

FINTestimony

From: Lela M. Hubbard [lmhubbard@hawaiiintel.net]
Sent: Wednesday, April 01, 2009 12:42 AM
To: FINTestimony
Subject: Strong Support of SB 540, SD2; Apr. 1, 2009; 11AM, Rm308

Aloha Chair Oshiro and Vice Chair Lee.

Na Koa Ikaika is outraged that supposedly the most civilized modern nation in the world treat its ill as badly as those mentally ill were treated in the harsh days of the Snake Pits. Drug addiction is an illness and should be treated as an illness not as criminal activity. The majority of the incarcerated are there because of substance abuse. They must have proper treatment which is cheaper than imprisonment.

The federal RDAP program reduces recidivism to 40% versus Hawaii's unacceptable 50-80%. Think \$40,000 per inmate; \$25,000 per drug program inhabitant. Think individuals who contribute to society and restored families. Think children who will not end up in prison like their parents.

Addiction is a powerful hunger. I was a nicotine addict for 40 years---two packs a day. I tried six times to quit. I failed. My wake up call was a cancer diagnosis. Ice is even worse. It may take as many as twelve tries or in the case of a technician I just met---14 years and rock bottom. I have a cousin who has been in and out of prison because of ice. If she had a support system, she could have succeeded. But she had nowhere to go and ended up living with her abusive boyfriend which eventually drove her back to the streets dealing and selling her body for the ice she needed. She is now in treatment; hopefully when she is out again, she can be positive and productive.

Save lives. Save millions of dollars. Please support this bill and make it effective in 2009.

Lela M. Hubbard
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COMMITTEE OF FINANCE
Rep. Marcus R. Oshiro, Chair
Rep. Marilyn B. Lee, Vice Chair
Wednesday, April 1, 2009
11:00 a.m.
Room 308

**STRONG SUPPORT SB 540, SD2 - 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 SB 540 SD2. My experiences as a former Public Defender and staff member of a reentry program on Maui, as well as a member of Community Alliance on Prisons have shaped my advocacy efforts to promote rehabilitation, accountability and transparency within our correctional system, and focus on alternatives to prisons.

SB 540 SD2 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 SB 540 SD2.

- 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 SB 540 SD2!

Sincerely,

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

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COMMITTEE ON FINANCE

Rep. Marcus Oshiro, Chair

Rep. Marilyn Lee, Vice Chair

Wednesday, April 1, 2009

11:00 AM

Room 308

SB 540 SD2 - RDAP REENTRY PROGRAM

STRONG SUPPORT

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 the 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.

SB 540 SD2 establishes the reentry phase of the federal RDAP program that is the treatment program offered at prisons in Hawai'i and also in the CCA prisons holding more than 2,000 Hawai'i individuals.

Community Alliance on Prisons stands in strong support of this measure, which will save the state millions of dollars every year if the program is implemented.

The U.S. Department of Justice, National Institute of Corrections, based on 154 controlled studies, reports that appropriate treatment **reduces recidivism by 30%**; inappropriate treatment *increases* recidivism by 6%, and traditional punishment increases recidivism by 7%. Adding this reentry phase to the existing RDAP treatment modality will save the state money.

We are pushing for the RDAP Reentry Program to be at OCCC because we know there are many men there who successfully completed the RDAP treatment and may be eligible for the reentry phase. PSD has been saying they need more transition beds - the RDAP Reentry program could be run out of the Annex at OCCC and the costs would be negligible since the men are there already.

1) Identifying individuals incarcerated for nonviolent drug offenses who are Minimum or Community Custody and moving them into the RDAP Reentry Program

The reclassification report is showing that more than half of Hawai'i's incarcerated population is either Minimum or Community Custody - meaning that most of these individuals require little to no supervision.

Incarceration is the most expensive sanction - if we transition eligible nonviolent drug offenders who have successfully completed the RDAP treatment phase into this Phase 2 reentry program, we will

increase their chances for success in the community and decrease the likelihood of recidivism, saving lots of money.

