

LATE TESTIMONY

Ohana Ho'opakele
P.O. Box 5530
Hilo, HI 96720

HAWAII STATE SENATE – REGULAR SESSION 2010 COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

March 16, 2010
1:25 p.m., Conference Rm. 229

HB 2657 HD1 – RELATING TO PUBLIC SAFETY

Chair Senator Will Espero, V.C. Senator Robert Bunda and Committee Members: Senators Kalani English, Senator Brickwood Galuteria, Senator Mike Gabbard, Senator Michelle Kidani and Senator Fred Hemmings.

Aloha no! My name is Samuel Kaleleiki, Jr., President of Ohana Ho'opakele, an organization dedicated to rescuing our *pa'ahao* or incarcerated brothers and sisters in prison. I speak in strong support of HB 2657 HD1 which seeks to work with the Department of Public Safety and other restorative justice groups to prepare a plan for the creation of a *pu'uhonua* or wellness center on lands owned or controlled by the State, giving preference to the site formerly used as the Kulani correctional facility on the island of Hawaii.

First, we want to thank the members of the House Committee on Public Safety, especially Chair Faye Hanohano for unanimously passing HB 2657 and the House Committee on Finance which also unanimously passed HB 2657 with an ammendment.

I hope you have read my written testimonies to the House Committees on Public Safety and Finance and that of our advisor Mr. Dante Carpenter.

First, I do not have to go into detail to impress upon you the need for a truly healing alternative to prison and that we Kanaka Maoli had a model of healing in the Pu'uhonua in the past.

Second, our research of TMK (3) 2-4-008-009 upon which Kulani Correctional Facility is based reveals that this land was designated "Crown" Lands under the Mahele, namely the Ahupuaa of Waiakea in the District of Hilo and portions of the Ahupuaa of Olaa in the District of Puna. Under Governor's Proclamations the land in question was designated Waiakea Forest Reserve and portions of the Olaa Forest Reserve. Then under Executive Orders #1225 dated March 3, 1948 and #1588 dated October 6, 1953, almost 8,000 acres were removed from forest reserve lands to form Kulani Prison Farm. To summarize my argument, if Kulani

Correctional Facility has been closed by a governor's decision, the land should rightfully revert to its original designation of "Crown" Lands, shouldn't it? The Kingdom of Hawaii was a Neutral nation, which vowed never to be involved in any act of aggression to any other state. This "Crown" Land should not be used by the Department of Defense for training youth with military purposes in mind.

Third, the funding of a *pu`uhonua* or a wellness center depends first upon obtaining land. Ohana Ho`opakele has always envisioned working together with the State of Hawaii, the Office of Hawaiian Affairs and other restorative justice groups to assist in the raising of funds to build the model *pu`uhonua* or wellness center.

Fourth, Kulani Correctional Facility is almost an ideal location for a *pu`uhonua* or wellness center. Besides having the infrastructure of continuing a correctional facility, it can sustain a model *pu`uhonua* or wellness center on the same site though separate. I present a summarized list that Warden Peter McDonald presented of the "Kulani Correctional Facility Community Service Cost Savings" for the years from 1997 through June 2009. The grand total of \$ 2,267,387.91 does not include the savings to the State of Hawaii from the woodwork produced at KCF, the repairs to transport vehicles, picking of maile leis, raising of cattle and pigs, and the growing of vegetables. In other words, KCF has the best resources to raise finances to cut down on operational costs.

Fifth, HB 2657 directs the Department of Public Safety to work with Ohana Ho`opakele and other restorative justice groups. This is the best formula to produce programs that "have evidenced based curriculum that have measurable outcomes, and provide relevant knowledge and/or skills to the offenders serviced."

Sixth, although we and others have pointed out the disproportionate number of native Hawaiians, or more accurately Kanaka Maoli, who are incarcerated today, Ohana Ho`opakele has no intention of excluding any *pa`ahao* from our programs based on ethnicity or other factors.

Seventh, although HB 2657 states, "the site formerly used as the Kulani minimum security prison in East Hawaii would be an ideal site for such a wellness center," it does not stop the Department of Public Safety from looking for other lands in East Hawaii to fulfill the requirements of this bill.

Thank you for this opportunity to testify in person on this bill. I and other members of Ohana Ho`opakele, *pa`ahao* and *ex-pa`ahao* have dreamt of a *pu`uhonua* or wellness center for years, and Ke Akua may be telling us that now is the right time to rescue and restore our people!

Ohana Ho`opakele

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March 16, 2010

Mr. Wesley T. Matsunaga, Land Agent
Department of Land and Natural Resources
Land Division, State of Hawaii
75 Aupuni St., Room 204
Hilo, HI 96720

Dear Mr. Matsunaga:

Our treasurer Mr. Ronald Fujiyoshi conversed with you on Friday, March 12, 2010 concerning our interest in TMK (3) 2-4-008-006 of 150 acres and TMK (3) 2-4-008-005 of 50 acres. Enclosed are copies of two pages of a computer printout from the DLNR Land Division office in Honolulu indicating that the two land parcels are under the jurisdiction of your DLNR.

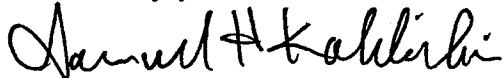
As Mr. Fujiyoshi explained our organization is interested in these parcels to see if they can be leased to us to help develop a *p`uhonua* or wellness center as a model alternative to prisons.

As suggested we want to request a permit to go on the land to see if the infrastructure and location would be in keeping with our purposes. We would also be helped to know if you could provide us with a map, which indicates whether there is a road to this property and that can be accessed by a four-wheeled vehicle.

You can contact me in writing at the address in our letterhead. If you want to contact me by telephone my cell number is 808-937-7193.

We appreciate your attention to our request!

Sincerely yours,



Samuel Kaleleiki, Jr.

cc: Ohana Hoopakele file
Enclosures

KULANI CORRECTIONAL FACILITY COMMUNITY SERVICE COST SAVINGS

YEAR	COST SAVINGS PER YEAR
1997	427,208.61
1998	151,678.86
2000	26,152.54
2001	57,403.31
2002	291,334.91
2003	175,762.92
2004	20,803.12
2005	153,537.29
2006	30,506.41
2007	886,212.91
2008	29,002.41
2009	17,784.62

GRAND TOTAL 2,267,387.91

~~2,267,387.91~~
 189,000
 per year