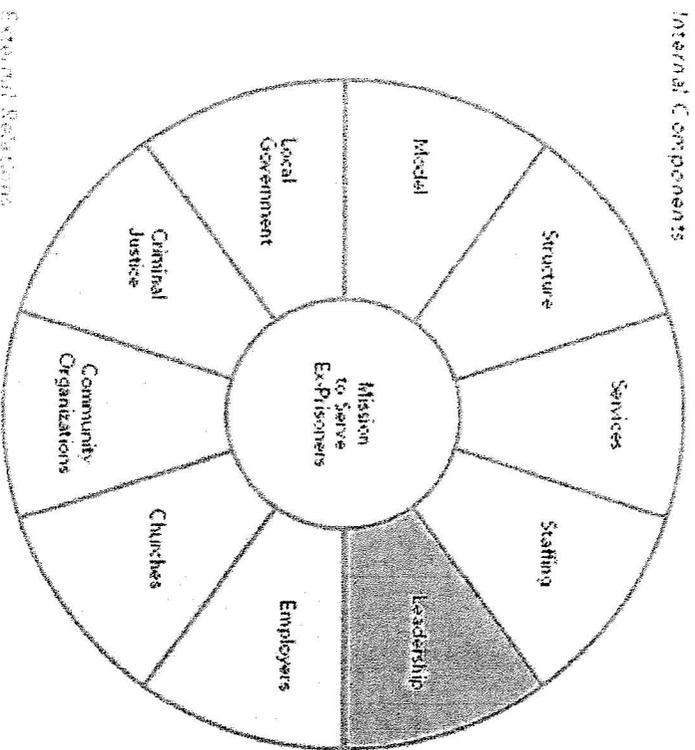
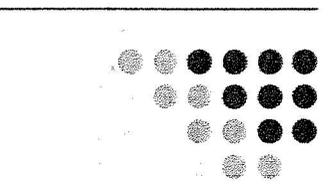
- Services
- Staffing

Hiring and training

Utilizing ex-prisoners

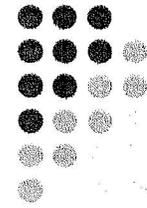
- Leadership

- Mentoring
- Career enhancement
- Substance Abuse Recovery
- Fill in the Gaps



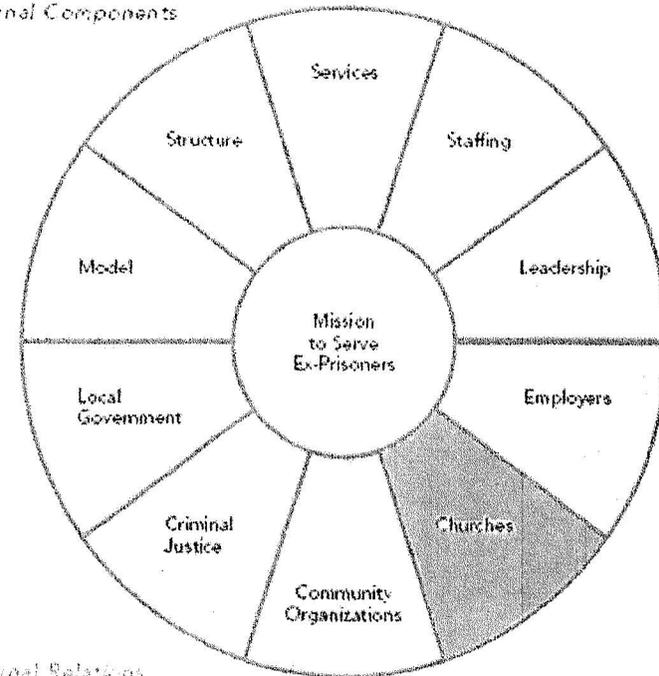
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# External Relations



- Local Government
- Criminal Justice System
- Community Organizations
- Churches & Cultural Groups
- Employers

*Internal Components*

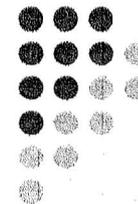


*External Relations*



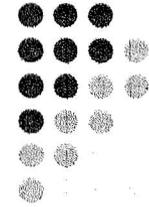
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# Proposed Re-entry Distinctions



- **Senator Espero's Plan**  
Electronic Monitoring
- **Module 19**  
Housing participants at the rear of OCCC
- **Community Location**  
Housing participants in a strong local community

