

### The Judiciary, State of Hawai'i

## Testimony to the Thirty-Second Legislature 2023 Regular Session

House Committee on Corrections, Military, and Veterans Representative Mark J. Hashem, Chair Representative Cory M. Chun, Vice Chair

> Wednesday, February 8, 2023, 9:00 a.m. State Capitol Conference Room 430 & Videoconference

#### WRITTEN TESTIMONY ONLY

by:

Rodney A. Maile Administrative Director of the Courts

Bill No. and Title: House Bill No. 1130, Relating to Corrections.

**Purpose:** The purpose of this Act is to establish a trauma-informed certification program for adult corrections officers at the Windward Community College campus of the University of Hawai'i. The bill appropriates funds.

### **Judiciary's Position:**

The Judiciary SUPPORTS the intent of this measure, and recognizes the need for a trauma-informed approach across the justice system.

Many people who come into our courts have experienced trauma in their lives, which can have lasting adverse effects on long-term mental and physical health. In addition, it can influence behavior and limit an individual's ability to effectively participate in the judicial process. Understanding trauma and implementing trauma-informed practices can improve outcomes. We regularly make training on trauma-informed care available to our judges and court staff, and are supportive of this opportunity for adult corrections officers to have a traumainformed certification program.

Thank you for the opportunity to comment on this measure.

JOSH GREEN, M.D. GOVERNOR



STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I DEPARTMENT OF PUBLIC SAFETY Ka 'Oihana Ho'opalekana Lehulehu 1177 Alakea Street Honolulu, Hawai'i 96813 TOMMY JOHNSON DIRECTOR

> Melanie Martin Deputy Director Administration

Michael J. Hoffman Acting Deputy Director Corrections

> William F. Oku Deputy Director Law Enforcement

No.

TESTIMONY ON HOUSE BILL 1130 RELATING TO CORRECTIONS. By Tommy Johnson, Director

House Committee on Corrections, Military and Veterans Representative Mark J. Hashem, Chair Representative Cory M. Chun, Vice Chair

Wednesday, February 08, 2023; 9:00 a.m. State Capitol Conference Room 430 and Via Videoconference

Chair Hashem, Vice Chair Chun, and Members of the Committee:

The Department of Public Safety (PSD) **supports** House Bill (HB) 1130, which seeks to appropriate monies to Windward Community College (WCCC) to support a Level I trauma-informed care certification program for Adult Corrections Officers (ACOs) that is based on an existing course implemented by the WCCC for mental health technicians at Hawai'i state hospital, which has already been proven successful.

PSD's ACOs may benefit from this voluntary trauma-informed care certification training in interacting with individuals in the corrections and rehabilitation system who have experienced serious trauma during their lifetime.

ACO's wishing to participate in trauma-informed care certification training would do so on their own personal time at no cost to PSD or the State of Hawai'i.

Thank you for the opportunity to provide testimony in support of HB 1130.

MARK PATTERSON CHAIR

CHRISTIN M. JOHNSON OVERSIGHT COORDINATOR

COMMISSIONERS HON. MICHAEL A. TOWN (ret.) HON. RONALD IBARRA (ret.) TED SAKAI MARTHA TORNEY



#### STATE OF HAWAII HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION 235 S. Beretania Street, 16° Floor HONOLULU, HAWAII 96813 (808) 587-4160

- TO: The Honorable Mark J. Hashem, Chair The Honorable Cory M. Chun, Vice Chair House Committee on Corrections, Military & Veterans
- FROM: Mark Patterson, Chair Hawaii Correctional System Oversight Commission
- SUBJECT: House Bill 1130, Relating to Corrections Hearing: Wednesday, February 8, 2023; 9:00 a.m. State Capitol, Room 430

Chair Hashem, Vice Chair Chun, and Members of the Committee:

The Hawaii Correctional System Oversight Commission (HCSOC, the Commission) strongly **supports** House Bill 1130, Relating to Adult Corrections Officers; UH; Windward Community College; and Trauma-informed Certification Program. This bill appropriates moneys to support a trauma-informed certification program for adult corrections officers at the Windward Community College campus of the University of Hawai'i.

According to the National Resource Center on Justice Involved Women (NRCJIW), one of the most common experiences shared by those who are incarcerated is a history of trauma. Research has shown that the effects of trauma can be significant and long lasting and are often times directly linked to the onset of substance abuse, mental health challenges, and criminal behavior. Experts recommend that all systems (medical, mental health, corrections, etc.) be trauma-informed and that professionals in these systems adopt universal precautions when working with individuals. Universal precautions require the assumption that a trauma history is present with all individuals interacted with, and to interact with them in a trauma-informed manner.

