# **SB 701**

# RELATING TO SENTENCING

Permits certain non-violent repeat offenders convicted of drug possession to be sentenced to alternative programs instead of to prison.



# TESTIMONY OF THE DEPARTMENT OF THE ATTORNEY GENERAL TWENTY-SIXTH LEGISLATURE, 2011

#### ON THE FOLLOWING MEASURE:

S.B. NO. 701,

RELATING TO SENTENCING.

#### BEFORE THE:

SENATE COMMITTEE ON

PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY

DATE:

Tuesday, February 15, 2011 2:45 p.m. TIME:

LOCATION:

State Capitol, Room 224

TESTIFIER(S): David M. Louie, Attorney General, or

Mark K. Miyahira, Deputy Attorney General

Chair Espero and Members of the Committee:

The Department of the Attorney General strongly opposes. this bill.

The purpose of this bill is to permit convicted drug offenders, subject to sentencing as repeat offenders, to be sentenced to an alternative program pursuant to section 706-605.1, Hawaii Revised Statutes.

In 1976, the Legislature passed Act 181, which required courts to sentence repeat offenders convicted of certain felony offenses to a minimum mandatory prison sentence without the possibility of parole or probation. Section 706-606.5, Hawaii Revised Statutes, the repeat offender sentencing law, became the law of the land, based on the belief "that the high incidence of repeated offenses by previously convicted persons within the State of Hawaii presents a clear danger to its citizens." Standing Committee Report No. 549-76, in House Journal, Regular Session of 1976, at page 1521.

The Legislature fashioned a small exemption to repeat offender sentencing for first-time nonviolent drug offenders by passing Act 44, Session Laws of Hawaii 2004. This bill would

Testimony of the Department of the Attorney General Twenty-Sixth Legislature, 2011 Page 2 of 3

widen the exemption so as to allow <u>repeat</u> drug offenders, including those who have previously been sentenced as first-time drug offenders under section 706-622.5, Hawaii Revised Statutes, to avoid sentencing as repeat offenders. This bill will undermine the purpose of section 706-606.5, Hawaii Revised Statutes, by permitting convicted repeat drug offenders to be sentenced to an alternative program and avoid sentencing as repeat offenders.

This bill does not even match the eliqibility criteria of section 706-622.5, Hawaii Revised Statutes. In order to be eligible to be sentenced as a first-time drug offender, the court must determine "that the person is nonviolent after reviewing the person's criminal history, the factual circumstances of the offense for which the person is being sentenced, and any other relevant information." This bill only requires that the "prior conviction for which the defendant is eligible to be sentenced under this section is not for a crime involving serious bodily injury or substantial bodily injury". Therefore, a person with a violent criminal history could be eligible for sentencing to an alternative program under this bill, although that person would not be eligible for sentencing under the first-time drug offender law.

Furthermore, this bill, unlike the first-time drug offender sentencing law, does not have a provision that would clearly authorize the courts to resentence the person as a repeat offender, if that person fails to complete the alternative program.

Therefore, this bill appears to undermine section 706-622.5, Hawaii Revised Statutes, by providing preferential treatment for repeat drug offenders and first-time drug

Testimony of the Department of the Attorney General Twenty-Sixth Legislature, 2011 Page 3 of 3

offenders, who are not eligible for sentencing under section 706-622.5, Hawaii Revised Statutes.

The Department respectfully requests that this measure be held.

#### DEPARTMENT OF THE PROSECUTING ATTORNEY

#### CITY AND COUNTY OF HONOLULU

KEITH M. KANESHIRO PROSECUTING ATTORNEY

ALII PLACE 1060 RICHARDS STREET • HONOLULU, HAWAII 96813 • PHONE: (808) 547-7400 • FAX: (808) 547-7515

ARMINA A. CHING
FIRST DEPUTY PROSECUTING ATTORNEY



# THE HONORABLEWILL ESPERO, CHAIR SENATE COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS

Twenty-eighth State Legislature Regular Session of 2011 State of Hawai'i

February 15, 2011

#### RE: S.B. 701; RELATING TO HAWAII PENAL CODE.

Chair Espero, Vice-Chair Kidani and members of the Senate Committee on Public Safety, Government Operations, and Military Affairs, the Department of the Prosecuting Attorney submits the following testimony in opposition to Senate Bill 701.

