

STATE OF HAWAII DEPARTMENT OF PUBLIC SAFETY

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Deputy Director
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No.	
NO.	

TESTIMONY ON HOUSE CONCURRENT RESOLUTION 135
REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO DEVELOP
AND IMPLEMENT A MEDICAL RELEASE PROGRAM AND PROVIDE
INFORMATION RELATED TO DEATHS AT HAWAII, CONTRACT, AND
INTERSTATE COMPACT INMATE FACILITIES

by Clayton A. Frank, Director Department of Public Safety

House Committee on Public Safety Representative Faye P. Hanohano, Chair Representative Henry J.C. Aguino, Vice Chair

> Thursday, March 18, 2010; 9:00AM State Capitol, Conference Room 309

Representative Hanohano, Representative Aquino, and Members of the Committee:

The Department of Public Safety (PSD) sincerely thanks the legislature for their interest in the development and implementation of a medical release program for those incarcerated.

Both, the Department and the Hawaii Paroling Authority already have long standing procedures in please to consider compassionate releases for those offenders that qualify and do not pose a risk to public safety. If the attending physician believes the inmate's condition warrants compassionate release consideration, and he/she believes that the offender's medical needs are best served if provided in the community, and providing the offender is not serving life with the possibility of parole and/or any portion of a court ordered minimum term(s) of incarceration, the physician remits a request for compassionate release consideration.

House Concurrent Resolution 135 March 18, 2010 Page 2

The request from the physician is routed through the Health Care Division then to both, the Deputy Director for Corrections, then on to the Director of the Department of Public Safety for review and consideration. If the Director recommends approval, the request is then forwarded to the Hawaii Paroling Authority for their review, consideration, and determination whether or not to grant the request.

Thank you for the opportunity to provide testimony on HCR 135, which the Department believes is unnecessary as both, the PSD and HPA already have long standing procedures in place to consider inmates for compassionate release due to medical reasons.

COMMUNITY ALLIANCE ON PRISONS

76 North King Street, Honolulu, HI 96817 Phone/E-Mail: (808) 533-3454/kat.caphi@gmail.com



COMMITTEE ON PUBLIC SAFETY

Rep. Faye Hanohano, Chair
Rep. Henry Aquino, Vice Chair
Thursday, March 18, 2010
9:00 a.m.
Room 309
SUPPORT - HCR 135 - Medical Release Program
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 diverse community initiative working to improve conditions of confinement for Hawai's incarcerated individuals, enhance the quality of justice, and promote public safety by supporting smart justice policies. We come today to speak for the 6,000+ individuals whose voices have been silenced by incarceration, always mindful that almost 2,000 of those individuals are serving their sentences abroad, thousands of miles from their homes and loved ones.

HCR 135 requests the department of public safety to develop and implement a medical release program and provide information related to deaths at Hawai`i, contract, and interstate compact prisons.

The data from around the continental U.S. show that prison budgets have skyrocketed in part due to costly medical care for elderly or sick incarcerated persons. California is the most glaring example of this. California's three strikes law has driven up the costs of medical care to the point where the state is building another prison hospice and the federal government is taking over the prison health care system.

Making PSD's website more helpful by posting the criteria, eligibility, and procedure for medical release is important for accountability and transparency. The annual reporting of the medical releases and deaths of individuals entrusted to the care and custody of PSD is also important information for policymakers.

Community Alliance on Prisons supports this compassionate measure and urges the committee to pass this measure.

aquino1-Ruffalyne

From:

mailinglist@capitol.hawaii.gov

Sent:

Wednesday, March 17, 2010 12:50 AM

To:

PBStestimony

Cc: Subject: pohuku@yahoo.com Testimony for HCR135 on 3/18/2010 9:00:00 AM

Testimony for PBS 3/18/2010 9:00:00 AM HCR135

Conference room: 309

Testifier position: support Testifier will be present: No Submitted by: EVERN E WILLIAMS

Organization: Individual

Address: 3220 Esther Street Honolulu, HI 96815

Phone: 808-392-1486
E-mail: pohuku@yahoo.com
Submitted on: 3/17/2010

Comments:

I strongly support this bill to show compassion to terminally ill inmates. Prisoner deaths should have more accountability. They should not disappear into the ethers.

aquino1-Ruffalyne

From:

mailinglist@capitol.hawaii.gov

Sent:

Wednesday, March 17, 2010 12:55 AM

To:

PBStestimony

Cc: Subject: pohuku@yahoo.com Testimony for HCR135 on 3/18/2010 9:00:00 AM

Testimony for PBS 3/18/2010 9:00:00 AM HCR135

Conference room: 309

Testifier position: support Testifier will be present: No Submitted by: Evern E Williams

Organization: Individual

Address: 3220 Esther Streeet Honolulu, HI 96815

Phone: 808-392-1486 E-mail: pohuku@yahoo.com Submitted on: 3/17/2010

Comments:

I support a more humane way of dealing with non violent prisoners. The current system send them on a downward spiral.

aquino1-Ruffalyne

From:

Mary Elizabeth [nugayou@yahoo.com] Wednesday, March 17, 2010 9:18 AM

Sent: To:

PBStestimony

Subject:

HCR 135

Attachments:

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COMMITTEE ON PUBLIC SAFETY

Rep. Faye Hanohano, Chair Rep. Henry Aquino, Vice Chair Thursday, March 18, 2010 9:00 a.m. Room 309 SUPPORT for HCR 135

Dear Chair Hanohano, Vice Chair Aquino, and Committee Members

I support this resolution simply because it gives families time to say goodbye personally to their loved ones who have been separated from them for a long time.

No matter how bad the crime, when one is dying, what harm can that person do to harm society, so we, living in the Aloha State, at the least, can show compassion through passing this resolution.

Thank you for your consideration,

E. Funakoshi 455-9136