2) The data show that incentivizing nonviolent drug lawbreakers is more effective than leveling sanctions

The Bureau of Prisons understands the research that incentivizing drug offenders is more effective and evidence-based, so in 1995 they instituted a one-year reduction in sentences of those individuals who completed both the RDAP treatment program and the RDAP Reentry Phase.

Imagine if Hawai'i had 100 individuals in the RDAP Reentry Program and only half of those individuals successfully completed the program and were granted the one year sentence reduction. The Bureau of Prisons RDAP has a 60+% success rate! That would be a tremendous savings: 50 individuals multiplied by \$50,000 a year to incarcerate someone in Hawai'i.

50 individuals x \$50,000 per year = \$2,500,000 ... a savings of \$2.5 million a year

3) The RDAP Reentry Program is the application phase of the RDAP Treatment Program that has been shown to reduce recidivism

First we must understand that drug addiction is a public health problem and should not be treated as a criminal justice problem. A good analogy is giving someone a driver's manual to study so they know the rules of the road and the safety measures that good driving entails; that's great, but until that person gets behind the wheel, it is all theory. The RDAP Reentry Program is the application of the tools and skills acquired in the RDAP treatment program.

The recidivism rate for graduates of the RDAP program is 37-40%; must lower than Hawai'i's Hawai'i has been successful at recidivism - more than 65% of our people return to prison. Now let's try a proven, evidence-based program that the federal government has been using and become successful at reentry. That will save millions of dollars by keeping individuals from returning to prison.

This program would help turn OCCC into what it was intended to be - a transition center to help folks successfully reentry the community and NOT return to prison. The program can be anywhere at OCCC or other facilities where there is access to transportation so participants can get to and from work. PSD has started a transition program at Waiawa, which is miles away from public transportation. This is not a good plan for successful reentry.

Reentry is the buzzword around the world, as corrections budgets soar, families are hurting, and jurisdictions are looking at alternatives to incarceration for the rising number of individuals incarcerated for drugs or nonviolent drug-relating lawbreaking. These hard economic times demand that we find more cost-effective ways to deal with non-violent lawbreakers. Strong reentry programs, addressing an array of needs, starting in facility and continuing throughout the community will enhance public safety, help individuals rebuild their lives, restore their families, and revitalize our community (The MEO BEST Reintegration Program is a good example of this).

In these austere economic times, it is important to do what is effective and abandon costly and ineffective practices. Saving millions of dollars a year would help Hawai'i's ailing economy

"The key is for policymakers to base their decisions on a clear understanding of the costs and benefits of incarceration - and of data-driven, evidence-based alternatives that can preserve public safety while saving much needed tax dollars." Public Safety Performance Project, 2007

Please support SB 540 SD2. Mahalo for this opportunity to testify.

 **LATE**
OFFICE OF HAWAIIAN AFFAIRS
Legislative Testimony
SB 540, S.D. 2
Relating to Public Safety

Date: April 1, 2009
Room: 308

Time: 11:00 am

The Office of Hawaiian Affairs **supports SB 540, S.D. 2.**

The purpose of this bill is to establish and implement a community transitional program to prepare inmates reintegrate into the community upon release. Further, this bill allows inmates to receive a reduction in their time who successfully complete the program.

Programs that help to re-integrate inmates back into the community should be profoundly considered. Inmates who receive rehabilitative programming that includes integrative services have a greater chance of becoming productive citizens. OHA has supported many programs that help with inmates from returning to prison or preventing them from entering prison. These programs include TJ Mahoney, Ho`omau Ke Ola, Hale Na`au Pono, and Maui Economic Opportunity.

The program being offered in this bill will provide support for inmates while reducing costs and promote safety in the community.

The issue of incarceration needs attention and careful consideration. 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. Therefore, it is important to support and develop community re-integration programs.

Therefore, OHA would like to support SB 540, S.D. 2. Mahalo nui loa for allowing us to provide testimony.