The purpose of Senate Bill 701 is to amend Section 706-606.5, Hawaii Revised Statutes ("HRS"), such that a sentencing court may impose an alternative program, in lieu of incarceration, for repeat offenders if: (1) the defendant's prior conviction did not involve serious or substantial bodily injury; (2) the present offense is for possession of a dangerous, harmful or detrimental drug or marijuana, or possession with intent to use drug paraphernalia; and (3) the defendant has been assessed by a certified substance abuse counselor to be in need of substance abuse treatment relevant to the present offense.

Unlike HRS Section 706-605.1, the proposed language of S.B. 701 would allow repeat felony offenders--presently being sentenced for drug-related crimes--to enter alternative programs even if the offender has one or more prior class A felony convictions, so long as the conviction(s) was not for a crime involving serious or substantial bodily injury. Because class A felonies consist of the most heinous or dangerous crimes identified by our criminal justice system--such as sexual assault in the first degree, promoting child abuse in the first degree, and/or kidnapping--the Department does not believe that this would be appropriate. The Department is also concerned that prior offenses--whether class A felonies or not--could have involved significant bodily injury and/or violence, without quite rising to the definition of "serious bodily injury" or "substantial bodily injury."

At this time, the Department believes that current law provides a suitable number of methods by which drug offenders can be routed to substance abuse treatment or other alternative programs, in lieu of incarceration.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu opposes Senate Bill 701. Thank you for the opportunity to testify on this matter.

Council Chair Danny A. Mateo

Vice-Chair Joseph Pontanilla

Council Members
Gladys C. Baisa
Robert Carroll
Elle Cochran
Donald G. Couch, Jr.
G. Riki Hokama
Michael P. Victorino
Mike White



# COUNTY COUNCIL

COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/council

February 14, 2011

TO:

The Honorable Will Espero, Chair

Senate Committee on Public Safety, Government Operations and Military Affairs

FROM:

Gladys C. Baisa

Council Member

SUBJECT:

HEARING OF TUESDAY, FEBRUARY 15, 2011; TESTIMONY IN SUPPORT OF

SB 701, RELATING TO SENTENCING

Thank you for the opportunity to testify in support of this important measure. The purpose of this measure is to permit certain non-violent repeat offenders convicted of drug possession to be sentenced to alternative programs instead of to prison.

The Mau i County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I support this measure for the following reasons:

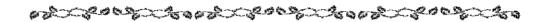
- 1. This bill will reduce the incarcerated population by affirming Section 706-605.1, HRS authorizing intermediate sanctions for some drug offenders.
- 2. I strongly support diverting nonviolent drug offenders to treatment instead of prison.
- 3. Directly addressing an individual's pathway to crime/incarceration is more socially and economically effective than imprisonment.
- 4. Data shows that incentives work for drug offenders, not sanctions.

For the foregoing reasons, I support this measure.

GCB:amm

# COMMUNITY ALLIANCE ON PRISONS

76 North King Street, Suite 203, Honolulu, Hawai`i 96817 Phone/E-mail: (808) 533-3454/ kat.caphi@gmail.com



#### COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPS & MILITARY AFFAIRS

Sen. Will Espero, Chair Sen. Michelle Kidani, Vice Chair Saturday February 12, 2011 Room 229 10:00 a.m.