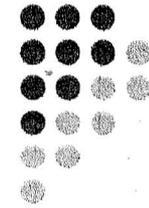
# PEST Analysis



<b>Political:</b>	<b>Economic:</b>
The proposed re-entry program heavily depends on political support. Governor Lingle who currently opposes the intent of SB 932 will end her leadership in about two years. It will be important to see what the new governor's view is on this issue. DPS	Currently there is a state budget deficit and national economic crisis. It is a prime time to look for savings and budget cuts. The proposed re-entry program is based on saving substantial amount of money while improving public safety.
<b>Social:</b>	<b>Technological:</b>
Current incarceration OCCC model does not include socially positive rehabilitation – there nor appropriate programs in place to provide to offenders reentering the community. Hawaii is one of only two states in the US that does not allow time off for good behavior. All other states, as well as the Federal government, focus heavily on establishing successful reentry programs that contribute to public safety.	With technological progress it became a lot easier to track and monitor people, obtain necessary information, conduct research and analyze data on human behaviors. Security systems are much more advanced. Technological progress allows for much easier supervision i.e GPS anklet monitoring

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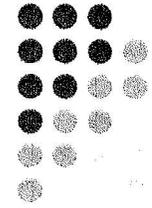
# Financial Issues in Making Reentry Work



- Align Fiscal Incentives
- Fiscal Partnerships
- Analyze Salary Structure for Corrections Officers
- Weigh the Cost/Benefit of Prison Construction and Exporting Prisoners
- Use Solid Revenue Models

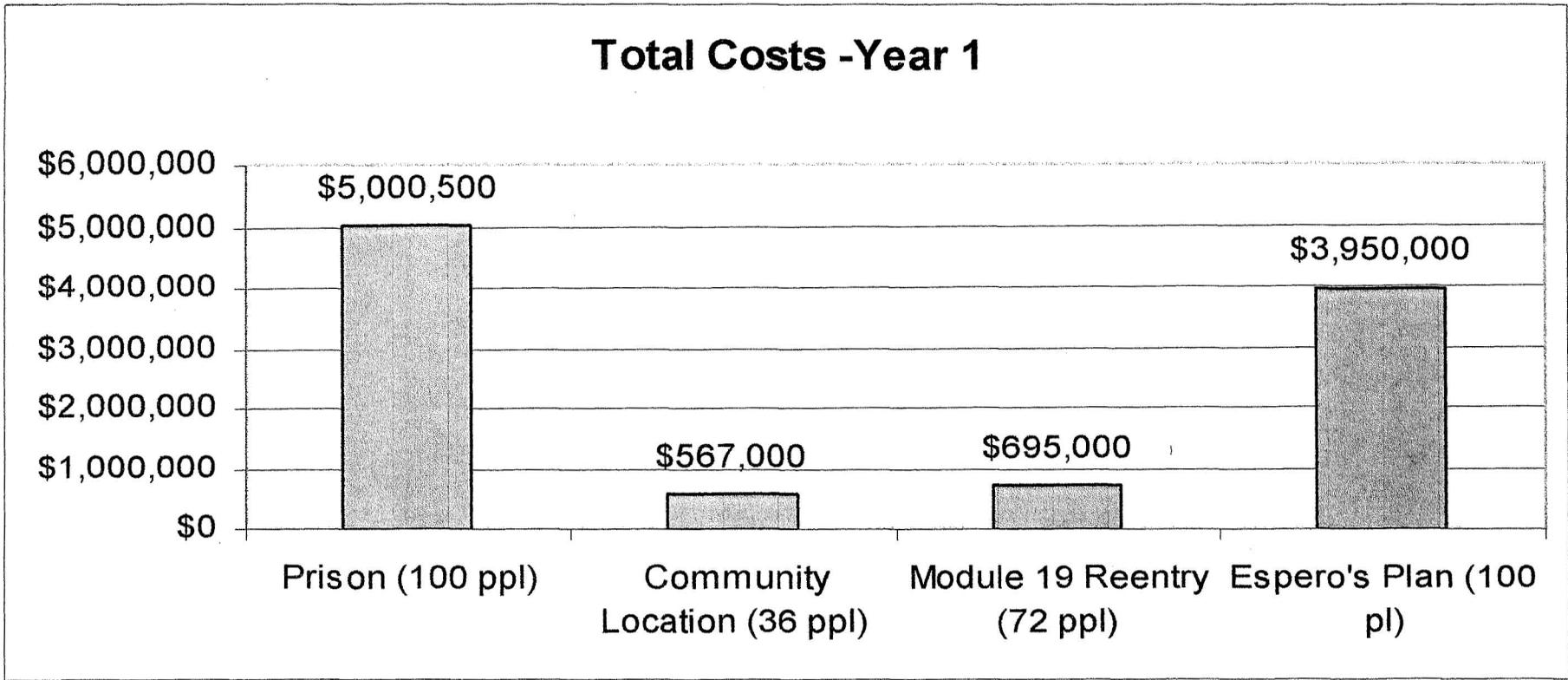
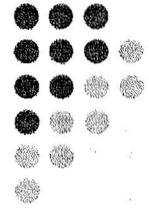
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# The Cost of the Proposed Plans



