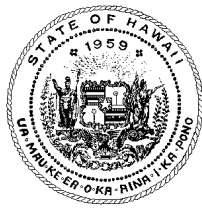


DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
HAWAII PAROLING AUTHORITY
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No. _____

TESTIMONY ON SENATE BILL 2816
RELATING TO PAROLE.

By
Edmund "Fred" Hyun, Chairman
Hawaii Paroling Authority

Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Senator Clarence K. Nishihara, Chair
Senator Glenn Wakai, Vice Chair

Tuesday, January 30, 2018, 1:15 p.m.
State Capitol, Conference Room 229

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

The Hawaii Paroling Authority (HPA) **strongly supports** Senate Bill (SB) 2816. This is an Administration Bill that seeks to provide clarity regarding the awarding of "GATE" funds by the Authority, which would be subject to legislative appropriations specific to this program. The lack of dedicated appropriations for this purpose prevents the Authority from awarding GATE funds.

Thank you for the opportunity to provide testimony on SB 2816.

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS

Sen. Clarence Nishihara, Chair

Sen. Glenn Wakai, Vice Chair

Tuesday, January 30, 2018

1:15 pm

Room 229

SB 2816 - GATE MONEY - SUPPORT with AMENDMENT

Aloha Chair Nishihara, Vice Chair Wakai 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 more than two decades. This testimony is respectfully offered on behalf of the approximately 5,500 Hawai'i individuals living behind bars or under the "care and custody" of the Department of Public Safety on any given day. We are always mindful that approximately 1,600 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 Kanaka Maoli, far, far from their ancestral lands.

SB2816 is an administration bill that specifies that funds for discharged persons be subject to legislative appropriation.

Community Alliance on Prisons supports this measure. The bill makes it clear that the legislature must appropriate funds for gate money. We cannot remember the Hawai'i Paroling Authority ever requesting an appropriation for this purpose. It would be great if they did, since they are a vital part of the reentry process.

Gate money alone, though, is not enough to assist an individual reintegrating into the community after spending time imprisoned. People need help adjusting to the "free world" and furnishing people with resources and referrals along with a little money can make the huge difference.

Community Alliance on Prisons respectfully asks that the following language be added to line 5 after "more than one year" and has been furnished with a discharge/reentry plan and resource referrals from the department of public safety before exiting incarceration, "the committed person may be furnished by the Hawaii paroling..."

A 2008 Urban Institute policy document advising states on release planning explained, “While a comprehensive, holistic approach to reentry planning — addressing the needs of incarcerated persons from the moment of admission through the months following release — is clearly the ‘gold standard’ toward which the field is progressing, a critical step in this process that has until now received relatively little attention deals with the preparation of an inmate for the hours and days immediately following his or her release from prison.”

“There’s not a lot of literature on this that I’m aware of or perhaps not even enough conversation,” said Ann Jacobs, director of the Prisoner Reentry Project at John Jay College of Criminal Justice. “If you don’t get those [first days] right you don’t get a chance to get the rest right.”¹

Community Alliance on Prisons appreciates this measure and hopes that our amendment is adopted so that Hawai‘i can realize the benefits of properly preparing people for successful reintegration back to their communities. Now we need the Hawai‘i Paroling Authority to request a budget so they can provide some immediate funding to folks exiting imprisonment along with the discharge/reentry plan and referral resources from the department of public safety. We will support that request!

*In matters of truth and justice,
there is no difference between large and small problems,
for issues concerning the treatment of people are all the same.*
Albert Einstein

¹ The Prison Doors Open And You’re Released. You Have No Money Or Transportation. Now What? NICOLE FLATOW, JUN 21, 2015
<https://thinkprogress.org/the-prison-doors-open-and-youre-released-you-have-no-money-or-transportation-now-what-442f6b067dfb/>



Aloha chair nishihara, vice chair wakai, and members of the Committee on Public Safety, Intergovernmental, and Military Affairs,

The Young Progressives Demanding Action – Hawai‘i **strongly oppose** SB 2816. It is our opinion that, if—as a society—we are going to rely on incarceration or other forms of commitment (such as the state hospital) as any part of our criminal justice system, and if we—as a society—are going to rely on capitalist market systems as our means of livelihood, then we must provide committed person with enough money to survive upon immediate release from their commitment.

When a person is found to have broken the social contract, our society has dictated that person shall forgo certain of his or her “inalienable” rights, such as the right to move freely; the right to self-determination with regards to eating, sleeping, dressing, leisure time; and in some cases the right to vote. These are serious infringements on a person's liberty, but society acknowledges the necessity of these infringements because the individual committed a crime (we can debate whether or not that is truly necessity at a later time). If the individual then serves the sentence we as a society have deemed necessary for their rehabilitation, including the forgoing of said rights, then the very least we can do is ensure that person has a meager \$200 in their pockets when we finally deem that they have “paid for their crimes.” Indeed, we—as a society—now owe that to the person who has served his or her sentence faithfully; who has agreed to our terms of punishment for breaking the social contract.

The added language SB 2816 adds to HRS 353-14 makes this meager sum dependent on whether or not the legislature appropriates funds for this specific purpose. This is wrong on multiple levels beyond the moral one I hope to have described above. What if the legislature forgets to include this “specific purpose” in its budget one year? What if legislators come to power who care nothing for the human rights of incarcerated people and intentionally withhold this funding. No, we punish enough with our sentencing. Do not add the potential for additional, unnecessary financial punishment and hardship after sentencing is complete. To do so would be doubly inhumane. Additionally, recidivism—the propensity for incarcerated people to end up back behind bars again and again—could be further

exacerbated by this additional language, once again acting as anathema to our overall goal of reducing the state's prison and jail populations, making it impracticable and bad policy.

It is our recommendation, therefore, that this committee kill this bill immediately.

Mahalo,

Will Caron

Social Justice Action Committee Chair

Young Progressives Demanding Action – Hawai‘i

SB-2816

Submitted on: 1/29/2018 12:52:06 PM

Testimony for PSM on 1/30/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
E. Ileina Funakoshi		Comments	No

Comments:

Good beginning but putting an individual out of prison with no direction or help in how to get reintegrated into the community is not a good idea. Entering into the "outside" world is not easy when you've had live only within walls for many years.

SB-2816

Submitted on: 1/29/2018 12:47:25 PM

Testimony for PSM on 1/30/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen		Support	No

Comments:

We support giving people the means to survive until they are able to gain employment and receive a paycheck.