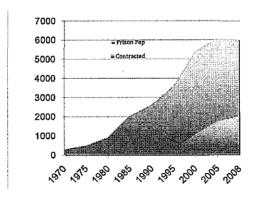
STRONG SUPPORT - SB 701 - DIVERSION OF NONVIOLENT DRUG OFFENDERS <a href="http://www.capitol.hawaii.gov/emailtestimony">http://www.capitol.hawaii.gov/emailtestimony</a>

Aloha Chair Espero, Vice Chair Kidani and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative working on justice issues in Hawai'i for more than a decade. We respectfully offer our testimony always being mindful that Hawai'i has some 6,000 people behind bars including approximately 1,800 individuals serving their sentences abroad, thousands of miles away from their loved ones and homes – the ancestral homes for a disproportionate Native Hawaiians.

SB 701 permits certain non-violent repeat offenders convicted of drug possession to be sentenced to alternative programs instead of to prison.

Community Alliance on Prisons is in strong support of this measure. It is common knowledge that our correctional system is driven by the failed war on drugs. Hawai'i's prison population has grown at a faster rate (2.4%) than the national average of 2.0% since 2000.

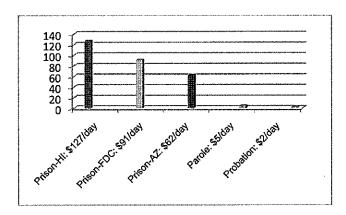


<sup>&</sup>lt;sup>1</sup>Sabol, West and Cooper 2010:18

#### Some facts to consider:

- The majority of Hawai'i's incarcerated population are nonviolent lawbreakers (84% women, 63% men) who are imprisoned for drugs or drug-related crimes.
- 66% of the women and 23% of the men currently incarcerated are classified as 'community' custody, described by the Department of Public Safety as: 'Individuals who are eligible to participate in community release programs such as work furlough, extended furlough or residential transitional living facilities'.

All around the nation jurisdictions are looking for way to reduce their incarcerated population. Releasing low level drug lawbreakers into community treatment programs is one avenue that many states are employing. For every \$1 spent on drug treatment in the community, you save approximately \$18. Substance abuse treatment provided in the community is more cost-effective than imprisonment. Individuals with substance abuse histories compose a large portion of the prison population. Substance use/abuse plays a role in the commission of certain crimes. Treatment delivered in the community is one of the most cost-effective ways to prevent such crimes.<sup>2</sup>



The Costs of Incarceration v. Parole and Probation

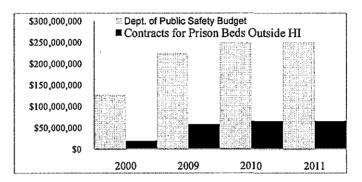
Diverting low-level drug lawbreakers into community treatment more directly addresses their pathways to crime. Individuals who have untreated drug problems are often classified as 'repeat offenders'. 'Repeat offenders' is, in our humble opinion, a loaded term. The community assumes that these folks are dangerous, not individuals with a treatable disorder which, for the most part, has never been treated during their prior incarceration(s). The evidence is there – community treatment is more cost effective in the long run. Treatment works, prisons don't!

The above chart shows dramatic difference in the costs of incarceration versus the cost of parole and probation. Diverting low level drug lawbreakers would save money, lives, and directly addresses an individual's pathway to incarceration by provided much-needed treatment.

<sup>&</sup>lt;sup>2</sup> Aos, Steve, Polly Phipps, Robert Barnoski, and Roxanne Lieb. 2001. The comparative costs and benefits of programs to reduce crime. Olympia: Washington State Institute for Public Policy.

#### The Rising and Unsustainable Costs of Incarceration:

Since 2000, appropriations for the Department of Public Safety have increased from \$128M to \$243.7M in 2009, an increase of 90% during that timeframe. Meanwhile, money spent to send prisoners to contract prisons has increased from \$20M to a requested \$66.2M in 2011, a 221% increase. As it stands now, 31.5% of PSD's general fund operating appropriations goes toward incarcerating prisoners outside of Hawai`i; this is up from 15.6% in 2000.