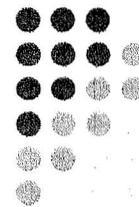
- Cost of Prisons
- Module 19
  - Conversion of Module 19
- Community Location
  - Alternative Solutions

# Total Cost Comparisons for Year of Pilot Project

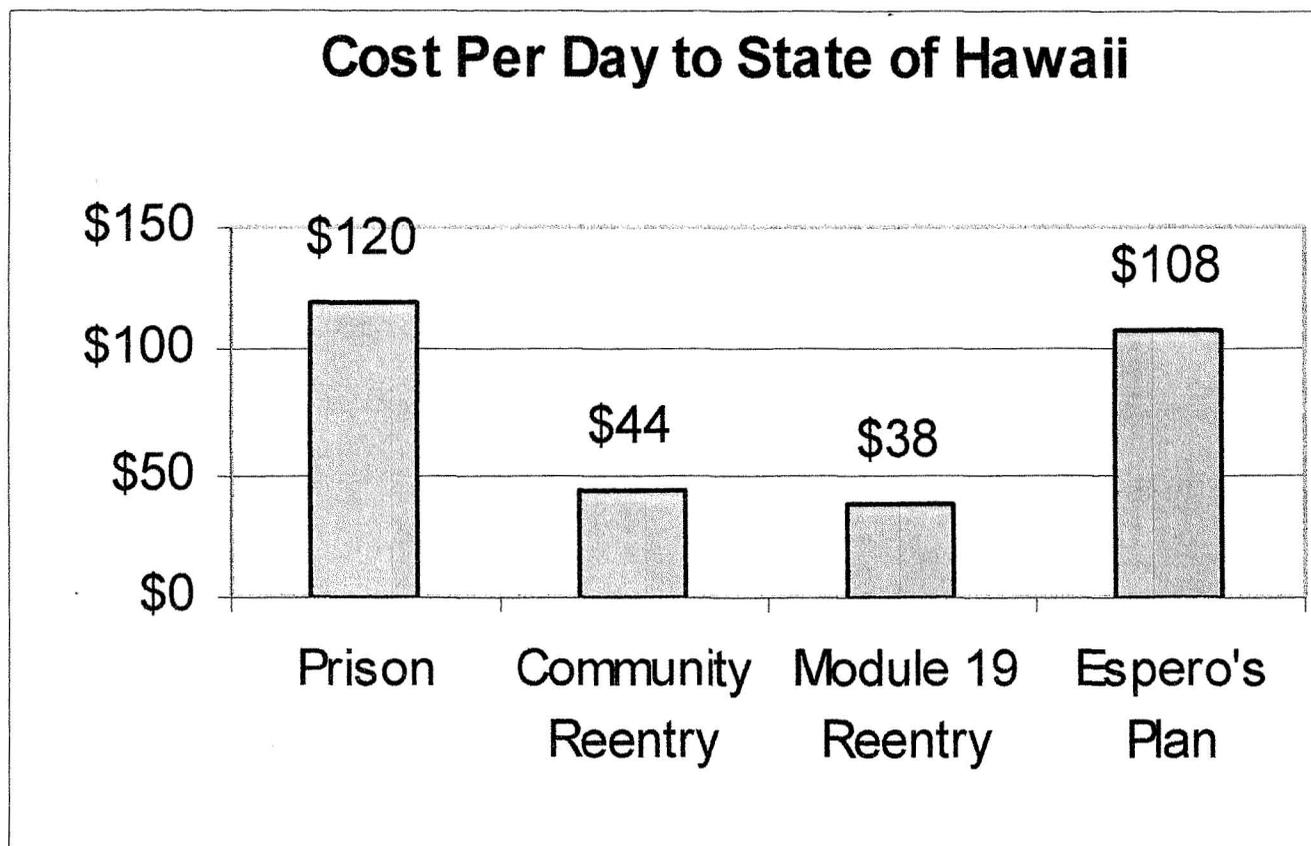


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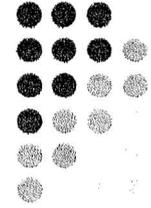




# Comparison of Financials



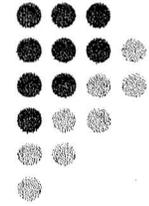
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# Social Value and ROI

- Two-third of total costs related to social costs
  - Impact to children and family of prisoner
- Half of Hawaii prisoners housed on Mainland
  - Contact with children and family difficult
- Reentry program helps bring prisoners back to Hawaii by:
  - Lower recidivism and population of prisons
  - Take in prisoners getting ready for re-entry

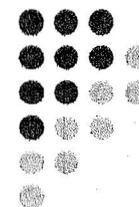
# Implementation issues to consider



- Marketing
- Synergy with Existing Programs
- Location
- Public Opinions & Attitudes



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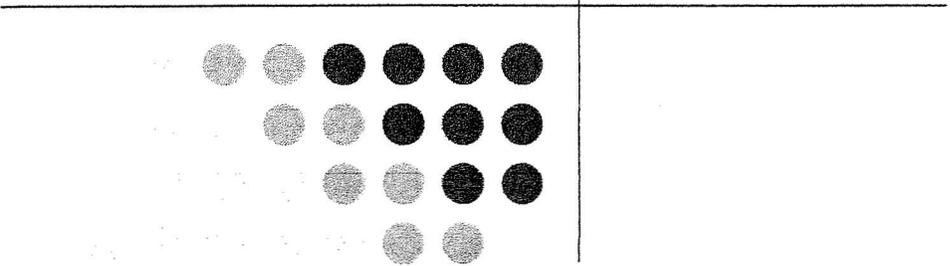
# Conclusion

- Data supports Re-entry programs
- Local Policy & Programs are present
- Momentum is in the right direction
- Plan already being proposed
- Re-entry critics need those issues addressed
- Synergy of all advocates

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# Mahalo

## Any Questions?



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## SAMPLE VIDEO RESOURCES:

