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February 9, 2026

HB 2356: RELATING TO OFFENDER REENTRY

Chair Belatti, Vice-Chair Iwamoto, and Members of the Committee on Public Safety:

The Office of the Public Defender (OPD) **supports** HB 2356 which is intended to improve offender reentry outcomes by reducing unnecessary employment barriers for individuals who have completed their sentences. This bill requires the Department of Corrections and Rehabilitation (DCR) to issue a certificate of suitability for employment to qualified individuals. The bill further requires the DCR to engage in employer and stakeholder education regarding the certificate to increase employment opportunities.

HB 2356 rightly recognizes that employment is a cornerstone of successful reentry and long-term public safety. As reflected in the bill's findings, individuals who have been convicted of a crime frequently face significant barriers to employment, including in sectors that require background checks or security clearances.

As attorneys who represent indigent individuals throughout the criminal legal process, the OPD regularly witnesses how barriers that persist long after a sentence has been completed, particularly barriers to employment, undermine rehabilitation, destabilize families, and increase the likelihood of continued system involvement. This bill addresses one of the most significant and preventable obstacles to successful reentry.

The consequences of unemployment or prolonged underemployment are far-reaching. Without stable income, individuals struggle to secure housing, afford transportation, support their families, and meet financial obligations such as restitution or supervision-related fees. These challenges increase stress and

instability and can place individuals at risk of further justice system involvement - not due to new criminal intent, but because meaningful opportunities for lawful stability are out of reach. In this way, employment barriers can undo years of progress and frustrate the very goals of rehabilitation, accountability, and public safety that the justice system seeks to advance.

The bill's creation of a certificate of suitability for employment provides a clear, standardized mechanism for documenting rehabilitation, completion of reentry programming, and readiness for employment. This type of official documentation can help employers and agencies move away from categorical exclusions and toward more individualized, informed decision-making.

Equally critical to the effectiveness of the certificate of suitability is the bill's requirement that the DCR educate employers, government agencies, and other stakeholders about the purpose and meaning of the certificate.

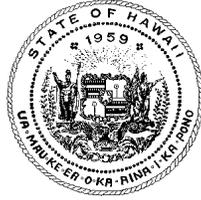
From OPD's perspective, reentry tools are unlikely to succeed if employers and decision-makers do not understand what they represent or how they should be considered. Too often, individuals with prior convictions encounter automatic rejection because employers lack guidance or confidence in interpreting criminal history information and related mitigating factors.

This measure appropriately recognizes that the certificate must function as a credible and widely understood signal that an individual has satisfied their sentence, engaged in rehabilitative efforts, and demonstrated readiness for employment. Clear education regarding how the certificate is issued, the criteria it reflects, and how it can be considered alongside existing background checks is essential to ensuring it has real-world value.

For these reasons, the OPD supports HB 2356.

Thank you for the opportunity to comment on this measure.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
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Sanna Muñoz
Deputy Director
Rehabilitation Services
and
Programs

No. _____

TESTIMONY ON HOUSE BILL 2356
RELATING TO OFFENDER REENTRY.

by
Tommy Johnson, Director
Department of Corrections and Rehabilitation

House Committee on Public Safety
Representative Della Au Belatti, Chair
Representative Kim Coco Iwamoto, Vice Chair

Wednesday, February 11, 2026; 8:40 a.m.
State Capitol, Conference Room 411 & via Videoconference

Chair Belatti, Vice Chair Iwamoto, and Members of the Committee:

The Department of Corrections and Rehabilitation (DCR) respectfully **opposes** House Bill (HB) 2356, which seeks to require DCR to issue a certificate of suitability for employment to offenders who have satisfied all sentencing and post-release requirements, and to work with government and private stakeholders to provide education on the certification. The bill also requires DCR to work with the Department of Defense to increase offenders' eligibility for security clearance for post-release employment. This measure further seeks to appropriate an unspecified amount of funding to carry out the provisions of this bill.

