

**2016 House Concurrent Resolution 85 (HCR85) Correctional Justice Task Force
Hawaiian Subcommittee Hearing Minutes**

Friday, September 30, 2016

9 a.m.

Hawaii State Capitol Auditorium

415 South Beretania Street

Honolulu, HI 96813

Members Present

James Hirano, Warden of Maui Community Correctional Center, Department of Public Safety
Jeremy (Kama) Hopkins, Office of Hawaiian Affairs
Edmund Fred Hyun, Chair of the Hawaii Paroling Authority, Department of Public Safety
Dr. Meda Chesney-Lind, Chair and Professor of Women's Studies, University of Hawaii at Manoa
Sidney Nakamoto, Administrator, Adult Client Services Branch, Judiciary
The Honorable Gregg Takayama, Representative, Hawaii State Legislature,
Chair of the House of Representatives Committee on Public Safety
Matthew Taufetee, founder of First L.A.P. (Life After Prison)
The Honorable Michael Wilson, Supreme Court Justice, HCR85 Task Force Chair
Shayne Kukunaokala Yoshimoto, Holomua Puuhonua

Members Absent

Keith Kaneshiro, Prosecutor, Department of the Prosecuting Attorney, City and County of Honolulu
Robert Merce, Vice President, Native Hawaiian Legal Corporation
The Honorable Clarence Nishihara, Senator, Hawaii State Legislature,
Chair of the Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Margaret Watson, University of Hawaii School of Social Work

Other Attendees

Lance Ching, Legislative Reference Bureau Attorney
Devin Choy, Legislative Reference Bureau Attorney
Dr. Kamanaopono Crabbe, Chief Executive Officer, Office of Hawaiian Affairs
Caitlin Eberhardt, Law Clerk to Justice Wilson
Karen Kawamoto, Office Manager to Representative Takayama
Alden Kau, Court Clerk to Justice Wilson
Kamaile Maldonado, Public Policy Advocate, Office of Hawaiian Affairs

I. Call to Order

Justice Wilson called the hearing to order at 9:09 a.m. and the requirements for public notice were made.

II. Dr. Crabbe performs oli (chant), provides opening remarks and testimony

- a. Dr. Crabbe testified that the State has one of the highest incarceration rates in the nation and that 40 percent of the State's inmates are Native Hawaiian. Dr. Crabbe highlighted two key reports, The Disparate Treatment of Native Hawaiians in the Criminal Justice System (2010) and the Native Hawaiian Justice Task Force Report (2012), and discussed the findings and recommendations to ameliorate the overrepresentation of Native Hawaiians in the criminal justice system. Some of the findings and recommendations were to:
 - i. Prioritize rehabilitative models of punishment and incarceration alternatives with appropriate oversight, and implement more substance abuse treatment, mental health services, and housing programs to reduce recidivism and costly overreliance on incarceration;
 - ii. Include and acknowledge cultural models in correctional facility programs, such as Pu'uhonua (wellness center) and cultural healing traditions, and to support children of incarcerated parents;
 - iii. Recommend that the Judiciary, correctional system, and state agencies collaborate with county police departments on a statewide data collection system with the goal of ameliorating the overrepresentation of Native Hawaiians in the criminal justice system; and
 - iv. Commit resources to rehabilitation, education, social services, mental health, and family reintegration with a cultural lens or cultural framework.

III. Introductions

- a. Justice Wilson discussed the purpose of the Correctional Justice Task Force and introduced the task force members. Justice Wilson provided insight on local, national, and international correctional systems. He also discussed correctional trends, including the increase in inmate populations, especially Native Hawaiian inmates. He welcomed testifiers and provided guidelines for testifiers.
- b. Mr. Hopkins introduced the Hawaiian Subcommittee and its support staff. Mr. Hopkins also invited members of the public who were interested with listening or sharing information with the Hawaiian Subcommittee or members of the task force to meet at the Office of Hawaiian Affairs' Na Lama Kukui on designated Mondays.

IV. Focus Areas/Priorities of Hawaiian Subcommittee

Mr. Hopkins discussed four areas/priorities of the Hawaiian Subcommittee:

- a. To infuse the system with ALOHA;
- b. To support the establishment of a training academy for current and future adult corrections officers (ACO). Furthermore, to support the creation of a certificate type degree program in the State's colleges;
- c. To support the creation of a differential response system to include prevention programs, diversion programs, and transitional programs (employment, housing, additional treatment, family programs), for a more responsive criminal justice system; and
- d. To support the establishment of an oversight committee to ensure the implementation of the approved recommendations moving forward.

V. Public Testimony

Please see attached written public testimony.

VI. Adjourn

Justice Wilson adjourned the hearing at 1:16 p.m.

Kamana'opono Crabbe:

Thank you Justice Wilson, and members of the committee. I first want to applaud you for your efforts, for organizing on behalf of the Task Force as directed in HCR 85 session laws 2016 as the first steps towards hearing from the community as well as addressing many of the challenges of improving the correctional system as well as the role of Judiciary in oversight. I also want to thank those in the audience that have come out of their time to share their thoughts to the committee and the subsequent meetings there after. We at OHA are very much looking forward to the feedback. My name is Kaman'opono Crabbe, I am the Pouhana, CEO of the OHA, and in my prior career as a licensed clinical psychologist, I just want to state for the record that I've worked in many instances in engagement with the facilities as well as in many rural Hawaiian communities with those who were incarcerated as they transition back into the community, so this is a matter that is very close to my heart and very personal. I first want to state that the OHA in 2010 released a report on the disparate incarceration rates and issues regarding Native Hawaiians. We also in 2012 - 13, was the lead agency in helping to organize the Native Hawaiian Justice Task Force Report, and we actually compiled a report with many policy recommendations, programmatic suggestions to take a very comprehensive, systemic look at addressing these issues. So I'll just provide a quick summary of my testimony you have a hard copy before you. I do want to acknowledge Kamaile Maldonado, who is one of our public policy advocates specialist, primarily dedicated to this area. As I recap, I do believe its critical to state that the pop increase in the state of Hawaii, has rose 900% between 1977 and 2008 and from 1977 to present it also has increased to 1400%. The state of Hawaii has one of the highest incarceration rates in the Nation. And part of that population, 40% are NH. For the Hawaiian community, these are not new statistics. This was a matter that was addressed in the Ola Mau Task Force Report in 1985. The Hui Ini Report done by a number of Hawaiian organizations also in the 1980's. So I do think it's very important that this committee is formed to hear voices from the NH community about what could be done to address this. The NHJTF created by the Leg, administered by OHA has brought to light a number of systemic issues that contributed to the disproportionate impact of the criminal justice system on Native Hawaiian communities. In that, it recommended the exploration of new and progressive criminal justice approaches. It also highlighted the need for more rehabilitative models of punishment and incarceration alternatives, including, specifically substance abuse treatment, mental health services and housing programs to reduce recidivism and costly over reliance on incarceration. What it also did, was to really look at the inclusion and acknowledgement of the cultural models to address the Native Hawaiian population. And the reason why I say that, is there are a number of people here who are involved in moving forward the Pu'uhonua concept, that model. A number of Hawaiian organizations have worked with children of incarcerated individuals. And the belief that to look at NH cultural healing traditions as an asset to be further explores but actually to be incorporated not as a pilot project, not as a study, but actually legitimately incorporating these types of models and programs in the best interest in facilitating the correctional facility programs. A salient issue of pressing concern is overcrowding in Hawai'i's prisons. Overcrowding conditions resulting from ballooning incarceration rates placed a huge burden on the Department of Public Safety in addition to the conditions that individuals are living under. We know that there is a growing rate of correctional pa'ahao or inmates but

