



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

TO: The Honorable Kyle T. Yamashita, Chair
The Honorable Lisa Kitagawa, Vice Chair
House Committee on Finance

FROM: Mark Patterson, Chair
Hawaii Correctional System Oversight Commission

SUBJECT: House Bill 877, House Draft 1, Relating to the University of Hawaii
Hearing: Wednesday, February 22, 2023; 2:30 p.m.
State Capitol, Room 308

Chair Yamashita, Vice Chair Kitagawa, and Members of the Committee:

The Hawaii Correctional System Oversight Commission (HCSOC) **supports** House Bill 877, House Draft 1, related to the Hookaulike at the University of Hawaii. This bill establishes the Hookaulike: A Criminal Legal System Institute for Restoration and Healing, at the University of Hawai'i William S. Richardson School of Law.

The Commission's mandate (HRS 353L) specifies that one member be appointed by the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs, to ensure that in Native Hawaiian culture-based practices with an emphasis on healing and reducing recidivism is represented in the Commission's work. In the same way that the Legislature recognized the importance of including these requirements in 2019, the Legislature continues to recognize the importance of an inclusive and fair criminal legal system devoted to restoration and healing, particularly addressing the disparate challenges facing Native Hawaiians, Pacific Islanders, and people of color in the criminal legal system.

Allowing the opportunity for the University of Hawai'i William S. Richardson School of Law to design an inclusive and fair criminal legal system for restoration and healing aligns with the Commission's priority to facilitate the transition to a therapeutic and rehabilitation corrections system. Additionally, shifting to a restorative and healing model versus a punitive model has been proven to positively effect recidivism rates and keep the jail and prison population down. 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 christin.m.johnson@hawaii.gov. Thank you for the opportunity to testify.

HB-877-HD-1

Submitted on: 2/20/2023 4:46:29 PM

Testimony for FIN on 2/22/2023 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrea Leialoha Swain	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am a first year student at the William S. Richardson School of Law and Native Hawaiian and I am testifying in support of H.B. 877.

I have seen first had the affects of the implemented American system of criminal law in our islands. When applied to this culture of people that values connection to the land, resources and community it is not hard to see why there is such a disparity of incarceration rates in Hawaii. The values that built the criminal legal system, as well as disrupted the lifestyle of Native Hawaiians, contradict the values that hold those communities together. There needs to be reform in the system that governs criminal law in Hawaii to truly bring healing to the Native community, as well as other disproportionately affected groups.

A criminal legal system that was built as a means of oppression will always be wielded to oppress. A criminal legal system built to heal will do just that--heal. If the legislature believes that the communities of Hawaii need healing, then I would ask you to support this bill and pave a way for our people to heal.

Mahalo,

Andrea Leialoha Swain

To Whom it May Concern,

My name is Brian Piotrowski. I was born and raised on Oahu, and I am writing in full support of H.B. 877. I am also a first-year student in the evening part-time program at the William S. Richardson School of Law. I chose to attend Richardson because of its unique status as the only law school serving the state of Hawaii and the greater Pacific. To that end, I whole-heartedly support the establishment of a restorative justice center of scholarship rooted in Native Hawaiian values and customs.

Even though I am not Native Hawaiian myself, I can still recognize the clear disparities in the way our criminal justice system treats Native Hawaiians and people of color more generally. Furthermore, the fact that the Hawaii correctional system is so overcrowded that we are forced to rely on private prisons on the continent to house inmates is a travesty in and of itself. There is no better time nor place than now and at Richardson to establish a place of learning that aims to unpack and dismantle the current criminal justice system.

This is a particularly pressing time given the news that an inmate from Hawaii may be facing capital punishment because he is housed in a jurisdiction that continues that barbaric practice. This situation could have been mitigated and/or avoided entirely had that inmate had restorative justice practices available to him in his home state. Thus, the establishment of the Ho'okaulike Institute at the William S. Richardson School of Law can not only provide valuable scholarship dedicated to reforming the criminal justice system in Hawaii, but can also serve sever our reliance on jurisdictions that are out of alignment without our flawed status quo.

Aloha,

Brian Piotrowski

HB-877-HD-1

Submitted on: 2/20/2023 7:45:01 PM

Testimony for FIN on 2/22/2023 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Diamonte Chamberlain	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Takayama, and members of the Committee,

I am a second-year student at the William S. Richardson School of Law. I stand in support of H.B. 877 which establishes the Hookeulike: A Criminal Legal System Institute for Restoration and Healing, at the University of Hawai'i William S. Richardson School of Law with funding.

One of the things most evident in my studies of law is that our U.S. criminal legal system is plagued with racism and bias which lead to disproportionate, and frankly, unjust outcomes. I firmly believe that Hookeulike will better address the disparate challenges facing Native Hawaiians, Pacific Islander communities, and people of color in the criminal legal system.

Further, it will provide UH students with a better understanding of the problems that face our community, and it will challenge them to collaborate in creating solutions toward a safe and just society that we want to see achieved on our islands.

I respectfully request that the Committee supports this measure.

Mahalo,

Diamonte Chamberlain

HB-877-HD-1

Submitted on: 2/20/2023 8:55:57 PM

Testimony for FIN on 2/22/2023 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Hee	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Takayama, and Members of the Committee,

My name is Jennifer Meleana Hee. I was born and raised in Hawai‘i Kai, where I also currently live. I am writing in strong support of H.B. 877, which would establish Ho‘okaulike, a Criminal Legal System Institute for Restoration and Healing at the University of Hawai‘i.