The Department testified at a WAM hearing earlier this session that more than 30% of those incarcerated in Arizona private prisons are classified as community custody. By their own definition, these individuals should be home and in work furlough or community programs to help them successfully transition back to the community.

While Community Alliance on Prisons does not support mandatory sentencing, we do strongly support diverting drug lawbreakers into treatment rather than sending them to criminal college.

Mahalo for this opportunity to share our thoughts.



February 15, 2011

To: Senator Will Espero, Chair Senator Michelle Kidani, Vice Chair and Members of the Committee on Public Safety, Government Operations, and Military Affairs

From: Jeanne Y. Ohta, Executive Director

RE: SB 701 Relating to Sentencing

Hearing: Tuesday, February 15, 2011, 2:45 p.m., Room 224

Position: Strong Support

The Drug Policy Forum of Hawai'i writes in support of SB 701 Relating to Sentencing. SB 701 permits certain non-violent repeat offenders convicted of drug possession to be sentenced to alternative programs instead of to prison.

The large majority of Hawai'i's incarcerated population is non-violent and imprisoned for drug or drug-related crimes: 84% of the women's population and 63% of the men. Even more compelling, is that the Department of Public Safety's own assessments show that 66% of the women and 23% of the men currently incarcerated are eligible for "community" custody, eligible to participate in furlough or residential transitional living.

Keeping people in higher than appropriate custody does not facilitate their recovery or their successful reentry into the community. Incarceration is an expensive policy that we can no longer afford.

While the term "repeat offenders" may seem to disqualify many of these offenders, it is important to note that multiple episodes of drug treatment may be necessary. Relapse is part of recovery so many addicts will have "repeat offender" status. This does not mean that we should give up on them and sentence them to remain incarcerated. According to the National Institute on Drug Abuse "Principles of Drug Abuse Treatment for Criminal Justice Populations," studies have shown that those who participate in community-based drug treatment programs commit fewer crimes than those who do not participate.

We urge the committee to pass this measure. Thank you for the opportunity to provide testimony.

Board of Directors Pamela Lichty, M.P.H. President

Kat Brady Vice President

Heather Lusk Treasurer

Katherine Irwin, Ph.D. Secretary

Michael Kelley, D.Phil.

Richard S. Miller, Prof. of Law Emer.

Robert Perkinson, Ph.D.

Donald Topping, Ph.D. Founder 1929-2003

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Email: info@dpfhi.org Website: www.dpfhi.org

# National Association of Reformed Criminals Andy Botts 1765 Ala Moana Blvd. #1388 Honolulu, Hawaii, 96815 February 15, 2011

#### COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Sen. Will Espero, Chair Sen. Michelle Kidani, Vice Chair Tuesday February 15, 2011 2:45 PM Room 224 SB 701- RELATING TO SENTENCING

#### STRONG SUPPORT

Non-violent drug offenders are at the greatest risk of recidivism due to the strong potential to relapse –especially ICE – which is still the leading drug of choice in Hawaii. These types of offenders are usually the ones who receive mandatory minimums, extended terms and etc, because of their inability to stay sober. I am a typical example of a non-violent repeat drug-related offender who has been in and out of various prisons throughout the world, and it wasn't until the 4<sup>th</sup> and last time that I was offered a drug program – (the extensive Federal RDAP program), followed by 6 months in a half-way house. Since then, I haven't even come close to relapse, and I am no longer any type of supervision.

Additionally, I'd like to point out that this type of offender usually spends as much, if not more time, then murderers – on the installment plan.