then also, the future on how we look at not just incarceration but real movement from within the correctional system to rehabilitate through programs and a much more comprehensive look at how they transition back out into the community to really offset not just the living conditions in the prison, but also to really make an effort towards helping these individuals to become part of society with appropriate oversight. In pages 3 – 5, we've listed a number of legislative policy recommendations. Many of them have been referenced from the NHJTF report that OHA in collaboration with a number of state agencies involved. We also provided recommendations for Public Safety Department. Training program recommendations and resource allocation recommendations. I see Kat here, we were on the Criminal Justice Task Force and in summary, based on what at least the OHA has provided, is we provided a report with credible data, we even made recommendations on how Judicial correctional systems and other state agencies really need to have a much more integrated data collection system with the police department statewide to begin tracking and in addition to that, really committing, I really believe the state must commit resources not just to incarceration but to rehabilitation in the sense of providing adequate educational resources, social services, mental health, family reintegration back out into the community with a cultural lens, a cultural framework, many others will speak to that but this is the testimony on behalf of the OHA. I want to thank Justice Wilson and you as committee members for allowing me the time, thank you.

Uncle Joe Tassle:

Thank you Mr. Charmin for helping us with the beginning of filling this auditorium. One of our visions was to eventually fill the conference room, eventually fill the auditorium, and maybe one day, bring the people who are affected, to fill the convention center. I get very emotional only because my passion to address the subject before us lye's deep in my heart, so forgive me if I tear a little. However, why am I here? In 2011, I was interested in the high cost of incarceration with very little or no rehabilitation. As a result, I drafted a resolution, took it to the Hawaiian civic club at their annual convention and got their support. At the rally just before opening day at Kawananakoa middle school, I went around the room to see legislators to support my resolution. And when I got to councilman Joey Manahan, he said, "Uncle Joe, lets go get Kulani". I said, "no, no, I rather be slow and sure and not haste and waste". So as a result he backed off. On Sunday, there's my wife aunty June sitting up front, read the newspaper, she found out that Joey was the vice speaker of the House of Representatives. So I told her, well, on Wednesday, I got to go see Joey and take back my no lets go get Kulani. And when I went to go see Joey I said, "Joey, you got a minute?" He said, "For you Uncle Joe, I get 10." So we sat and talked, and I said, "well you know, I like to go get Kulani." He said, "Well, lets go, go get the bill." I said, "This is the resolution, what bill?" So I went to the different offices and I got the support including House office and as a result we produced a bill. That bill was introduced in 2012. Went through the leg and it got passed. We are on our way. After the passage of the bill, I waited for the Governor then, Neil Abercrombie, to sign the bill, however, that was it, no follow through. So when the present Governor....and he won the election, and at that time, both Kama and myself were sitting on the Hawaiian Homes commission and we've worked together at the Hawaiian Homes level. So what happens is, we get the support, and I take it to the community new, and as a result at our first meeting, I'm sorry back up. Gov. Ige then takes me off the commission, I was supposed to be confirmed for another 4 years, takes me off the commission, I'm a little disappointed because I am trying to help our people. But the deputy Mike McCartney tells me that the Gov. wants you to facilitate pu'uhonua. I said, "oh my god, now I get to help the whole community." Because in the Hawaiian Homes Commission, I only get to help the 50% and their successors. But in Pu'uhonua, I help all. And when I say all I mean the 50%, the 49% and ALL others part of the Hawaiian community. Now why do I say that? Because of our cultural practice of Keiki O Ka 'Āina, you may not be of the blood but if you are of the birthright, you are a Hawaiian too! So who do I help now? The whole community. And as a result, at our first meeting, up in the governor's conference room, 13 people show up. And the committee begins. Today the committee is knows as Holomua Pu'uhonua, moving forward the Pu'uhonua. Now I hope you heard that Pu'uhonua is not a place of correction more so than a place of healing. And that's where the separation between the western concept and the Hawaiian cultural concept, a place of healing. Very important. It was a step back into the community that once you heal yourself FIRST then you can ask for forgiveness from those that need healing because of wrong doing because of you. This is all in a certain pattern and it needs to be reestablished. So I thank the task force for focusing on the cultural aspect of Pu'uhonua. Moving forward. One of our visions shortly after we started was to fill this auditorium. Today its filled with people but many empty seat, but we will fill this auditorium because of the people involved weather they are incarcerated, children of incarcerated people, or

loved ones and families of incarcerated individuals, they going to come. They're going to come, thank you Mr. Chairman for bringing us here, because this is another step for us moving forward. As a result we are here today, and I thank you all for coming. I hope we get enough information to take the next step, continuing our move forward.

Earl Kawa'a:

