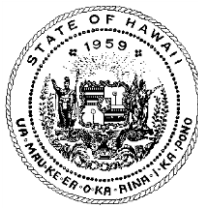




SB2096

Measure Title:	RELATING TO CORRECTIONS.
Report Title:	Transfer of Inmates and Operations; Feasibility Study (\$)
Description:	Requires department of public safety corrections division to conduct a feasibility study on transferring the inmates and operations of Oahu community correctional center to Halawa correctional facility, while maintaining the inmates and operations of Halawa correctional facility at Halawa correctional facility. Makes an appropriation.
Companion:	
Package:	None
Current Referral:	PSM, WAM
Introducer(s):	NISHIHARA, TOKUDA, WAKAI, Baker, Espero, Kidani, Slom



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

NOLAN P. ESPINDA
DIRECTOR

Cathy Ross
Deputy Director
Administration

Jodie F. Maesaka-Hirata
Deputy Director
Corrections

Shawn H. Tsuha
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 2096
RELATING TO CORRECTIONS

By
Nolan P. Espinda, Director

Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Senator Clarence Nishihara, Chair
Senator Will Espero, Vice Chair

Thursday, January 28, 2016, 1:15 PM
State Capitol, Conference Room 229

Chair Nishihara, Vice Chair Espero, and Members of the Committee:

The Department of Public Safety (PSD) **supports** the intent of Senate Bill (SB) 2096. As the urgent need for the replacement and relocation of the current OCCC is widely accepted, it should be made clear in SB 2096 that the feasibility study shall include the analysis of the following:

1. Potential financial costs and benefits for the replacement and relocation of OCCC, its inmates, staff and operations to the vacant land areas of Halawa Correctional Facility. The new structures must be created as a replacement for OCCC to keep the jail population separate and apart from the prison population.
2. Impact of transfer on personnel employed within the Corrections Division from the current OCCC site to the replacement site.

In order for the purposes of SB 2096 to be successfully fulfilled, PSD recommends that sufficient funding to finance an independent study in the amount of \$300,000 be appropriated out of general fund revenues.

Thank you for the opportunity to testify on this measure.

From: mailinglist@capitol.hawaii.gov
To: [PSMTestimony](#)
Cc: blawaiianlvr@icloud.com
Subject: Submitted testimony for SB2096 on Jan 28, 2016 13:15PM
Date: Tuesday, January 26, 2016 5:32:31 PM

SB2096

Submitted on: 1/26/2016

Testimony for PSM on Jan 28, 2016 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
De MONT R. D. CONNER	Ho'omana Pono, LLC.	Support	Yes

Comments: For the record, I do not personally approve of more prisons or jails being built. However, I do acknowledge the fact that OCCC is antiquated & ineffective to house anyone there. A new facility must be built. First of all, should a new jail be built in Halawa, then the name of that facility should reflect the one individual who has made the most impact in our prison system, in Halawa: WILLIAM OKU, Sr. The new facility should bear his name to honor his contribution to the Department of Public Safety, to prisoners & to society. Bill Oku was the one and only Warden of Halawa High Security, which existed from 1981 until 1991, when the High facility was converted into a R.A.D. Unit. Secondly, the design of the facility, while obviously taking into consideration "security" needs, should reflect something more akin n to a rehabilitation center, rather than the archaic prison warehouse model. After all, the mission is to work towards rehabilitation rather than just warehousing. Such a rehabilitation design should reflect the Hawaiian concepts of Pu`uhonua & the City of Refuge in Ho`onaunau. Thirdly, there needs to be implemented a detailed accounting of all materials & supplies that go into building the facility, after all, tax payer dollars will go into building the center/facility. A public watch dog group should be given, without hassle or undue influence to sway their ability to monitor the expenditures for this behemoth project. Fourthly, due to the recent leakage of fuel into the ground water from the military storage tanks in Red Hill, and due to the fact that similar storage tanks are housed in the hill behind Halawa Correctional Facility, a full and complete ENVIRONMENTAL IMPACT STUDY needs to be conducted to ensure the health and safety of prisoners, as well as the center/facility staff that works there. Fair, Honest & Open Government guarantees TRANSPARENCY, as Governor David Ige promised to the people of Hawaii! Lastly, while the center/facility is being built, and before it becomes operational, the Department of Public Safety should be mandated to update all its policies & procedures to reflect the operations of this new center/facility & publish all non-confidential policies & procedures.

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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HAWAII SUBSTANCE ABUSE COALITION

SB2096 RELATING TO CORRECTIONS

COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS:

Senator Clarence K. Nishihara, Chair; Senator Will Espero, Vice Chair

- Thursday, January 28, 2016 at 1:15pm
- Conference Room 229

HSAC Supports SB2096 Supports with Recommendations:

Good Afternoon Chair Nishihara; Vice Chair Espero, and Distinguished Committee Members. My name is Alan Johnson, Chair of the Hawaii Substance Abuse Coalition, an organization of more than thirty treatment and prevention agencies across the State.