Senator Espero's News Coverage of current proposed plan

<http://www.khon2.com/home/ticker/31223824.html>

Will you let me serve you?

[http://www.youtube.com/watch?v=qENZT8PcS\\_I&feature=related](http://www.youtube.com/watch?v=qENZT8PcS_I&feature=related)

Former FBI agent advocates for Faith-based Reentry Program

<http://www.youtube.com/watch?v=nFvIRHrtF6k&feature=related>

Offender Reentry: A Police Perspective-DC Public Safety

<http://www.youtube.com/watch?v=2bnmIWNhuoY>

Eye to Eye with Katie Couric – Ex-offenders at work

<http://www.youtube.com/watch?v=g4ugdiYIqIlg&feature=related>

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## **FINTestimony**

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**From:** abraggs@aol.com  
**Sent:** Wednesday, February 25, 2009 10:45 PM  
**To:** FINTestimony  
**Subject:** Re: HB 413 - NAACP Testimony

### **COMMITTEE ON FINANCE**

Rep. Marcus Oshiro, Chair  
Rep. Marilyn Lee, Vice Chair  
Friday, February 27, 2009  
**12 Noon**  
**Room 308**

**Bill # HB413 - RELATING TO PUBLIC SAFETY.** Public Safety; Prisons; Residential Drug Abuse Program Reentry Establishes a state residential drug abuse program with an in-community component to help inmates' reentry into the community upon their release from prison. Expands number of transition beds in module nineteen at the Oahu community correctional center. (H) 1/23/2009

**NAACP POSITION: STRONG SUPPORT**

**Alphonso Braggs**  
**President**

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