Mahalo nui ia oukou no ko oukou hana, Thank you all, no ka hapai o na po'e... for looking after those individuals who's hurt are greater than we can expect. And for the wives and for the children whose dads and moms are incarcerated for taking on the task. Last night I ended Phase 2 of my Ho'oponopono class with my CPS families. One of the young men in the group said I haven't been going to all of my other classes and they are ready to take my child away because in the first class I heard you say Kawa'a, when you yell at your child your son or yell at his son. Last night he told the story he said that hit him the hardest, when he went home that night and he softened his conversation with his son his wife noticed there's a change in his behavior. That change in his behavior is not by accident it's because I'm skilled and I'm confident in my practice and who I am. Ho'oponopono is the basis for change. You can build more homes and you're going to fill it, you can build more prisons and you will fill it. That's not the answer. It's needed, but it's not the answer. You talking about training and who will train. I'm in the waning years of my life, I'm at the peak of my training abilities. Ho'oponopono is one of those that I am doing so that others may learn the skill. I'm fortunate to have come from a family where my mother practiced Ho'oponopono, my father practiced Ho'oponopono, my grandmother practiced Ho'oponopono on the dark side. I know the dark side because my father taught me about the dark side and in order to go to do good, in order to help people who are operating on the dark side you need to go to the dark side and understand that as well as the good. You can build a Pu'uhonua, but when do you put them in there? Here's how I think about Rehabilitation and I'd like to show you the plan I have for economic development social work and very quickly there's land available to Hawaiians but Hawaiian Homes is not putting it into use. Kakau is at \$20,000 an acre. In the plan that I have, individuals come into my program, I'd like them to come in at 5 years but if they happen to be at 3 years it would be great because in the program that have designed by the time they get out in three years think they don't go to McDonalds they go to Molokai to pick their kakau. They have a business just imagine all the lessons that take place before they got there don't start when they get out it's too late start when they're in there. Here's what I have a plan for father or for a person who has committed murder in the prison this is my plan it's considered this man you will have to ask for forgiveness of the father whose son that you killed. That's how I do my work. But his father will have to apologize Ho'oponopono with the father whose son had been killed. That's Ho'oponopono. Who is skilled in doing that? I am. Many of you may be thinking I'm a show-off, arrogant. I can tell you it's not arrogance it's not show off, its confidence make no mistake its confidence. I can do it. I can teach it. A young girl after aboard and stone class said, "my dad is a changed man my dad is a changed man." Because I observed him working with his girls and he was rough with his girls. "Don't do it like that, I told you to leave it, I said not to do it." And I said to the dad, "you have three beautiful girls." And his response was, "I am so lucky." I said, "Yes you are." I said, "brother when your girls look for men what kind of men do you want your daughters to marry?" And he mentioned all the qualities that we all aspire to, "handsome, good-looking, lots of money, educated and nice to my daughters." And I said to the dad, "your daughters will pick men that say, "Get over here, what did I tell you?" So the dad dropped his head into his hands and said the four-letter word and it did not spell love. You supposed to laugh. He said, "I don't want that for my daughter's." Three weeks later the

three girls testified and said, "my dad is a changed man." The wife said, "My husband now takes the lead in family related issues and matters." And I will end like this. The man who three classes of all stood in front of me as he approached from the parking lot at every nice word it was summoned by four letter words and he said in front of me and he looked at me in the face he is as handsome as a lion with hair so big and he said to me I said, "I was here to disturb your class so that you would kick me out." And he said to me you are Kawa'a, and I looked at him and I said I am as we looked at I as you would your daughter and your son, he said at the end of the class the only time I felt safe was when I was with five years old with my grandpa you sound like my grandpa you make me feel like my grandpa and this man beats his wife. Last night in class he said, "I am the problem, I am the problem and I will take steps to remedy that but first I must take care of my girls I must stop scolding them." Mahalo

Jamie Mahealani Miller:

I'm a Community member, a mother, and I'm grandmother, I have 3mo'opuna. Mahalo for all the work that you folks have been doing for many years. A couple comments that I wanted to bring forth, and I'm really here on behalf of my 'ohana. My son is 26 years old and he is a pa'ahao in Arizona. And he's been there for 5 years. He did come back though. They accidentally shipped him here early, a year-and-a-half ago and then shipped him back, but in the meantime he had to wait in Hālawā, the highest maximum-security facility. So he went from very low security facility to the highest maximum security and practically begged to be taken back to Arizona for the rest of his minimum sentence, which has ended already. And Kama knows him he is a keiki o ka 'āina, and for him to say that he wants to go to Arizona because he feels safer there than his own place here, that's a problem. So I really like the first two points about Aloha and that specific training and warden, what you are also going to implement in your prison very much we'll needed. And then the point where Uncle Earl said about who's going to do it, I think that's another thing that needs to be talked a little bit more about, who's going to be doing those trainings. And the other thing that I really wanted to talk about was and to share as a social worker, I'm a social worker, I've been a social worker for 20 years and the best practices of what we learned in school and what we learn on the job and then training and then working with native Hawaiians is that you start your discharge planning at the intake assessment. That's very best practices. And everything we do in the planning world you want to know what your outcomes are going to be while you're planning. You are not going to wait until 6 months the inmate has left and then start doing his discharge plan. Because most no matter what crime they did they are part of our society and most every single one of them are going to go back into the community, so I don't understand why we are planning so much into the incarceration time putting so much time and effort into how they are going to be incarcerated, when we should be looking at what are we going to do to help them so they don't come back in here. And so that was just my main point, was that these last five years my son finishes his minimum so he's on his way supposedly on his way and next flight back and we'll start his transition. He has 6 months to do that and without the strong support system that he currently has in our family the system is going to fail him. He is not going to be able to make it through. What they have at Laumaka, is set up for failure. He has his next parole Hearing in a couple of weeks and so I asked him, I talked to him on the phone yesterday, what have you been hearing? He said you know most of the guys are getting paroled out is because they escaped from Laumaka, and they cannot go back to Laumaka for 10 years because they don't have the capacity to have that type of security there. So they are going to parole them out. But him who is probably going to be really successful won't get paroled out he will have to be in the system much longer. And that's time, money, you know it's about how are we going to grow our own future fathers. How are we as a community going to prepare him. We are doing a weekend as a family. But people need more than that more than just family. Because a lot of the inmates don't have what my son does. And that's about it but Mahalo for letting me share I look forward to following this. If there are any questions I'd be willing to answer.

When he first got into the system, he was here for 6 months and he hadn't gotten his minimum yet, but they said his hours when he was up there he saw the video with the

parole board and they gave him four and a half years so he was up there for about two and a half years and then he surprisingly came back. And he was going to transition without completing his minimum. And they realized they was some sort of mistake and so he was at Waiawa, he was cleaning the highways, he went to Laumaka, he was working with my husband, we were seeing him on the weekends and then we drop them off one Sunday and they realized that he shouldn't have been there because he hadn't completed his minimum yet and they sent him to high-security Hālawā. And then from there he went back to Arizona, he had six more months left on his minimum and back to Arizona but he's been there over a year now. So he's finished with his minimum size four and a half and now we're going over 5 years now. He said he could have stayed there 6 more months and finished all his minimum and then start going back to Waiawa and Laumaka but he said I'll probably end up spending more time in Arizona but I feel safer in Arizona than they do here and Hālawā.

He did the Faith Based program he was in the Hawaiian program, which I can't speak enough about. That's where I think he developed into a young man. And so he had a hui of men around him that they just were very pili and helped him mature and then he came back to Hawaii and then we went that he's in transition programs there, so you can only choose one. So he's not in the fifties and he's not in the Hawaiian one but he is in the one around social skills. He keeps sending us home his certificates.