For some individuals, jails, prisons, and detention centers can further contribute to or be the source of trauma. The bright lights, loud noises, questioning by officers and staff, harsh physical handling/movement, restrictions, and sparse living quarters can be triggering. Triggers, if not handled appropriately, can result in assaults, suicide attempts, fights, and self-mutilation. According to the Substance Abuse and Mental Health Services Administration's National Center for Trauma-Informed Care and Alternatives to Seclusion and Restraint (NCTIC), Correctional facilitates can curb trauma-reactive symptoms within their populations with the following key components of trauma-informed care:

• Recognizing the impact of trauma on multiple areas of life and different paths to recovery.

HB 1130, Relating to Corrections House Committee on Corrections, Military & Veterans Wednesday, February 8, 2023; 9:00 a.m. Page 2

- Being aware of the signs and symptoms of trauma.
- Structuring policies and practices that account for and are sensitive to people's potential trauma histories.
- Seeking to prevent re-traumatization

The Commission believes that encouraging officers to become trauma-informed will assist the officers in understanding an individual's history of trauma, understand their responses to trauma, and recognize the pathways survivors take in navigating safety and recovery. Taking these steps is imperative to having a therapeutic and rehabilitative corrections system. For these reasons, we support this bill.

Should you have additional questions, the Oversight Coordinator, Christin Johnson, can be reached at 808-900-2200 or at <u>christin.m.johnson@hawaii.gov</u>. Thank you for the opportunity to testify.

JOSH GREEN, M.D. GOVERNOR OF HAWAII KE KIA'ÄINA O KA MOKU'ÄINA 'O HAWAI'I



KENNETH S. FINK, M.D., M.G.A, M.P.H DIRECTOR OF HEALTH KA LUNA HO'OKELE

STATE OF HAWAII DEPARTMENT OF HEALTH KA 'OIHANA OLAKINO P. O. Box 3378 Honolulu, HI 96801-3378 doh.testimony@doh.hawaii.gov

WRITTEN TESTIMONY ONLY

#### Testimony in SUPPORT of H.B. 1130 RELATING TO CORRECTIONS

#### REPRESENTATIVE MARK J. HASHEM, CHAIR HOUSE COMMITTEE ON CORRECTIONS, MILITARY & VETERANS

Hearing Date, Time and Room Number: February 8, 2023 at 9:00 a.m. in Room 430/VIDEO

- 1 **Fiscal Implications:** Undetermined.
- 2 Department Position: The Department of Health ("Department") strongly supports this
- 3 measure and offers comments.
- 4 **Department Testimony:** The Adult Mental Health Division (AMHD) provides the following
- 5 testimony on behalf of the Department.
- 6 The purpose of this measure is to appropriate funds to the University of Hawaii (UH),
- 7 Windward Community College (WCC) to support an eight- or sixteen-week Level I trauma-
- 8 informed certification program during the 2023-2024 academic year at no cost to adult
- 9 corrections officers employed by the Department of Public Safety (PSD).
- 10 The Department is committed to developing a system of care that is trauma-informed.
- 11 This commitment includes supporting efforts to train staff on basic trauma-informed principles.
- 12 Trauma-informed criminal justice responses can help avoid re-traumatizing individuals.
- 13 According to the Adverse Child Experiences (ACE) study, exposure to abuse, neglect,
- 14 discrimination, violence and other adverse experiences increase an individual's lifelong
- 15 potential for serious health problems and potential engagement in health-risk behaviors.

1	Adult Corrections Officers (ACOs) are exposed to working conditions that can have a
2	negative impact on their health and safety. Providing support to ACOs should include
3	education that focuses on wellness and resilience, and provide core knowledge about the
4	impact of trauma on mental, physical and emotional health. This specialized training can help
5	ACOs to better manage the challenges of their job.

WCC established the Mental Health Technician Certificate program in Spring 2022. This
program provides introductory training to those entering the mental health service field.
Courses in psychology, conflict resolution and mediation have provided 25 graduates with
essential skills that directly impact their ability to perform their jobs. Of these 25 graduates, 11
are employed at the Hawaii State Hospital.

11 We are very aware of the impact trauma has on individuals, families and communities 12 and are ready and willing to support efforts to provide specialized training to ACOs, including 13 those working at the Women's Community Correctional facility.

14 **Offered Amendments:** None.