DCR appreciates the Legislature's interest in this matter. DCR continues to work with educational, vocational, and employment partners to provide education, vocational training, and employment opportunities for those in our custody and care who are willing to participate. However, employment suitability is generally conducted by a prospective employer's human resources staff after a conditional offer of employment is made and

accepted by an applicant. It is appropriate for the prospective employer's human resources office to determine suitability, as they have the expertise to determine what makes a candidate suitable for a position within their organization.

DCR already provides verification of program completion (except those covered by the Health Insurance Portability and Accountability Act (HIPPA), unless written authorization from the participant is received) through transcripts and facility and community workline participation reports, among other records. Often, participants also receive certificates from the respective agencies with which they completed their programs. Participants may provide these records to any prospective employer, as applicable. Should the participant lose certificates or transcripts provided by the DCR, the participant may request another copy from the DCR.

DCR continues to strongly support the rehabilitation and reintegration of offenders and works with multiple partners to maximize an inmate's employability upon release. However, requiring DCR to certify that someone is rehabilitated or suitable for employment places the department and the state at great risk of litigation should the individual fail to meet the standards of their employment or recidivate thereafter.

DCR also notes that this measure falls outside of the priorities as listed in the Governor's executive budget for FY 27 and 28.

Thank you for the opportunity to provide testimony in **opposition** on HB 2356.

JOSH GREEN, M.D.
GOVERNOR



STATE OF HAWAII
HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION
E HUIKALA A MA'EMA'E NŌ
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CHAIR

CHRISTIN M. JOHNSON
OVERSIGHT COORDINATOR

COMMISSIONERS
HON. R. MARK BROWNING (ret.)

HON. RONALD IBARRA (ret.)

MARTHA TORNEY

HON. MICHAEL A. TOWN (ret.)

TO: The Honorable Della Au Belatti, Chair
The Honorable Kim Coco Iwamoto, Vice Chair
House Committee on Public Safety

FROM: Mark Patterson, Chair
Hawai'i Correctional System Oversight Commission

SUBJECT: House Bill 2356, Relating to Offender Reentry
Hearing: Wednesday, February 11, 2026; 8:40 a.m.
State Capitol, Room 411

Chair Belatti, Vice Chair Iwamoto, and Members of the Committee:

The Hawai'i Correctional System Oversight Commission (HCSOC) submits testimony to **support the intent** of House Bill 2356, relating to offender reentry, which requires the Department of Corrections and Rehabilitation to 1) provide a certificate of suitability for employment to offenders who have satisfied all sentencing and post-release requirements, 2) work with government and private stakeholders to conduct public education regarding the certificates and 3) work with the Department of Defense to increase offenders' eligibility for security clearance in post-release employment.

The Commission recognizes that meaningful employment is a critical factor in reducing recidivism, strengthening families, and improving community safety. The Commission also appreciates that a Certificate of Suitability for Employment could serve as a meaningful tool to improve employment outcomes for formerly incarcerated individual by providing formal recognition of an individual's readiness to work. The certificate has the potential to reduce employer hesitation, counteract stigma associated with criminal history, and expand access to stable, meaningful employment.

The Commission also appreciates that a documented certificate can provide standardized, portable verification of rehabilitative progress, program participation, and employability, helping employers make more informed hiring decisions while supporting individuals in demonstrating their readiness to reenter the workforce. However, the Commission has concerns as to how this bill would be implemented and has the following reservations:

1) Concerns Regarding Section (c)(1): “Fulfilment of sentence and all post-release obligations”

Section (c)(1) assigns responsibilities to the Department of Corrections and Rehabilitation (DCR) that may overlap with or conflict with the statutory role of the Hawaii Paroling Authority (HPA). Under current law, the HPA is responsible for setting, modifying, and monitoring post-release obligations, including parole conditions and compliance. Requiring DCR to verify or certify completion of post-release requirements could create role confusion, duplicative administrative processes, and legal ambiguity regarding agency authority and accountability.