So he found his own job. I think in the beginning the first couple weeks they have orientation they take certain classes make sure they're safe to be out in community status was good for him. But he ended up finding his own job and then when you start making your own money everybody knows how much you make and he was doing construction so he was making good money, where as his roommate for example was doing restaurant work, so he wasn't making a lot of money. Word gets around this guy make so much, that guy makes so much, and there's tension there. He always felt that he always had to watch his back. He was the youngest, inexperienced. We know nothing about the system how to behave as an inmate and he just never would feel safe because people are always asking him for money and if you don't give them money they want to beat you up or whatever. Just things like that and then his cellmate was actually using drugs. And he felt pressured that he have the right on him and he didn't want to do that. He felt that he was getting certain house jobs there because he wasn't being a rat. And the treatment is isn't fair, equitable as he feels it is in Arizona where the cellmates or anybody made you feel as if they have to do something illegal or against their morals by ratting.

Davianna McGregor:

Mahalo nui loa. So sorry I have a class in an hour 11:30. Thank you so much. I'm presenting on behalf of myself and Noa Emmitt Aluli. Both of us have been part of a working group for a plan for Kaho'olawe Island. And we call it I Ola Kanaloa, Life to Kanaloa 2026. And the plan, part of the plan, one of the programs for the island we've been working for the healing of Kaho'olawe for 40 years now. It's our 40th anniversary. And we are looking ahead to the next 10 years to 2026. We have 8 programs, and one of them is to have the island provide Sanctuary for dialogue healing and well being of our families, organizations and communities. And those of us on the working group or from the Protect Kaho'olawe 'Ohana (PKO), Kaho'olawe Island Reserve Commission and the Office of Hawaiian Affairs and we want to partner with the state of Hawaii and other Hawaiian serving organizations to have the island help in the process of helping our families whose loved ones have been part of the incarceration system. So really honor and very grateful to the committee for the efforts to infuse the system with Aloha. Our plan says the island of Kaho'olawe is a place of healing and as the land heals get provides a safe place for people to heal from abuse and Trauma. The vision for the island includes healing for Hawaiian people by reestablishing connections to the land and each other. Having the island support healing for families and service programs, families, and organizations is one of our priority areas to 2026. Kaho'olawe is a place that can serve as an important resource and Pu'u honua, and Uncle Earl just told me a place for Hō'ola or healing for community efforts that address social challenges such as this especially looking at helping the reintegration and healing as those who are incarcerated go back into the community. Our plan was developed by going to every island in 2013 we went to six islands and had 14 meetings and in almost every meeting people said that we should have the island reach out and be a part of the healing process for those were incarcerated. And so those of us on the task force would like to reach out and see if we could have a time where we can work together to discuss and plan how to establish a focus and appropriate, effective, and sustainable cultural program for both Aloha and Aloha 'Āina on the island. We hope that we can make some time to work together towards this vision. Maybe at least getting something such as a pilot program by 20 26. And moving forward together towards that goal. Mahalo.

Stephen Morse:

Hi, hello. My name is Stephen Morse. I'm the executive director for a non-profit organization called Blueprint for Change. We are all about child welfare and the seed of my involvement in looking at prison reform starts with Children of incarcerated parents, and the impact it has. We've been involved in the last four to five years in a lot of efforts. A few years ago I helped form an advocacy group called the family reunification working group, which we recruited Jamie Miller to come join us, one of the most courageous women that I know of. Her willingness to share her story about her son. The other being Malia Peters who is also on are working group, to talk about the trauma she went through as a parent of a young child when her then-husband was incarcerated. And the trials and tribulations she went through as a young mother trying to raise a young son without a whole lot of support. We also have been a part of the Holomua Pu'uhonua group which Uncle Joe tassel helped to form a couple years ago, so we're involved in a lot of things to try and establish so to speak and build a new blueprint for how we treat our families and our native Hawaiians who are incarcerated. We need a new blueprint for that and that's why I'm here. I don't have written comments right now and I was looking at things I would want to say today the kind of stem from my work over the last few years and I really just kind of came to a brainstorm early this morning when I saw a couple of other people that have joined us in the Holomua Pu'uhonua. And that happened just last week. Four of us from our Holomua Pu'uhonua group decided that we were going to participate in the Waiawa Correctional Facility resource day. Kukuna, Anna Mayes, and LaVonne Richardson from Hawaii Technology Institute joined me in going up to Waiawa that day. And I think our experiences that day encapsulate all the good and the bad mostly bad on how our system is right now. And I want to share some of that today because I think it will highlight some of what we need to do moving forward. The bad started when we were first driving up to the guard gate, and Kukuna gets on the phone with me and says our names are not on the list. And LaVonne sitting next to me goes that's not unusual we come up here all the time our names are not on the list or the cancel things we have to go home. It happens all the time she says. So that's one thing we need to fix. If you have people up there expecting us to come and help them and we don't show up can you imagine the kind of feeling that goes on the inmates head. My other thought as I'm driving up to the place where we had a resource fair, was how beautiful Waiawa is. And instead of being a prison why not turn it into a Pu'uhonua or a Wellness Center. Where the three hundred and forty men who we saw that day big, strong, strapping young men could really become productive in something. So that was another thought. Anna shared another experience, shared another concern, we get to the facility where the resource fair is at, it's one of those instant sprung structures that they used to use for homeless encampments, and this one was just spruced up, they must have spent thousands of dollars the air conditioning and to put all the bathrooms bells and whistles I mean air condition was pumping that day it was so cold. Anna thought afterwards was and she shared it in an email with us as you know why don't they spend that kind of money in helping rehabilitate these young men. Instead of this money being poured into transforming a facility, why don't we transform these young men? And it hurt her and a lot of ways. Anna is a very sensitive to all of that, she's been working here and on the big island with the going home project and staying home projects. So she's been exposed to all of that. So during the course of the day and Matt, you can share to in this

