


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

Date: March 19, 2009 Time: 10:00 am
Room: 309

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

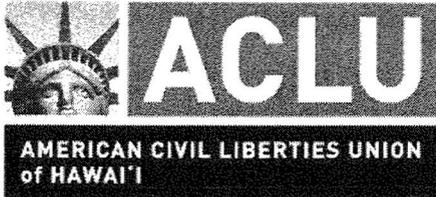
The purpose of this bill is to establish and implement a community transitional program to prepare inmates reintegrate into the community upon release. Further, this bill allows inmates to receive a reduction in their time who successfully complete the program.

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.

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



Via Email: PBSTestimony@Capitol.hawaii.gov
Committee: Committee on Public Safety and Committee on Labor and Public Employment
Hearing Date/Time: Thursday, March 19, 2009, 10:00 a.m.
Place: Room 309
Re: Testimony of the ACLU of Hawaii in Support of S.B. 540, SD2, Relating to Public Safety

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

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in strong support of S.B. 540, SD2, 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,

Daniel M. Gluck
Senior Staff Attorney
ACLU of Hawaii

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COMMITTEE ON PUBLIC SAFETY

Rep. Faye Hanohano, Chair

Rep. Henry Aquino, Vice Chair

Thursday, March 19, 2009

10:00 AM

Room 309

SB 540 SD2 - RDAP REENTRY PROGRAM

STRONG SUPPORT with AMENDMENTS

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 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 used at prisons in Hawai'i and in the CCA prisons holding 2,063 Hawai'i individuals.

Community Alliance on Prisons respectfully asks the committee to consider the following amendments to the bill in "Part . RESIDENTIAL DRUG ABUSE PROGRAM"

- Amend §353H-B Program requirements by adding a new section (1) Create the RDAP Reentry Program at the Oahu Community Correctional Center to increase the number of transition beds and prepare more individuals to successfully reenter the community.
- Renumber (1) and (2) as (2) and (3)
- Change effective date to July 1, 2012.

Here are the highlights of this program and why Hawai'i desperately needs this Phase 2 to reduce recidivism.

- This program mirrors the successful Federal RDAP Reintegration Program that is a 6-month follow up to the RDAP treatment program.
- The recidivism rate for graduates of the RDAP program is 37-40%; Hawai'i's recidivism hovers between 50% and 80%
- RDAP is proven to reduce the likelihood of recidivism and drug abuse relapse, as well as reduce prison costs, both by shortening sentences and reducing recidivism

- Congress authorized, in 1995, a sentence reduction of up to one year for prisoners convicted of a non-violent offense who completed both the RDAP treatment program and the RDAP Reintegration Program
- This program would help turn OCCC into what it was intended to be – a transition center to help folks get back on track
- This program can be anywhere at OCCC or other facility where there is access to transportation so participants can get to and from work
- 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
- Strong reentry programs 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

Let's help rebuild lives, restore families and revitalize communities.

Please support SB 540 SD2 with the suggested amendments.

Mahalo for this opportunity to testify.



the
**Drug Policy
Forum**
of hawai'i

March 19, 2009

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

From: Jeanne Ohta, Executive Director

RE: SB 540 SD2 RELATING TO PUBLIC SAFETY
Hearing: March 19, 2009, 10:00 a.m., Room 309

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 SB 540 SD2 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.

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.

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 SB 540 SD2 which would save the state money and would help stop the revolving doors of our prison system.

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LORENN WALKER, J.D., M.P.H.

COMMITTEES ON PUBLIC SAFETY & LABOR & PUBLIC EMPLOYMENT

Honorable, Rep. Faye P. Hanohano, Chair
Honorable, Rep. Henry J.C. Aquino, Vice Chair
Honorable, Rep. Karl Rhoads, Chair
Honorable, Rep. Kyle T. Yamashita, Vice Chair
Honorable Senator Robert Bunda, Vice Chair

Thursday, March 19, 2009
10:00 AM
Room 309

STRONG SUPPORT

SB 540 SD2 – Public Safety – Residential Community Based Drug Treatment Program
Sent to: PSMTestimony@capitol.hawaii.gov

I STRONGLY support SB 540 SD2, which would require the Department of Public Safety (PSD) to establish a residential drug abuse program for the treatment and community reintegration of non-violent offenders. It would be based on the community transitional phase of the Bureau of Prisons residential drug abuse program.

PSD has had years and years of opportunities to develop effective drug treatment programs for the people in its custody. It is common knowledge that a large percent of crime, resulting in incarceration, stems from substance abuse. And it is equally well known that “after care in the community” is normally required for successful substance abuse treatment.

