

DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

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



**LATE TESTIMONY**

KEITH M. KANESHIRO  
PROSECUTING ATTORNEY

ARMINA A. CHING  
FIRST DEPUTY PROSECUTING ATTORNEY

**THE HONORABLE WILL ESPERO, CHAIR  
SENATE COMMITTEE ON PUBLIC SAFETY,  
INTERGOVERNMENTAL AND MILITARY AFFAIRS  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawai'i**

March 30, 2015

**RE: S.C.R. 128 / S.R. 76; REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO  
FORM A WORKING GROUP TO EXAMINE SMARTER SENTENCING TO IMPROVE  
THE QUALITY AND RELIABILITY OF STATE CRIMINAL SENTENCING  
PRACTICES.**

Chair Espero, Vice-Chair Baker, and members of the Senate Committee on Public Safety, Intergovernmental and Military Affairs, the Department of the Prosecuting Attorney, City and County of Honolulu, submits the following comments regarding S.C.R. 128 / S.R. 76.

The purpose of S.C.R. 128 / S.R. 76 is to form a working group to examine the concept of “smarter sentencing,” with the goal of decreasing incarceration rates while *also* decreasing recidivism rates and the number of inmates released prematurely from prison. Any consideration of altering the process of sentencing, especially statutory amendments that change the process or timing of releasing convicted persons into the community requires serious consideration of its impact on crime victims. Any working group that is designed to examine this process must include adequate representation of crime victims/survivors and their advocates to insure that the interests and concerns of crime victims are incorporated into the deliberations of this proposed body. While it appears that adequate consideration has been given to insuring that the interests of convicted persons is provided in the makeup of the proposed working group, crime victims are left without any, much less adequate, representation. As Hawaii’s Penal Code includes multiple provisions designed to insure the inclusion of victims in the criminal justice process, it is clearly appropriate that their interests are fully incorporated into the makeup of any process considering fundamental amendments to the procedures or statutes that clearly affects their interests. As such we propose the inclusion of representation from crime victims/survivors, the County Victim Witness Assistance Programs, and community victim advocacy organizations in any working group that is established through this resolution

Thank for you this opportunity to comment on S.C.R. 128 / S.R. 76.

# LATE TESTIMONY

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, March 30, 2015 6:46 PM  
**To:** PSMTestimony  
**Cc:** pamelalichty@gmail.com  
**Subject:** Submitted testimony for SCR128 on Mar 31, 2015 13:15PM

## **SCR128**

Submitted on: 3/30/2015

Testimony for PSM on Mar 31, 2015 13:15PM in Conference Room 229

| <b>Submitted By</b> | <b>Organization</b>      | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|--------------------------|---------------------------|---------------------------|
| Pamela Lichty       | Drug Policy Action Group | Support                   | No                        |

Comments: The Drug Policy Action Group has long advocated being "Smart on Crime". The convening of this working group would be an excellent step to advance this goal.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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# LATE TESTIMONY

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, March 30, 2015 7:17 PM  
**To:** PSMTestimony  
**Cc:** blawaiianlvr@icloud.com  
**Subject:** \*Submitted testimony for SCR128 on Mar 31, 2015 13:15PM\*

## **SCR128**

Submitted on: 3/30/2015

Testimony for PSM on Mar 31, 2015 13:15PM in Conference Room 229

| <b>Submitted By</b>  | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|----------------------|---------------------|---------------------------|---------------------------|
| De MONT R. D. CONNER | Ho'omana Pono, LLC. | Support                   | No                        |

### Comments:

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