whole experience, every hour on the hour they marched a hundred young men through our line. And there's 4 of us there, there's LaVonne, Anna, Kukuna and I. When we went to the resource Fair we only had a few things in mind as far as what we wanted to do. Okay first of all being our concern being children, we wanted to find out how many of them were parents and needed help with children and reunifying with their families, and secondly you wanted to do when they got out and how could we help them. Very simple. It's amazing the once we got past with these young men once we got past the prison jargon and the posturing and everything that they use as defensive mechanisms in prisons, it's amazing how vulnerable these young men are. And how open to being shaped and helped somebody helping shaping and molding them. The question I always ask, "brother do you have children?", and most of the time the first reaction I got was the bowing their heads. An embarrassment. And it wasn't shocking because I kind of already knew that none of them that I talk to you really had a plan for how they were going to reunify with their family none of them. And I think it's if we talking about preventing recidivism if they go back to a family which is unprepared or they are unprepared to go back to you and the family is unprepared to accept them back then that's probably going to cause for them to go swing right back into prison. So shame and embarrassment no plan for reunifying with their families and throughout the afternoon I would kind of ease drop on the other conversations. LaVonne shared with me some of the things that went on she said, "I had one guy come and try and b***** me." And that's what basically what they try to do, it's like aunty this and aunty that and she tells them don't give me that aunty crap. What is it you want to do when you get out of here besides go back to your community and be the biggest drug dealer in your community? What is it you want to do? And she stumped in for a while. And she finally drew it out of him and he said I really want to do something with my music. And she goes well why don't you do it? And then he started with the excuses. Then she told him no excuses you bullshitting me again. And you need those kinds of people to try and get through to these young men like LaVonne who can cut through the b***** and just get right to the heart of the matter that firmness and kindness and we saw nothing there at Waiawa besides those of us in the room. In the guards and the whole environment we saw nothing there that could help these young men be prepared a pathway for themselves to come out. And I think that's one of the biggest things we took away from Waiawa is the young men we talked to are year away most of them within a year of being released. And none of them that we talked to really had a plan for what they were going to do. And it's shameful that we are allowing it to happen right now let me think we need to make some reforms there. Summing it all up, some of the other testimony we have folks like Kawa'a and Jamie Miller, Pastor Greg Delacruz who's going to come up and talk. The point I'm trying to make here is we have people in the community that are really waiting and hoping and willing to embrace all these young men and women coming out on a community-based level to try and help them reintegrate. Our resources are so small. And I think what we need to do is perhaps in trying to find effective prison policies is to look at how we can divert some of these gazillion dollars of money that we're pouring into other kinds of facilities as part of Public Safety into looking at more community-based treatment programs like ho'oponopono programs and pastor Greg's Church and the neighborhood places programs that I administer. I want to thank you all for continuing this effort and this is a continuing effort that started 40 years ago and I'm still part of the journey and I'm still

going to be here along with Uncle Joel but thank you for and Mahalo for continuing to advocate for changes to the system.

In 1994 the state legislature basically convened a task force. A bunch of Social Service and Community Advocates got together, and really wanted to reform the child welfare system because, number one our child abuse and neglect rates were way off the charts one of the highest in the country, number two, our foster care rates were also one of the top 3 in the country. Really high, big problem. The reason why they were so high is that child welfare, which was called child protective services at the time, they basically had a policy erring on the side of the safety of the child so if there was a report or call that came in regarding child abuse and neglect in the community, their people would go out immediately and most of the time remove the child from the home. We know now after most of the Social Services child welfare service Advocates at the time knew that this was creating undo trauma sometimes with children. So the other advocates at the time came to the legislature and said we need to reform the child welfare system to make it more responsive to families who are in need. And what came out of that was the creation of what was called a differential response system that the DHS CWS works in right now. The system is front-loaded with a lot of diversion, prevention and intervention services, all usually purchased from community-based service providers. Child protection and removing the child is the last option in that differential response system. And what we've seen over the last 20 something years as we've seen child abuse and neglect and Foster care rates steadily declining to where it's now about 15%. We still have pockets of abuse and neglect, mostly in areas of high poverty, which we need to address. But my thought was the Department of Public Safety and the whole Corrections system needs that same kind of Reform. Instead of that knee jerk reaction of pulling a child out of the house do we really need to pull a young man or woman out of our community and incarcerate them for 5 to 20 years. Why don't we look at a different way to respond to the needs of the young men and women in question and their families. Let's look at diversion programs where we can start working with youth. Warden Mark Patterson and HYCF has an outstanding concept for a wellness center at the Youth Correctional Facility in Kawaiiloa. Let's look at diversion programs, let's look at prevention programs, let's front load that system so we're not incarcerating people at the rate that we are today. Yeah we're still going to need to have incarceration, but let's make that the last piece in the differential response system. Just as the Child Welfare differential system uses Child Protection as their last measure of safety for the child. How that works in child welfare is that they've created a purchase of service system now through the Child Welfare division Social Services Division, it's known as the purchase of service unit. And the purchase of Service Unit basically goes out and contracts with organizations and social service providers like mine, neighborhood places, Child & Family Services, Catholic Charities, PACT, Family Programs Hawaii, all have community-based prevention and intervention type services. Which are basically used to work with families on the lower risk end of child abuse and neglect and we want to keep them from having their children taken away from them, and some cases you can't help it, but we need to start looking at that kind of concept for Corrections.

Keola Chan:

Aloha, my name is Keola Chan, I am the Executive Director of the Aha Kane foundation, for the advancement of native Hawaiian mahalo for the committee, and I'll make this fast so the restrooms can be accessed. I'm just here to represent the population that our non-profit serves in our community, our Hawaiian males. Our organization has been around since 2006 where we put fourth our Health conference for Hawaiian men in the community it was really looking at the model that I think we're constantly looking at a sick model were constantly bragging about the disparities that we have and Aha Kane was really about looking back to our Ancestors our Kupuna, the practices that are our elders used and what are the opportunities that we have to bring some of that forth merge it with some of the best practices that we have today and then how do we help our men heal, and that's what really that we do in our community is all about. I personally have family members close, I have a brother and brother-in-law that were locked up that when they came out they came and lived with me so this is really been, this after the first time I've ever testified or come out to speak at anything like this but it was really I'm sitting in the back listening, I felt I had a responsibility not only to my community but this to my family as well. So I think for the role that Aha Kane is continuing to play is to build spaces that men can really come whether there recently we've tried to re-establish the Hale Mua the traditional men's space in our Hawaiian communities that, in that space where men could come and relearn their roles and responsibilities for them to be in a space with other men to feel comfortable to talk about issues challenges and where to seek some of that help that many of the times it is not in our families. Over generational trauma are family units are fragmented at this point and so for us to rely on them to build young boys into men that will be productive, sometimes that's just not happening. And so the Hale Mua was a model that we've reestablished for a man in the community to have that space. I'll be honest with you when we started that program I know the statistics I know the data of our men population, but when you're working with the men and when some of them are released and you realize the gap that is there, we really recently several months ago wrote a grant that we just were notified that we have got funded for Earl Kawa'a one of the members of that program that we got federally funded from the Administration for Native Americans to rebuild the Ho'oponopono practice here in the islands and we are really looking at several kupuna throughout the state that Aha Kane has identified as skilled individuals to really build capacity because I think what we're talking about here is a need for a culturally based or relevant practice. At the same time we have to be honest to say that we need to put somebody said earlier that there's not funds for a lot of these kinds of stuff. So we took it upon ourselves to really go after it and go after it hard so that in the future we have practitioners ready and capable at the level of Earl Kawa'a and others. So me coming forth today was to offer our organization, myself, available to committee members at any time if you guys are willing to talk I realized the load is heavy but if we all come together it's definitely doable. I think there is a lot of disparities all we can and cannot do, but we can. We are from an organization that we're just going to do it, and it can be done. By working together and looking to our past it gives us good insight into some solutions that can be put forth that'll work. Mahalo