Mahalo,

Andy Botts

mailinglist@capitol.hawaii.gov

Sent:

Monday, February 14, 2011 6:35 PM

To:

**PGM Testimony** 

Cc:

ajohnson@hinamauka.org

Subject: Attachments: Testimony for SB701 on 2/15/2011 2:45:00 PM

SB701 Relating to Sentencing - Diverting AOD Offenders to Treatment.doc

Testimony for PGM 2/15/2011 2:45:00 PM SB701

Conference room: 224
Testifier position: support
Testifier will be present: Yes
Submitted by: Alan Johnson

Organization: Hawaii Substance Abuse Coalition

Address: Phone:

E-mail: ajohnson@hinamauka.org

Submitted on: 2/14/2011

Comments:

# HAWAII SUBSTANCE ABUSE COALITION

**Subject:** SB701: RELATING TO SENTENCING - Permits certain non-violent repeat offenders convicted of drug possession to be sentenced to alternative programs instead of to prison.

To: COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY

AFFAIRS: Senator Will Espero, Chair; Senator Michelle Kidani, Vice Chair

When: Tuesday, Feb. 15<sup>th</sup>, 2011 at 2:45 pm in Room 224

Good morning Chair Espero, Vice Chair Kidani and Distinguished Committee members: My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide hui of more than twenty non-profit treatment and prevention agencies.

# **HSAC Supports SB701:**

#### **SUMMARY:**

Strong empirical evidence over the past few decades consistently has shown that substance abuse treatment reduces crime.<sup>1</sup>

The vast majority of prisoners who could benefit from drug abuse treatment do not receive it, despite two decades of research that demonstrate its effectiveness.<sup>2</sup> About 50% of all prisoners are dependent on drugs, yet less than 20% of inmates suffering from drug abuse or dependence receive formal treatment.

"Treating drug-abusing offenders improves public health and safety," said National Institute of Drug Abuse (NIDA) Director Dr. Nora D. Volkow. "In addition to the devastating social consequences for individuals and their families, drug abuse exacts serious health effects, including increased risk for infectious diseases such as HIV and hepatitis C; and treatment for addiction can help prevent their spread. Providing drug abusers with treatment also makes it less likely that these abusers will return to the criminal justice system."

#### **EXPLANATION:**

Criminal justice system is in a unique position to encourage drug abusers to enter and remain in treatment, thereby disrupting the vicious cycle of drug use and crime. In fact, most studies indicate that outcomes for those who are legally pressured to enter treatment are as good as or better than outcomes for those who enter treatment without legal pressure.

"Addiction is a stigmatized disease that the criminal justice system often fails to view as a medical condition; as a consequence, its treatment is not as available as it is for other medical conditions," stated Dr. Redonna K. Chandler, the report's principal author and chief of NIDA's Services Research Branch.

There are several ways in which drug abuse treatment can be incorporated into the criminal justice system. These include therapeutic alternatives to incarceration, treatment

merged with judicial oversight in drug courts, treatments provided in prison and jail, and reentry programs to help offenders transition from incarceration back into the community.

Some communities cite costs as the reason for not treating drug-involved offenders; however, the report discusses the economic benefits of treating such offenders. "A dollar spent on drug courts saves about \$4 in avoided costs of incarceration and health care; and prison-based treatment saves between \$2 and \$6," Chandler said.

The NIDA report emphasizes that addiction is a chronic brain disease: that repeated drug exposure in those who are vulnerable triggers brain changes that result in the compulsive drug use and loss of control over drug-related behaviors that characterize addiction. "Viewing addiction as a disease does not remove the responsibility of the individual," said Volkow. "It highlights the responsibility of the addicted person to get drug treatment and society's responsibility to make treatment available."

#### **CONCLUSION:**

For many people in need of alcohol and drug treatment, contact with the criminal justice system is their first opportunity for treatment. A substance use disorder may be recognized and diagnosed for the first time, and legal incentives to enter substance abuse treatment sometimes motivate the individual to begin recovery. For other offenders, arrest and incarceration are part of a recurring cycle of drug abuse and crime. Ingrained patterns of maladaptive coping skills, criminal values and beliefs, and a lack of job skills may require a more intensive treatment approach, particularly among offenders with a prolonged history of substance abuse and crime.