15 Thank you for the opportunity to testify on this measure.

### 'ŌNAEHANA KULANUI O HAWAI'I

Legislative Testimony Hōʻike Manaʻo I Mua O Ka ʻAhaʻōlelo



Testimony Presented Before the House Committee on Corrections, Military & Veterans Wednesday, February 8, 2023, at 9:00 a.m. By Erika Lacro, Vice President for Community Colleges University of Hawai'i System

HB 1130 - RELATING TO CORRECTIONS

Chair Hashem, Vice Chair Chun, and Members of the Committee:

The University of Hawai'i supports the intent of HB 1130, which creates a Trauma Informed Care Course (TICC) designed for Adult Corrections Officers taught by WCC.

According to the Center for Disease Control, 97% of inmates have had at least one traumatic childhood experience. A large national study found that 40.1% of female inmates and 17.8% of male inmates suffer from post-traumatic stress disorder (PTSD). Other studies have found 30% of male inmates have current PTSD symptoms and 60% have lifetime PTSD. Incarceration compounds potential trauma related issues, as it is an environment where the incarcerated feel a lack of personal control over situations and their own safety. Due to this, individuals may remain in a constant state high alert due to concern for personal safety and may be triggered by perceived threats and actions and/or interactions which remind them of past trauma. This can lead to inappropriate responses, including aggression, violence, anxiety, depression and self-harm. Suicides are the leading cause of jail deaths nationwide. These impacts of trauma create a negative environment for the incarcerated individual, fellow prisoners and the prison staff.

A TICC helps those serving incarcerated populations to better manage this population through understanding the impact of trauma. Adult Corrections Officers will be provided information on the lifelong effects or trauma, recovery needs and implementation of traumafocused treatment interventions, including evidence based best practice. Trauma triggers and examples of calming and grounding strategies will be discussed to help staff conduct their work more effectively and with less frustration. Vicarious trauma impacting correctional staff and suggestions for self-care will also be explored.

This TICC positively impacts the prison environment for both workers and incarcerated individuals. This can have further positive impacts on retaining staffing due to decreased workplace frustration.

The University of Hawai'i supports the intent of HB 1130, on the condition that any funds appropriated in support of this program does not supplant any portion of the University's budget request.

Thank you for the opportunity to provide testimony in support of HB 1130.

# **Opportunity Youth Action Hawai'i**

February 08, 2023

House Committee on Corrections, Military & VeteransHearing Time:09:00 a.m.Location:State CapitolRe:HB 1130, Relating to Corrections

Aloha e Chair Hashem, and members of the Committee:

We are writing in strong support of HB 1130, Relating to Corrections.

This bill will appropriate moneys to support a trauma-informed certification program for adult corrections officers at the Windward Community College campus of the University of Hawai'i and require the curriculum to include a level I trauma-informed care course designed for adult corrections officers.

The majority, if not all, of those in correctional facilities suffer from trauma of some sort. The people who interact with those in the facilities the most, the corrections officers, should have adequate training and be educated on trauma-informed care.

Our collective, Opportunity Youth Action Hawai'i (OYAH), works to support young people under the age of 25 who are disconnected from school and work, referred to as "opportunity youth." This developmental time period is extremely consequential to the individual growth and overall life chances of our children. **We support this measure.** 

Opportunity Youth Action Hawai'i is a collaboration of organizations and individuals committed to reducing the harmful effects of a punitive incarceration system for youth; promoting equity in the justice system; and improving and increasing resources to address adolescent and young adult mental health needs. We seek to improve the continuity of programs and services for youth and young adults transitioning from minor to adult status; eliminate youth houselessness and housing market discrimination against young adults; and promote and fund more holistic and culturally-informed approaches among public/private agencies serving youth.

#### Please support HB 1130.



#### Committee on Corrections, Military & Veterans Chair Mark Hasem, Vice Chair Cory Chun

February 9, 2023, 9:00 a.m., Room 430, Videoconference HB 1130 — RELATING TO CORRECTIONS

TESTIMONY Laurie Tomchak, Legislative Committee, League of Women Voters of Hawaii

#### Chair Hasem, Vice Chair Chun, and Committee Members:

The League of Women Voters of Hawaii supports HB 1130.

HB 1130 appropriates money to support a trauma-informed program for adult corrections officers at Windward Community College, and which includes a level one care course.

There is a great need for trauma programs for corrections officers to avoid merely responding to crises in the correction system, without trying to deal with the root causes of conflicts in the prisons between inmates and prison personnel. The people and institutions are already in place to create these programs and should be utilized as soon as possible. Programs for mental health professionals are already being offered at WCC, and a similar module could be offered to corrections officers. The money appropriated would pay for instructors, books, etc. Officers would not have to pay for their participation.

