

ACT 113

H.B. NO. 1750

A Bill for an Act Making an Appropriation for Community-Based Reintegration Programs for Female Offenders Transitioning from Prison to the Community.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that, given the problems associated with re-entry to the community as well as the high rate of recidivism among former inmates, programs that effectively assist the transition of former inmates from prison to the community are critical. Once released from prison, a former inmate faces issues such as housing restrictions, workplace restrictions, as well as the many informal restrictions that result from prejudices against former offenders.

The legislature further finds that a person's stay in a jail or prison costs society from \$70 to \$400 per day, depending upon the level of security measures involved. These costs can be drastically reduced through the implementation of programs to assist in post-incarceration community integration.

In recent years, the number of incarcerated women has increased at an alarming rate. Nationally, women form 6.9 per cent of the prison population. In Hawaii, however, women constitute 11.99 per cent of the prison population. While the male prison population doubled between 1985 and 1995, the female population tripled, largely due to the incarceration of female nonviolent first-time drug offenders.

The department of public safety reports that the number of female parole violators rose thirty per cent between January 1, 2001, and January 19, 2004. The number of male parole violators rose 18.3 per cent during the same period.

Research indicates that a multitude of differing issues are associated with female versus male offenders. Women have different pathways to prison, which often involve unresolved sexual or physical trauma, or involvement in substance abuse that were, in many cases, attempts to self-medicate. In a majority of cases, female offenders are non-violent and do not pose a threat to the community. For female offenders who are incarcerated due to a drug addiction, incarceration is not an effective method for dealing with the addiction. To break the cycle of substance abuse, crime, and incarceration, the root problem must instead be addressed.

Currently, there is a lack of adequate programs or access to programs to assist female offenders in successfully transitioning back into the community. The great majority of female inmates will be released into the community without the skills and tools necessary for a successful transition.

The danger of female offenders becoming repeat offenders due to substance abuse presents huge economic and social costs to the public and the social service systems that are already grossly overtaxed. The majority of incarcerated female offenders are mothers of children under the age of eighteen, and problems stemming from the break up of the family often become intergenerational.

Transitional programs that help women leaving prison successfully reintegrate into the community have met with great success. TJ Mahoney & Associates offers a transitional program for female offenders re-entering the community. The department of public safety indicates that over a three-year period, sixty-eight per cent of women who have completed the TJ Mahoney & Associates program did not return to prison. In contrast, the most recent figures from the United States Bureau of Justice Statistics from 2002 indicate that of all prisoners released in 1994, sixty-seven and a half per cent were rearrested within three years of release. Community-based reintegration programs provide structure, monitoring, and accountability for female offenders returning to the community. They offer tools and a setting for practicing pro-social, responsible living while instilling values and beliefs that allow women to overcome obstacles while remaining clean and sober.

As of January 15, 2005, six hundred fifteen women were in the custody of the State. The State has currently contracted with the TJ Mahoney & Associates program for thirty-six community beds on Oahu. The need for more space to reach more female offenders is crucial.

The purpose of this Act is to appropriate funds to support community-based reintegration programs for female offenders transitioning from prison back into the community.

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2005-2006 to support community-based reintegration programs for female offenders transitioning from prison back into the community.

ACT 113

The sum appropriated shall be expended by the department of public safety for the purposes of this Act.

SECTION 3. This Act shall take effect on July 1, 2005.

(Approved June 8, 2005.)