Anna Mayes:

Good morning Aloha. Thank you for this time. Who I am, I feel, it's not really important as much as what I carry with me. And sometimes the tears just come out. For the record my name is Anna Mayes, and I am part of the Holomua Pu'uhonua group, and the rest of me are men and women that I have had the pleasure of knowing over the years, who are, or have been incarcerated. When I came here I didn't have a message or testimony prepared, except to ask this question, is there anything that is sacred anymore? And when I close my eyes and I hear conversations, I hear the intimate trauma we talked about generational trauma, the tears just flow. When you start to talk about the history of this issue in Hawaii, when you talk about all the reports, when you begin to cite the data, the amounts of money that I cannot even put a dollar amount on all the years and amounts of money spent on reports and studying, you just need to stand in front of a person, you just need to listen to a person, that's free. Everybody has a heart right? Is there nothing sacred? I am so tired of hearing about money spent, more money being prepared to be spent on a building. The other person that I am is, if you want to talk about history, is for some reason I had the wonderful opportunity last year beginning in May of 2015 to be called into OCCC, into the resident services office, I was handed in manila folder, and I was asked to read through policy, through procedure, through a bit of policy history, laws, regulations regarding transition of inmates. The history of that was in my hands. Through PSD policy. I was also asked to sign the document that I could not speak about things, the confidentiality of what I was going to learn, what I was going to do. My time is very valuable. My skill, my practice, my experience, my education, my heart costs. I gave that. From May until February of this year. So what I was tasked to do, what I was brought in to do at OCCC because they did not get a joint Grant with the Department of Labor on Oahu it is called the Oahu worklinks, in order to work with men and Annex 1. So I was asked to develop a program 120 days out of transition for sentence felons. I worked with men. I am not a man. It just takes a heart. Because the heart is a sacred place. And when we look at people who have found themselves incarcerated, we need to shift what we see, because what we are just looking at a tree, what's above the surface. We need to see what's below. That's the sacred place. That's the root. We need to stop spending money on looking at a sick tree and how we're going to take care of that and make it look nice. We need to get to the root. Stephen talked about talked about us going into Waiawa. One of the young men he was from Maui, that I shared with my group this one impacted me the most. If you just look at a person you can see the shame. You can see below the shame. You could see the trauma. That hurts. Hurts me when I see generational trauma. I thought about his son's that he is separated from. Do you realize the trauma? That they are experiencing right now? Because they are not with their father. But more importantly, when you just listen to that gentleman incarcerated, the shame, the trauma of separation what he's done to himself and his children, he's a father. Now think about the re-wounding. If a person is re-wounded over and over then they become insensitive it become desensitized right? When you think about recidivism I want you to think about that. When you think about recidivism, I want you to think about it from the place that sacred, the trauma. To build a building to deal with trauma is not the answer. It's interesting because what I did develop privy to classifications, and how people come in, and how we are supposed to transition them from medium to low. Just thinking about all that, that's intense to think

about how to do that period just to think about how are you going to develop a curriculum to transition a person out the door. And you know what the men tell me it's all good right now, but when I hit the gate with panic and anxiety. Where am I going? You know what is traumatic? To see a man standing in the paper blue suit, no shoes, no where to go. That's a person! It's a person! So yes I am incensed and we should all be incensed we should stop talking about numbers and data and reports. We should be talking about people. Don't be so far removed from the issue with the reports and the data and the numbers. Talk about a person, persons. See it from that perspective. I saw a room full of potential and Waiawa, a room full of potential. Human potential. From May to February you think about how much it cost to take one person, their skills, experience, education, their time. Everyday Monday through Friday I was in an Annex 1, I wasn't in the education room, I was in an Annex 1. And where I thought I could see them in taking a shower, I could see all the activity going on, I saw an inmate arrested for an assault on another inmate, do you think that's not traumatic for me? So yes that system needs to change inside, that was not aloha. That did not promote aloha. So please think about it from a different perspective. Think about it from the perspective of trauma. Because that's people. Thank you

DeMont Conner:

Aloha mai kākou. My name is DeMont Connor. I am one of the only individuals I think in here that came from the prison system. I am a state raised convict. Detention home, Boys homes, group homes, foster home, detention home, graduated to prison. Spent 27 years in the system. I didn't say that to brag but just to give you an idea of how long I've been in there. That's a true story. One of the things that I came across when I was deciding to just give that life up, is that I started doing time with guys from detention home that we all graduated to prison around the same time. That's when back then the boys home was a breeding ground for prison, they prepared you for prison. It's changed now. And Mark Patterson has a lot to do with that, I love that guy. And of course our society has changed in the way they looked at youth and what they want to do with them. One of the impetus that got me to look not look at a life of crime anymore, is because I was doing time with guys, and then years later had their sons come in, and then just prior to me being released, I ended up doing time with a couple of their grandsons. That's three generations I was doing time with. When I got this kid asking me if I knew his grandfather I asked him who was his grandfather, he said Archie I said Archie who he said Morris, I said of course I know him. He said that's my grandfather. I knew then that I going to have to get out of here. My son had to follow me to prison. My daughter, she ended up in prison. I never was there to raise them. That's one of my greatest failures, it's for my own children. So right now I'm just prior to me being released, I was also grandfather. My daughter had two kids and my son had a child. So that impacts me. We got to stop the generational curse. And it starts with people taking responsibility. And for me, I take total responsibility. I'm not one of those guys that deserve, who is deserving of, Kat Brady's vision of building people and not prisons. Most of the people that's in prison today don't need to be there. Very few do need to be there. Until they get to that place where they understand that it's not for them either. I was one of those few guys that needed to be there. I'm glad I went to the prison system because I was an a***** for real. I committed a lot of violent crimes. But it was in prison that I was able to learn, get some education, and I was able to make a decision after seeing guys coming in and out and in and out, I was thinking, I don't want to be like that. So in 2004 I was released from Laumaka work furlough. Now I heard earlier that long walk up set you up for failure. I was one of the successful cases of long walk up. That's because I chose to participate in a thing called project Bridge. And because I made that choice to do that, I made the conscious choice to not go outside the door and drink beer go my girlfriend's house and screw around, but actually look for the job that I needed to have, and actually work at the job that I need to have, and return on time, that your pass allows you too. It's because I made those choices that I was able to successfully complete work furlough after 8 months. And Parole. And of course I was sent back on a bogus parole violation I challenge that and I was released five years later after the system realize they made a mistake. And now I've been out for five and a half years. And I'm married. I have my wife right here. My part of the committee of the whole group and I just wanted to be able to contribute and give back to the system that help me to get to where I'm at right now. So I just want to say this to you guys, the system right now is like a sick individual. It does work. The system can and does work. The program's that's in there can and does work. If we, us guys that are inside decide that we want to do that. No amount of programs you give will be sufficient if we choose not to do it. We have to get to a place where we can get the