The need for treatment is high. For men and women whose struggle with substance abuse brings them into contact with the legal system, the personal losses can be enormous: families can break apart, health deteriorates, freedom is restricted, and far too often, lives are lost. But this is just the beginning of the potential devastation. Personal costs to the victims of crime are immeasurable. The effects of every theft, burglary, and violent crime reverberate throughout the whole community. Economic losses include the costs of arresting, processing, and incarcerating offenders, as well as the costs of police protection, increased insurance rates, and property losses.

Treatment saves money and lives. We appreciate the opportunity to testify today and are available for questions, if needed.

#### References:

- Center for Substance Abuse Treatment. Substance Abuse Treatment for Adults in the Criminal Justice System. Treatment Improvement Protocol (TIP) Series 44. DHHS Publication No. (SMA) 05-4056. Rockville, MD: Substance Abuse and Mental Health Services Administration, 2005. http://www.ncbi.nlm.nih.gov/books/NBK14168/
- Dr. Nora Volkow/ Dr. Redonna K. Chandler, Directors of National Institute on Drug Abuse (NIDA), part of the National Institutes of Health. *Journal of the American Medical Association*, *Treating Inmates Has Proven Public Health, Safety, and Economic Benefits*, 2009 http://www.drugabuse.gov/newsroom/09/NR1-13.html

mailinglist@capitol.hawaii.gov

Sent:

Friday, February 11, 2011 2:03 PM

To:

**PGM Testimony** 

Cc:

HawaiiVotingProject@gmail.com

Subject:

Testimony for SB701 on 2/15/2011 2:45:00 PM

# Testimony for PGM 2/15/2011 2:45:00 PM SB701

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Dorothy Cornell

Organization: Individual

Address: Phone:

E-mail: <u>HawaiiVotingProject@gmail.com</u>

Submitted on: 2/11/2011

Comments:

# COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS AND MILITARY AFFAIRS

Senator Will Espero, Chair Senator Michelle Kidani, Vice Chair Tuesday, February 15, 2011 2:45 p.m. Room 224 STRONG SUPPORT SB 701

Aloha Chair Espero, Vice Chair Kidani, and Members of the Committee,

My name is Ryan Berney and I am in Strong Support of SB 701. By directly addressing ones pathway to crime, by sending nonviolent drug offenders to drug rehab instead of prison, everybody wins. The State will save money, the individual will receive the help they need, and the community will be safer.

Mahalo for this opportunity to submit testimony on this matter,

Ryan Berney

Robert K. Merce 2467 Aha Aina Place Honolulu, Hawai`i 96821 January 25, 2011

#### COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Sen. Will Espero, Chair
Sen. Michelle Kidani, Vice Chair
Tuesday, February 15, 2011
2:45 PM
Room 224
SB 701 – Relating to Sentencing; Criminal Procedure
SUPPORT SB 701
PGMTestimony@capitol.hawaii.gov

Dear Chair Espero, Vice Chair Kidani and Members of the Committee!

I am a retired member of the Hawaii State Bar. Before retiring, my practice included the representation of prison inmates on a wide array of issues. This made me aware of the many ways in which our justice system is failing inmates and the community, and since retiring I have decided to try to do something about it.

SB 701 gives judges discretion to divert certain offenders to treatment programs rather than incarceration. This is a sensible approach in view of the fact that treatment has been shown to be more cost effective and successful than incarceration.<sup>1</sup>

Thank you.

<sup>&</sup>lt;sup>1</sup> See discussion of RTI International Study at <a href="http://www.rti.org/page.cfm?objectid=45f0612f-80cf-452e-b9466cad5f1b786c">http://www.rti.org/page.cfm?objectid=45f0612f-80cf-452e-b9466cad5f1b786c</a>.