The Hawaii Substance Abuse Coalition (HSAC) supports the feasibility study to transfer inmates out of OCCC since this facility is obsolete. Moreover, the feasibility study could include spacial designs to accommodate offenders according to risk assessments – the potential to re-offend.

HSAC recommends that the study include the research that indicates rehabilitation efforts have better outcomes if low risk offenders are separated from high risk offenders.¹

- Risk assessments are used to enhance public safety. Objective measures have been developed to help criminal justice staff identify levels of risk.
- Mixing low risk offenders with higher risk offenders runs the risk of exposing low risk offenders to the influence of high risk offenders.
- Higher risk offenders require more close supervision while low risk offenders are watched less closely than the high risk offenders.
- Therapeutic treatment while incarcerated can be effective. If treatment is provided to low risk offenders then the low risk offenders need to be separated as much as possible from high risk offenders.
- High risk offenders require more intensive treatment and require more intervention.
- Low risk offenders have more personal strengths and fewer treatment needs compared to high risk offenders. Often, the treatment needs of low risk offenders are non-criminogenic needs (e.g., anxiety, depression and general feelings of distress). Referral to non-criminal justice agencies for services to address their non-criminogenic needs would provide the human services sufficient for these low risk offenders and at the same time separate them from high risk offenders.

We appreciate the opportunity to testify and are available for questions.

¹ Andrews, D. A. & Bonta, J. (2006). *The Psychology of Criminal Conduct* (4th ed.). Newark, NJ: LexisNexis<https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/tdwth-lwrsk/index-en.aspx>

COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/email: (808) 927-1214 / kat.caphi@gmail.com



COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Senator Clarence K. Nishihara, Chair

Senator Will Espero, Vice Chair

Thursday, January 28, 2016

1:15 p.m.

Room 229

COMMENTS ON SB 2096 - FEASIBILITY STUDY RE OCCC MOVE TO HALAWA

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

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai'i for almost two decades. This testimony is respectfully offered on behalf of the 6,000 Hawai'i individuals living behind bars or under the "care and custody" of the Department of Public Safety. We are always mindful that approximately 1,500 of Hawai'i's imprisoned people are serving their sentences abroad thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Native Hawaiians, far from their ancestral lands.

SB 2096 requires DPS to conduct a feasibility study on transferring the inmates and operations of OCCC to Halawa, while maintaining the inmates and operations of Halawa correctional facility at Halawa.

Community Alliance on Prisons offers comments on this measure. After speaking with the Chair's office we understand that the wording of the bill is somewhat misleading. However, we do believe that a feasibility study **MUST** be done, along with an ENVIRONMENTAL IMPACT STATEMENT for the proposed relocation of OCCC to the Halawa footprint.

This bill outlines what the feasibility analysis should consider (costs, alternative uses for the current OCCC property, impact on personnel and the management of imprisoned persons) yet is totally silent regarding the impact on families of those imprisoned at OCCC. We know that there are a significant number of imprisoned people at OCCC suffering from

mental illness. We hear from these families frequently about the importance of visitation and maintaining contact with their loved ones and the problems they are experiencing.

Community Alliance on Prisons asserts that we MUST CONSIDER ALL ALTERNATIVES before spending taxpayer money to continue criminalizing people struggling with mental illness, substance abuse issues, houselessness, unemployment, illiteracy, etc. There are better and proven strategies to address these social problems. There is no aloha in hiding our social problems in jails, prisons, and warehouses. This is not a solution!

As Professor Angela Davis said,

“Prisons do not disappear social problems, they disappear human beings. Homelessness, unemployment, drug addiction, mental illness, and illiteracy are only a few of the problems that disappear from public view when the human beings contending with them are relegated to cages.”

We can do better AND WE MUST!

We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly.

Dr. Martin Luther King, Jr.



We sincerely hope that you will take a hard look at this fast-tracked proposal and think about it with compassion toward the people who are most impacted by it...those inside OCCC and their families, the invisibly incarcerated.

Mahalo for this opportunity to share our comments with the committee.

From: mailinglist@capitol.hawaii.gov
To: [PSMTestimony](#)
Cc: protechoahu@gmail.com
Subject: *Submitted testimony for SB2096 on Jan 28, 2016 13:15PM*
Date: Tuesday, January 26, 2016 5:52:37 PM

SB2096

Submitted on: 1/26/2016

Testimony for PSM on Jan 28, 2016 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Clayton Silva	Individual	Oppose	No

Comments:

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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