The Commission recommends clarifying that HPA retains primary responsibility for tracking and confirming post-release obligations, and that any role assigned to DCR should be supportive rather than supervisory, in order to maintain clear lines of statutory authority and operational efficiency.

2) Concerns Regarding Section (c)(3): “Successful rehabilitation efforts”

Section (c)(3) requires evidence of “successful rehabilitative efforts.” This standard is vague and undefined, leaving significant discretion in interpretation and enforcement. Without clear criteria, this provision could lead to inconsistent decision-making, inequitable outcomes, and uncertainty for applicants about what qualifies as sufficient rehabilitation. It may unintentionally penalize individuals who have made meaningful progress but lack formal documentation, thereby undermining the bill’s intent to expand access to employment and reduce reentry barriers.

The Commission recommends clarifying or removing this requirement to ensure the certification process remains fair, objective, and aligned with the bill’s goal of promoting successful reintegration.

3) Concerns Regarding Section (c)(4): “Diminished likelihood of recurrence”

The Commission has significant concerns regarding Section (c)(4), which requires evidence demonstrating a “diminished likelihood of recurrence” or reduced risk of recidivism. Predicting or proving a reduced likelihood of future offending is extremely difficult, inherently subjective, and often dependent on factors beyond an individual’s control, including housing stability, employment availability, and community support.

Requiring individuals to meet this standard may create an unrealistic evidentiary burden, setting applicants up for failure despite good-faith rehabilitation efforts. Additionally, this language reinforces risk-based decision-making that may unintentionally penalize people for systemic barriers rather than personal conduct. The Commission therefore recommends removing Section (c)(4) to ensure the bill promotes opportunity rather than creating a potentially unattainable threshold.

4) Concerns Regarding Section (e) “The department shall work with the U.S. Department of Defense to increase the likelihood that eligible offenders will obtain a security clearance post-release if relevant to their employment pursuits”

Section (e) directs the Department of Corrections and Rehabilitation (DCR) to work with the U.S. Department of Defense to improve the likelihood that eligible individuals obtain security clearances post-release. Security clearances are governed by federal law and national security protocols, and the federal government **is** not required to coordinate with or defer to state agencies in these determinations. This provision may therefore create unrealistic expectations, place DCR in a difficult or inappropriate advocacy role, and risk misaligned accountability for decisions that ultimately rest outside state authority.

The Commission recommends reconsidering or narrowing this language to avoid overextending DCR’s role in federal processes beyond its control, while still supporting employment pathways that are realistically attainable.

Lastly, the Commission respectfully notes that Hawaii Correctional Industries, the State’s statutory framework for meaningful work opportunities under HRS Chapter 354D, appears to be limited in its current utilization by the Department, and may benefit from expanded implementation.

Should you have additional questions, the Oversight Coordinator, Christin Johnson, can be reached at 808-849-3580 or at christin.m.johnson@hawaii.gov. Thank you for the opportunity to testify.

To: Representative Della Au Belatti, Chair
Representative Kim Coco Iwamoto, Vice Chair
Committee on Public Safety

From: Veronica Moore, Individual Citizen

Date: February 10, 2026

RE: House Bill 2356
Measure Title: RELATING TO OFFENDER REENTRY.
Report Title: Offender Reentry; Employment; Certificates; Security Clearance;
Appropriation (\$)

To All Concerned,

My name is Veronica Moore and I support House Bill 2356. Thank you for introducing this bill.

Sincerely,

Veronica M. Moore

RECEIVED
Date & Time
Feb 10, 2026, 12:09 pm

LATE

HB-2356

Submitted on: 2/10/2026 12:00:00 PM

Testimony for PBS on 2/11/2026 8:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Shelby "Pikachu" Billionaire	Kingdom Of Hawaiian Islands & Ohana Unity Party	Support	Written Testimony Only

Comments:

****Testimony in Strong Support of HB2356****

****Relating to Offender Reentry****

Aloha Chair and Members of the Committee,

I strongly support HB2356, which requires the Department of Corrections and Rehabilitation (DCR) to issue certificates of suitability for employment to qualified formerly incarcerated individuals. These certificates provide documented evidence of rehabilitation—such as sentence completion, reentry program participation, successful rehab efforts, low risk of recurrence, and employment readiness—to help overcome barriers to jobs, including those requiring security clearances (e.g., military roles via U.S. Department of Defense collaboration).