# Erin Welsh 73-1142 Oluolu Street Kailua-Kona, Hawaii 96740 (808) 325-5322

February 14, 2011

#### COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPS & MILITARY AFFAIRS

Sen. Will Espero, Chair

Sen. Michelle Kidani, Vice Chair

Room 229 Via: Email

# STRONG SUPPORT for SB 701 - DIVERSION OF NONVIOLENT DRUG OFFENDERS

Good Morning Chair Espero, Vice-Chair Kidani and Committee Members:

I am the mother of a prisoner who is currently being held at Saguaro in Arizona. He is a non-violent drug addict who got involved with ICE. I have always said, you cure the drug addict and the criminal disappears. Anything he did, he did because of his addiction. These people should be in treatment, not prison. I know that my son is the victim of the drug dealers who GAVE HIM these drugs at the beginning, so that they would have a customer for life. It ruined his life. He's in prison and they're still on the street, ruining more lives, and he never hurt anyone but himself.

After Michael's first offence, he went through and graduated from the Big Island Drug Court. At the time, he was doing great, but the doctors at BISAC and his personal doctor at the time all said he wouldn't make it because Drug Court was not long enough. They said the brain needs at least 2 years off ICE before it even begins to heal. They all thought the Drug Court program should be 3 years. Even at that length, it would be cheaper than sending these guys to prison, and would almost guarantee a better outcome at the end. A few years in prison doesn't get them any treatment to speak of, meaning they will probably end up back in prison.

What we are doing with these addicts is not working and is breaking the budget. Let's confer with the experts in this field and do WHAT WILL WORK!!

Thanks, Erin Welsh

mailinglist@capitol.hawaii.gov

Sent:

Monday, February 14, 2011 10:28 AM

To:

PGM Testimony

Cc:

kaiwohi@yahoo.com

Subject:

Testimony for SB701 on 2/15/2011 2:45:00 PM

## Testimony for PGM 2/15/2011 2:45:00 PM SB701

Conference room: 224
Testifier position: support
Testifier will be present: No

Submitted by: Kanoelani Medeiros

Organization: Individual

Address: Phone:

E-mail: <u>kaiwohi@yahoo.com</u> Submitted on: 2/14/2011

#### Comments:

Although we oppose any mandatory minimum sentencing, we strongly support diverting nonviolent drug offenders to treatment instead of prison.

Mahalo

mailinglist@capitol.hawaii.gov

Sent:

Monday, February 14, 2011 7:25 AM

To:

**PGM Testimony** 

Cc:

kevin.block@mauicounty.gov

Subject:

Testimony for SB701 on 2/15/2011 2:45:00 PM

# Testimony for PGM 2/15/2011 2:45:00 PM SB701

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Kevin Block
Organization: Individual

Address: Phone:

E-mail: kevin.block@mauicounty.gov

Submitted on: 2/14/2011

#### Comments:

I work directly with prisoners within MCCC doing 12-step meetings. Clearly, drug treatment is the appropriate intervention for the majority of the inmates I come in contact with. Drug treatment diversion sentencing is more appropriate in terms of results, best practices and financially. It is time to take a common sense approach.

Mahalo.

Kevin Block, J.D.

mailinglist@capitol.hawaii.gov

Sent:

Monday, February 14, 2011 4:11 PM

To:

**PGM Testimony** 

Cc:

dancercat3@hotmail.com

Subject:

Testimony for SB701 on 2/15/2011 2:45:00 PM

## Testimony for PGM 2/15/2011 2:45:00 PM SB701

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Kalei Jaramillo
Organization: Individual

Address: Phone:

E-mail: dancercat3@hotmail.com

Submitted on: 2/14/2011

#### Comments:

This must be done! This is what people like my husband, who is in Saguaro, need. Living as a captive serves NO ONE with any integrity. PLEASE. It's the right thing! Most sincerely, I thank you- alot of peoples' lives are in your hands!