Similar programs are offered successfully all over the country as well as federal government programs which combat PTSD in probation officers and prison personnel. It is important to seek solutions to conflicts in prisons, not to just build new prisons and tell prison personnel to be strong and in control when the system is already out of control.

Please support HB 1130.

Thank you for the opportunity to submit testimony.



#### HOUSE OF REPRESENTATIVES THE THIRTY-SECOND LEGISLATURE REGULAR SESSION OF 2023

#### **Committee on Corrections, Military & Veterans**

Rep. Mark J. Hashem, Chair Rep. Cory M. Chun, Vice Chair

Wednesday, February 8, 2023, 9:00 AM Conference Room 430 & via Videoconference

#### Re: Testimony on HB1130 – RELATING TO CORRECTIONS

Chair Hashem, Vice Chair Chun, and Members of the Committee:

The United Public Workers, AFSCME Local 646, AFL-CIO ("UPW") **provides comments** on HB1130, which appropriates moneys to support a trauma-informed certification program for adult corrections officers ("ACOs") at the Windward Community College campus of the University of Hawaii. This bill also requires the curriculum to include a Level I trauma-informed care course designed for ACOs.

As the exclusive bargaining representative for the correctional employees in Bargaining Unit 10, UPW recognizes that a significant proportion of the individuals in Hawaii's correctional facilities have experienced serious trauma during their lifetimes. The establishment of a Level 1 trauma-informed certification program would allow ACOs to better recognize the symptoms of trauma exhibited by inmates. Training in trauma-informed care could also be beneficial in allowing ACOs to recognize signs of work-related trauma displayed by their co-workers.

While we strongly support the proposed training offered to ACOs free of charge, UPW would like to note that there are challenges ACOs would need to overcome to access this certification program. Due to current staffing shortages and mandatory overtime, ACOs would likely be unable to regularly attend courses proposed in the bill without the support of and consideration from the Department of Public Safety.

Thank you for the opportunity to provide testimony on this measure.

Sincerely,

Kalani Werner State Director

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COMMITTEE ON CORRECTIONS, MILITARY & VETERANS Honorable Representative Mark J. Hashem, Chair Honorable Cory M. Chun, Vice Chair

HEARING DATE: Wednesday, February 8, 2023 TIME: 9:00 AM, Via Videoconference & Conference Room 430

#### STRONG SUPPORT FOR HB1130 RELATING TO INCARCERATED WOMEN

Aloha Honorable Representatives. Mahalo for your public service and for considering our perspective regarding this bill that would fund the creation of a trauma informed care certificate for correctional professionals. I apologize an incorrect draft of testimony was inadvertently filed today. Please disregard it and consider this instead. Sorry again.

<u>Hawai'i Friends of Restorative Justice</u> (HFRJ) was incorporated in 1980 as a non-profit to pilot a youth violence prevention project with the family court in Honolulu. HFRJ is a virtual organization governed and overseen by its diverse board of directors. The organization affiliated with the University of Hawai'i (UH) College of Social Sciences in 2019. It receives space only from UH to store documents and no monetary support. HFRJ is mainly operated by volunteers. I have voluntarily directed HFRJ since 2013.

HFRJ has studied best practices <u>for youth</u> since then. In 2004 HFRJ began studying and working with state adult prisons also working to develop evidence based knowledge and what works to <u>decrease incarceration</u> and increase peaceful behavior.

HFRJ's experiences working in the prisons and with youth, indicates that incarcerated people in Hawai'i suffer from a disproportionate share of <u>childhood abuse</u>, <u>neglect</u>, <u>and trauma</u>. This true for <u>other states</u> as well.

Hawai'i in general <u>lacks training</u> opportunities for corrections professionals and especially in trauma informed care, which is vital for assisting incarcerated people and for those who work with them. Our state jails and prison are de facto mental institutions and corrections professionals need special skills to help the incarcerated, and to keep corrections staff safe while preforming their duties too. This measure would help address these important needs.

Please contact Lorenn Walker at lorenn@hawaii.edu if you have any questions concerning HFRJ's strong support for this bill.

Mahalo again for your service to improve our community.

HB-1130 Submitted on: 2/5/2023 1:55:04 PM Testimony for CMV on 2/8/2023 9:00:00 AM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

I support HB1130.

HB-1130 Submitted on: 2/7/2023 5:47:44 AM Testimony for CMV on 2/8/2023 9:00:00 AM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Raelyn Reyno Yeomans	Individual	Support	Written Testimony Only

Comments:

Strong support for HB1130.