inmates to understand that they have to make that choice that's one thing. What type of individuals that coming to help us got to be at that place where they can facility that. I heard Uncle Earl, very powerful, I would love to have somebody like that, we have to duplicate him one thousand times and just pump the system with guys like that. Because I'm so we need. We need that kind of people with that kind of thinking. Right now the state is going in a very bad Direction. In my personal opinion. And that is building another facility. I ascribe to Kat Brady's Mantra which is build people are not prisons. That's because like uncle said you build a prison you're going to fill it. You build a 10,000 bed facility you're going to fill it with 20,000. It will never stop. Our state cannot afford another financial fiasco like one we just went through with real. How many of these fiascos do we have to go through before we realized that it's not about money it's about building people. So the Prison system this is what I have some solutions for. You want to build a jail? Well how about we go back to Honaunau. We have a place on the west side where we come from. Most of the Hawaiians and prison all that come from the west side right? So how about we use utilize Lanikuhonua. Which is a historically special place for us. It's a place of healing and it's a place where we can get back in touch with our culture. Imagine turning Lanikuhonua into an authentic place of healing for our brothers and sisters coming out of the system. Right now they're talking about building and the Atlantis Hotel there. They want to take Dolphins out of the water and take sharks out of the water and build a rich boy aquarium. Instead of doing that why don't we make that place into a place of healing you know? And utilize the personal that's there to benefit that resort area that can cater to all the tourists and what not, have a place like that because they have the cove right there, water right there. There's things that we can do that doesn't have to cost us millions of dollars. And saddle the taxpayers for generations to come with Behemoth buildings. This concept about putting us on kaho'olawe kind of scares me. When they were talking about building of jail in Hālawā, that just tells me you guys want us out of sight and out of mind. And now we have this talk about the whole lot of it. What are we going to do? Turn that into a penal colony? Get rid of all the trash and put it there? That's just another prostitution of our culture. I'm not for that. I believe that we need to get our people back into the community from which they came. So they can give back to the community from which they cause the most damage. For me I chose to do the tourist industry for two years. I'm a state-certified tour bus driver. Cuz I know my stuff. And I was actually certified by Uncle Larry Zablan who had 45 years of service from Roberts Hawaii. Here I'm the only certification program prior to his passing. You lost a very good man. His knowledge was Unreal in the tourism industry. And it ran out of Kapiolani Community College. And they did that for the truth because that's the population that I targeted on my crime spree in 1983. So you see in my own life, my own experience, what I have chosen to do was to make the choices for myself, and I have chosen place that I hurt the most. And I live on the west side and I choose to uplift our people on the west side which is why I started the company car Ho'omana Pono LLC. We are actively involved in the community and we do that. So rather than talk, rather than participate and studies after studies after studies which thousands of taxpayers money going into, I'm actually acting on it. And that's where hope we can get to that place now. Where we can start acting on it already. 2010 Ohio produce and amazing report. Baffled a lot of people out there. Never about for me, because I was in prison, I knew most of our population was Hawaiian, I was one of them. So now that we know that it's been 6 years since that report came out. What have we done? And now we

have this task force, and I tell you this task force is very much needed, because I think this task force will be able to help end the endless analysis and talking and actually produced something that we can act on. I see people in Holomua Pu'uhonua who are committed to that. I see members of the task force who are committed to doing that. We have an associate Justice here, that's huge. We have a legislator Greg Takayama, Senator Espero. We have leaders in OHA. We have all the brains in our society right now. Can we just start to act on it now? There's an Awakening right now for the Hawaiians in there. Its due in large part to a guy named call Kaleihau Kamau'u. He was the one that first started talking about Hawaiians claiming themselves back in the time where gangs in our prison system, they started with the red rag, blue gag guys, and then USO, USO Mafia etc. He was telling them you not red rag you not blue-rag you not USO, you Kanaka. He started these classes up in Minnesota when we were there. And from that we pulled for Makahiki, and I was the guy who did the legal work inside there, I helped to put together his post litigation, when he moved to Oklahoma the sued to be allowed to practice our culture. Because Public Safety block that. But we got to settlement and they were able to practice, and that was the start of the beginning or nah you see people love that, they want to participate in Makahiki, they want to participate in their cultural heritage. Now they're giving up their Patches at covering up their patches are no longer gang members, now they are Hawaiian. That move is starting, it's there right now, we're right for the picking right now. But the longer we talk about this, the longer we have analyzed this, we're going to miss this opportunity. Waiawa is powerful right now. When I saw the Makahiki this last time, I was moved. When I saw the one in Hālawa I was moved I got tears in my eyes. I did years and how I was six years I did in high-security. I deserve that I'm not looking for sympathy I belonged there. And then 7 years about 10 years 12 years in the medium and we had hula classes back in there but it was just a short thing. But now to see the pictures of the brothers that are doing the makahiki, it is powerful. It can move a nation. It can rise and shine. So stop talking you're ready let's do it. Stephen Morse, BFC, they have the model to work from when he did work with child welfare. We can borrow that, and Implement something like that in the criminal justice system. We need to have a consistency of programming from when you first come into when you get out. You need to start from when you first get in, your exit strategy. That's true! Senator Espero asked me why does everybody run away from Laumaka? I'll tell you that so that came to me when you asked me that. You wait eighteen years of a guy's 20-year sentence sending them away for 10 12 15 years, what do you think they're thinking about up there? No programming away from their families, and bitter because they're over there in a desert. Two years before he max out, he says okay it will throw you in Laumaka congratulations. The first thing he steps out of the door what do you think he's thinking? I want a beer, I want to see my girlfriend. He's not ready for it. And the reason is there was nothing to prepare him to get to that point. So you're shocked that they're not returning? We should be shocked that we're doing this and sending them setting him up for failure. Now granted you have rare cases like myself for I make the choice not to do that, but it doesn't mean that we shouldn't have to think about doing it better. Not too many think about doing it on their own. Because inside there it just fosters. Everything fosters, you stay with a group of guys and everybody's talking negative if you're in a negative environment that's what you get. Two of the three buildings was not program, only one was. Only one project Bridge. I didn't want to live in the dorms where they run gambling rings at night when they're running drugs throwing it over the fence, I

didn't want to live that life I knew where it was headed. I wanted to be in a place where I was positive, and that's why I volunteer for project Bridge. Lifetime stand on the big island was the most powerful program that I ever participated in. That program was never recognized by the Parole Authority, they don't care if you participated in it or not because it wasn't considered for parole, it was never funded by the state but yet when we match our numbers up against kash box we had the smaller recidivism rate than kash box. And that's because we chose to volunteer for the program that put us through more bigger and more rules and regulations and standard of accountability than any other program in the prison system. So I ask you guys, we already have all the tools that we need, we have the people you heard them here today we have the people that we need to be able to make this thing work. Let's just go ahead and start doing it. Because the guys are ready. Let's do it. In the end you have a less population of people the majority of people don't belong in prison there's a few that do. If they don't belong in prison why not build these centers all over the place that will help them re-enter back into the society that they left and did the most damage. I think that will help and the massive incarceration that we have we don't have to be like America, we can be Hawaii once again. Aloha.