The legislature must to do now what PSD should have been doing all along. A law must be enacted to ensure that a drug treatment program with a community based component is provided to non-violent incarcerated people.

There will always be reasons why the state executive branch “cannot” implement programs, but this unlimited list of reasons will never be outweighed by the reasons in favor of providing the programs. Our community suffers by spending scarce resources to imprison people, and it suffers from crime caused by repeat offenders.

No more excuses. Please implement this measure and do something to protect our community’s safety and limited resources. The savings in reducing sentences by one year for the people who successfully complete this drug treatment program, can pay for any additional costs it may incur.

Last year I visited the San Patrignano drug rehabilitation program in Rimi, Italy, one of the largest in the world. The program is provided to residents at zero cost and the facility takes no government money to operate. I personally volunteer to help PSD figure out how it can provide this program without the expenditures of funds and work toward reducing our ridiculous recidivism.

Please pass this measure for the people of Hawai‘i and do something to end recidivism.

Hepatitis Support Network of Hawai'i
Prison Reintegration and Family Reunification Program

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Honolulu, Hawaii 96813

www.idlinks.com

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March 19, 2009

COMMITTEE ON PUBLIC SAFETY

Rep. Faye Hanohano, Chair

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

Thursday, March 19, 2009

10:00 a.m.

Conference room 309

SB 540

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.

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

Franklin Jackson
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March 19, 2009

COMMITTEE ON PUBLIC SAFETY

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SB 540

RELATING TO PUBLIC SAFETY

SUPPORT

My name is Franklin Jackson, and I strongly support any and all alternatives to incarceration. RDAP is a federally proven program that has the lowest rate of recidivism in the nation. Most offenders have a history of drug and/or alcohol dependence, and this proposal specifically addresses the typical non-violent drug offender. They aren't true criminals in regards to crime being their livelihood. Crime was the means to get drugs to satisfy the crave. The best approach to prevent relapse and reduce recidivism is to use different approaches, and the reintegration phase of RDAP will reduce recidivism while saving my tax dollars.

Mahalo for the opportunity to testify in this matter.

Franklin Jackson

Ross Hayashi
1516 C Lanakila St.
Honolulu, Hawaii, 96817
March 19, 2009

COMMITTEE ON PUBLIC SAFETY

Rep. Faye Hanohano, Chair

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

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Conference room 309

SB 540

RELATING TO PUBLIC SAFETY

SUPPORT

My name is Ross Hayashi, and I'm a graduate of the Bureau of Prison's RDAP program. I completed RDAP in 2008, and have remained drug-free and employed full-time. It was my first experience with any type of drug rehab program, and it helped me to restore my life from scratch. Most important, was the halfway-house stage of the program, which prevented possible relapse following my release from Federal custody.

Thank-you for your consideration in this matter.

Ross Hayashi

**Danny Kennedy
Dan Pa Productions
333 Palene Way
Honolulu, Hawaii, 96821
March 19, 2009**

COMMITTEE ON PUBLIC SAFETY

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

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SB 540

RELATING TO PUBLIC SAFETY

SUPPORT

My name is Danny Kennedy, I'm a musician (Ukulele, Guitar, & Bass) with the musical group known as Manao Company. I'm also a former RDAP participant, and completed the RDAP program in 2005. I strongly support this bill, because I know that the RDAP program works. For instance, my class of 25 participants had only 1 failure. The rest of us graduated and are living productive law-abiding lives.

Mahalo for this opportunity, please consider it carefully.

Aloha,

Danny Kennedy

Wayne Kahale
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March 19, 2009

COMMITTEE ON PUBLIC SAFETY

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SB 540

RELATING TO PUBLIC SAFETY

SUPPORT

I strongly support this bill, because I participated in the Federal BOP's RDAP program at Lompoc FCI in California. Following completion of the in-facility phase of RDAP, which provided me with the tools necessary to remain sober, I returned to Hawaii and completed the 6 month half-way house phase. The half-way house phase was the most important part of RDAP, because it gave me the time needed to apply the tools provided, which gave me a head start on my sobriety. I have now been out for over 4 years, have remained drug-free, and now have my own business. Thanks for the chance to share my experience with this program, and I strongly support this bill.

Mahalo, Wayne Kahale

Jonathon Calpito
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March 19, 2009
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SB 540

RELATING TO PUBLIC SAFETY

SUPPORT

My name is Jonathan Calpito, and I am a former RDAP participant. I'm sorry that I couldn't testify in person today, because I have to work. However, I support this bill, because the re-entry phase of RDAP is the most important stage of RDAP, and it gave me the opportunity to change my thinking errors of the past.

Thanks for the chance to be heard, if you have any questions please contact me anytime.

Respectfully,
Jonathan Calpito