The bill also mandates stakeholder education and proposes tax incentives for hiring ex-offenders. Hawaii's high recidivism rate—around 48.9% (Interagency Council on Intermediate Sanctions data) to as high as 54% for repeat offenders—highlights the urgent need for better reentry tools. Nationally and in Hawaii, employment is a proven game-changer: Formerly incarcerated individuals who secure jobs post-release see recidivism drop dramatically (e.g., from 52% to 16% with one year of sustained employment, per studies).

In Hawaii, lack of effective reentry support contributes to high "max-out" releases (47% in FY2023) facing the highest recidivism and lowest success rates due to limited reintegration. This certificate program reduces employment discrimination, boosts public safety by lowering reoffending, and saves taxpayer dollars—recidivism costs states billions annually. It promotes second chances, workforce participation, and community stability without compromising accountability. I urge passage of HB2356 to implement this practical, evidence-based reform.

Mahalo for your consideration.

Respectfully submitted,

Master Shelby "Pikachu" Billionaire, HRM Kingdom of The Hawaiian Islands, H.I. Ohana Unity Party, Chairman www.Ohanaunityparty.com Presidentbillionaire@gmail.com

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Date & Time
Feb 10, 2026, 3:00 pm

LATE

HB-2356

Submitted on: 2/10/2026 2:24:53 PM
Testimony for PBS on 2/11/2026 8:40:00 AM

Submitted By	Organization	Testifier Position	Testify
TERI SAVAIINAEA	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Bellati and Members of the Committee,

I strongly support HB2356 relating to offender reentry.

This bill recognizes accountability by providing a certificate of suitability for employment to individuals who have fully completed all sentencing and post-release requirements. It gives employers a clear, structured tool while allowing qualified individuals a fair opportunity to work.

By supporting public education and coordination with government and private employers—including the Department of Defense—HB2356 reduces barriers to employment without compromising public safety. Stable employment is proven to reduce recidivism and strengthen communities.

HB2356 is a practical, balanced measure that promotes responsibility, rehabilitation, and community stability. I respectfully urge your support.

Mahalo,

Teri Kia Savaiinaea

RECEIVED
Date & Time
Feb 10, 2026, 3:53 pm

LATE

HB-2356

Submitted on: 2/10/2026 3:40:18 PM
Testimony for PBS on 2/11/2026 8:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Terri Yoshinaga	Individual	Support	Written Testimony Only

Comments:

I support this bill.

RECEIVED
Date & Time
Feb 10, 2026, 3:53 pm

LATE

HB-2356

Submitted on: 2/10/2026 3:43:41 PM
Testimony for PBS on 2/11/2026 8:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Mary Smart	Individual	Support	Written Testimony Only

Comments:

I support the rehabilitation of those who have been incarcerated by helping them find jobs for which they are qualified.

HB-2356

Submitted on: 2/10/2026 3:55:27 PM
Testimony for PBS on 2/11/2026 8:40:00 AM

LATE

RECEIVED
Date & Time
Feb 11, 2026, 7:30 am

Submitted By	Organization	Testifier Position	Testify
Alice Abellanida	Individual	Support	Written Testimony Only

Comments:

I support this bill.

HB-2356

Submitted on: 2/10/2026 5:58:37 PM

Testimony for PBS on 2/11/2026 8:40:00 AM

RECEIVED
Date & Time
Feb 11, 2026, 7:31 am

LATE

Submitted By	Organization	Testifier Position	Testify
Loree Jean Searcy	Individual	Support	Written Testimony Only

Comments:

I am in favor of all efforts to return convicts into having a prosperous and fulfilling life. If they need a job I support efforts to allow them to return being active in society!

I support this bill