I am currently a third-year student at the William S. Richardson School of Law. Through my work with the Beyond Guilt Clinic, I am well aware of the disparate and devastating impact law enforcement and the "justice" system has on BIPOC. This Institute will enable our state-wide community to shift towards a rehabilitative model, rather than an oppressive, punitive one. Society has failed incarcerated individuals-- let us now establish the means to help the next generation do better through this Institute.

I respectfully request that the Committee supports this measure.

Thank you for this opportunity to testify,

Jennifer Meleana Hee

jmhee@hawaii.edu

HB-877-HD-1

Submitted on: 2/20/2023 9:27:10 PM

Testimony for FIN on 2/22/2023 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Albert Lee	Individual	Support	Written Testimony Only

Comments:

I support HB877 HD1: Establishes the Hookaulike: A Criminal Legal System Institute for Restoration and Healing, at the University of Hawai'i William S. Richardson school of law.

HB-877-HD-1

Submitted on: 2/20/2023 9:31:00 PM

Testimony for FIN on 2/22/2023 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Erik Meade	Individual	Support	Written Testimony Only

Comments:

My name is Erik Meade, and I am a student at the William S. Richardson School of Law, at the University of Hawai‘i Mānoa. I am here to testify in strong support of HB 877 HD1 establishing Ho‘okaulike, a Criminal Legal System Institute for Restoration and Healing at the University of Hawai‘i.

The state spends significant amounts of money on policing, prosecution, and incarceration with no significant improvement in the numbers with increasing public pressure for more of the same. The thinking that has gotten us into this situation will not get us out of it. We need a new way and that way may very well be Ho‘okaulike.

I respectfully request that the Committee supports this measure. Thank you for this opportunity to testify.

HB-877-HD-1

Submitted on: 2/21/2023 3:01:45 PM

Testimony for FIN on 2/22/2023 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Emily Sarasa	Individual	Support	Written Testimony Only

Comments:

Dear Chair Yamashita, Vice Chair Kitagawa, and members of the Committee,

I am a second-year student at the William S. Richardson School of Law and I am testifying **in support of H.B. 877**.

The U.S. criminal legal system was built on racist ideologies, and the legislature has the power to address the harms it perpetuates today by establishing Ho‘okaulike. Here, we see Native Hawaiian, Pacific Islander, and Black individuals incarcerated at disproportionate rates. H.B. 877 takes an important first step in recognizing that we need to stop punishing communities for intergenerational poverty and trauma, insufficient support services, and inadequate housing here in Hawai‘i. Taking a restorative, collaborative approach with the law school, school of social work, and Hawai‘inuiākea school will allow for the development of ideas, policies, and programs that heal the community and increase public safety *effectively*.

I respectfully request that the Committee supports this measure to fully fund and implement Ho‘okaulike in the 2023-2024 fiscal year. Thank you for this opportunity to testify.

Mahalo,

Emily Sarasa, esarasa@Hawaii.edu

HB-877-HD-1

Submitted on: 2/21/2023 8:35:50 PM

Testimony for FIN on 2/22/2023 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Anne Steinke	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Kyle T. Yamashita, of House District 12 and Vice Chair Lisa Kitagawa, of House District 48, and members of the Finance Committee,

My name is Anne Steinke and I am a resident of State Senate District 13, State House District 7, on the island of Moloka'i. I am addressing you today as an individual in support of HB 877 HD 1 RELATING TO THE UNIVERSITY OF HAWAII, which establishes and appropriates funds in regard to Ho'okaulike, a Criminal Legal System Institute for Restoration and Healing, at the University of Hawai'i William S. Richardson School of Law.

Please pass this bill to support our People of Color, especially Native Hawaiians, the highest percentage of those incarcerated not only in Hawai'i but across the United States. Over the last decade, approximately 40% of the incarcerated population have been, and continue to be, those of Hawaiian or partial Hawaiian descent. This disproportion expresses a critical societal need that needs to be addressed immediately. A system devoted to restoration and healing will not only improve our economy but give people hope and a brighter future. Mahalo for accepting my testimony, please vote to support HB 877 HD 1.

Me ka ha'aha'a,

Anne Steinke, Individual

annees@hawaii.edu

HB-877-HD-1

Submitted on: 2/21/2023 8:41:08 PM

Testimony for FIN on 2/22/2023 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

Hawai‘i must create an inclusive and fair criminal legal system devoted to restoration and healing, particularly addressing the disparate challenges facing Native Hawaiians, Pacific Islander communities, and people of color in the criminal legal system. These ongoing challenges include intergenerational poverty and trauma, insufficient support services, and inadequate housing and are reflected in their disparate levels of incarceration.

To address these issues of statewide concern, the state must rely on the university of Hawai‘i at Manoa and the research, community engagement, and teaching capacities of the William S. Richardson school of law, the Hawaiinuiakea school of Hawaiian Knowledge, and the University of Hawai‘i community design center. The establishment of an institute for restoration and healing within the criminal legal system at the William S. Richardson school of law is an excellent step toward creating a restorative system of justice. Please support HB887 HD1.