House Representative Mark J. Hashem, Chair House Representative Cory M. Chun, Vice Chair Date: Wednesday, February 8, 2023 Time: 9:00 PM Location: Videoconference Conference Room 430 State Capitol 415 South Beretania Street

#### Testimony In Support of HB1130, Relating to Corrections

Aloha Chair Hashem, Vice Chair Chun, and all the members of the committee,

My name is Deizhanna, and I am in favor of HB1130. The reason I am in support of HB1130 is that it not only holds adult correctional officers accountable but it also protects individuals who are incarcerated from being re-traumatized.

Most individuals, who go through the correctional system, have faced some form of trauma in their lives, including, but not limited to: various forms of abuse, mental health issues, and substance use issues. When people become incarcerated, they are often met with an authoritative and punitive nature that the correctional system adopts, putting these individuals at risk for re-traumatization.

To address the issue of re-traumatization, Trauma-informed care (TIC) was developed. TIC aims to help service providers develop an awareness of trauma, how trauma can affect those who have experienced it, and how it can influence the way someone can think, feel, and behave.

By supporting HB1130, I believe the following things can occur:

- Adult Corrections Officers (ACOs) will have access to TIC training and certifications.
- ACOs can gain the knowledge and skills to support individuals who have experienced trauma.
- Those incarcerated will have protection from re-traumatization.

As someone who has taken the time to hear stories of mistreatment from individuals who are and have been incarcerated, I believe there is a lot of work to be done to help change the correctional system and start supporting those who go through it in the ways that they need. HB1130 can be a great stepping stone.

Please support HB 1130 and ensure we protect those who have suffered from trauma and are incarcerated.

Mahalo, Deizhanna Kaya-Abad

#### <u>HB-1130</u>

Submitted on: 2/7/2023 9:31:03 AM Testimony for CMV on 2/8/2023 9:00:00 AM



Submitted By	Organization	<b>Testifier Position</b>	Testify
Diana Bethel	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing in strong support of HB1130 which provides trauma-informed care training for Adult Corrections Officers at Windward Community College. The job of Adult Corrections Officers is often extremely stressful, especially since many are required to work unimaginably long shifts due to staff shortages. Having trauma-informed care training would, I hope, help them be more attuned to the emotional and psychological state of the people in their charge and make them more effective at their jobs.

Trauma-informed care would be especially important for managing women and the issues they face.

Please pass HB1130.

Mahalo for your consideration.

Diana Bethel

#### <u>HB-1130</u>

Submitted on: 2/7/2023 9:45:17 AM Testimony for CMV on 2/8/2023 9:00:00 AM



Submitted By	Organization	<b>Testifier Position</b>	Testify
Cindy Texeira	Individual	Support	Written Testimony Only

Comments:

#### HB1130 - RELATING TO CORRECTIONS

Dear Chair Hashem, Vice Chair Chun, and Members of the Committee,

I am writing to express my support for HB1130, which creates a Trauma Informed Care Course designed for Adult Corrections Officers taught by Windward Community College. This bill has the potential to significantly improve the well-being of both the corrections officers and the incarcerated individuals they serve.

A trauma-informed approach to corrections can lead to a safer, more humane, and more effective criminal justice system. Incarcerated individuals who have experienced trauma are more likely to have behavioral and mental health issues, which can contribute to instability within the system. By providing officers with the tools and knowledge they need to respond in a trauma-informed way, we can help to reduce the risk of conflict and promote healing and recovery.

Corrections officers play a critical role in maintaining safety and security within the criminal justice system. However, they are also exposed to high levels of stress, trauma, and burnout, which can have negative impacts on their mental and physical health. Providing these officers with training in trauma-informed care can help them to better understand the effects of trauma on incarcerated individuals, and to respond in ways that are more supportive and effective which, in return, helps their own mental and physical health.

In conclusion, I strongly encourage the legislature to pass HB1130, which will provide adult corrections officers with the training they need to effectively serve their communities and support those in their care. Thank you for considering this important legislation.

Sincerely,

**Cindy Texeira** 

#### <u>HB-1130</u>

Submitted on: 2/7/2023 5:09:36 PM Testimony for CMV on 2/8/2023 9:00:00 AM



Submitted By	Organization	<b>Testifier Position</b>	Testify
Nancy Taylor	Individual	Support	Written Testimony Only

Comments:

HB 1130 provides funding at Windward Community College to support a badly needed certification program for Adult Corrections officers. This innovative proposal would provide a level I trauma-informed care course for adult corrections officers which does not exist at the preent time.

Thank you.