Maxine Anderson

Aloha. Thank you for your time. This is also my first time testifying so my apologies if I am nervous. My name is Maxine Anderson. I am a lifelong resident of Hawaii and Kanaka. I recently graduated from University of Hawaii Mānoa was MSW program where I was a 2 year participant in the Hawaiian learning program. I spent the last 4.5 years working in the local domestic violence field. My last practicum field was at WCCC offender Services Administration. So my remarks are related to my experiences at WCCC, mostly confined to women. Most of the women I encountered during my year there, had DV history, and that DV history was directly or indirectly related to their crime. And the rest have some other form of trauma, or adverse childhood experience. The system that I encountered was not setup to address or even acknowledge this trauma in most cases. And while I want to acknowledge and recognize the effort by Warden Mark Patterson to create a Pu'uhonua at WCCC, and some effort to have been made to train staff, clearly these efforts are not enough when we have constant reports of sexual assault by ACO's. My experience specifically offender Services offices were the service social workers work is that they are completely occupied doing security classifications and assessments and have little to no time or resources to assist with transition planning or external support. I did work directly with Pū'ā Foundations pre-transition class and they are doing fantastic work however there is little or no systemic buy in for them. So for concrete example, getting inmates physically to the classes was not a high priority for the facility. So there were regular absences, just because they couldn't be transferred from another building. In addition, some aspects of incarceration can only exacerbate trauma. So the disconnecting from family is real and significant in the last couple of years the number of children days and opportunities for inmates to spend with their families who have been severely reduced. The teen night has disappeared entirely from the facility. And regular visitation can be very difficult for families to maintain, so I agree with your concern about Kaho'olawe. Great idea, I have a lot of concerns about separating folks from their communities and their families. So the program that's on offer in the facility is pretty much down to do they need mental health care? Do they need a GED? And what level of substance abuse treatment do they need? Which is a fantastic. But not even close to enough. Healthy relationships and cultural trauma need to be addressed. As well as the severe lack of resources in our communities when they get out. And another thing I like the Highlight about Pū'ā foundation, what makes their programming so special and unique is that they do make a concerted and specific effort to address that historic and cultural trauma. So that makes the systemic buy in on the growth of their program even more vital. So I am excited to hear about another facility. Ultimately the existing programs at WCCC are well-intentioned and are they are trying. So to go back to the individual acts of Aloha, they are there. However the system is not included in that. So we need a larger system in buying in these programs and these attitudes and we need to expand the types of trauma that we address in these facilities.

Training for all staff not just ACO's. And that training should really get at biases and underlying issues and not just be, "you need to do this."

I volunteered at several of the keiki days, just seeing the families with their children was very powerful and equally powerful were the women waiting for their children to arrive and something came up to where their children couldn't come into the facility.

Early start of transition planning is vital. And something else I wanted to add, is having the Parole Board buy into the programs that exist. Having the PB look at alternative programs such as the Pū'ā foundation classes would be helpful.

There were very serious systemic problem during my time there, I think they are working to address those problems but not sure how far they have gotten.

It should certainly be considered. I think requiring things is difficult. Especially when considering the cultural and historical trauma Hawaiians went through. So a voluntary self selected group, I am not completely opposed to the idea, I think we should be extremely carefully to avoid the disconnecting and avoid sending folks off and forgetting the key. But also to make sure that whatever cultural practice is done there and whatever cultural context it's done in is preceded very carefully. Looking at who is making the decision, who is designing the program, who is doing this training, so good potential but needs to be carefully navigated.

Kat Brady:

Aloha. And thank you so much for this public hearing. Actually, my name is Kat Brady, I am the coordinator of the Community Alliance on prison. We've been working on SMART Justice policies for Hawaii for about 20 years. We are a coalition of community people, families, experts, people who are formerly incarcerated, churches, Scholars, all sorts of people who really care these people. I want to first thank the committee because you are the only committee that's actually looking at the big picture. Every other committee is looking at little pieces, you are looking at the entire thing. How do we actually run a system that's infused with ALOHA? I love that you started with that, because that is the basis of who we are and how we interact with each other. So I keep hearing from people, do you know it would be really hard to do that, and I think, "we're in Hawaii, why is that hard?" We care about each other. We care how are you. We care for, and about each other. So this should not be a difficult thing. But we know that incarceration, the jail and prison system, is not a system that's actually based in Aloha. It's based in Punishment. And the real difference between the Western system of justice, and the indigenous system of justice, is that you never get out of the western system, you are marked for Life. The indigenous system of justice, allows forgiveness. It allows you to wipe the slate clean. To change your life. To reenter the community with energy and passion and the will to make things right. So I know that we can do this. And if people think we can't do it, then I think the whole world is doomed. If we can't do it in Hawaii, then the whole world is in serious trouble. So I thank you for that. I love your second thing about the establishment of a training academy. Right now the Department of Public Safety has an 8 week training course. Not enough. The delegation that went to Norway, in Norway you don't get a job in prison. You have to first be accepted into a two-year Academy, when you come out of that Academy, if you've graduated, you can then get a job at a prison. But for 6 months you cannot interact with the incarcerated people. You have to shadow more experienced officers so that you understand your job, which is not punishment, it's Rehabilitation. The Norwegian system starts that every person is going to be back in the community, and how do we want them to return. We do not think about that here. We think about punishment, we think about incarceration is the role of the punishment. Incarceration is the punishment. Taking away somebody's Liberty is the greatest punishment that you could seek. So we need to look at how we train people who interact with people who are in the system. And most of those people who end up in the system come from generations of trauma, abuse, all sorts of social problems. We cannot continue to hide our social problems in jails and prisons. And say that we will forget about them they're bad people. They're our people they're all our people. I am not forgetting about them and I sure hope you don't forget about them. So training is absolutely crucial. I know in 2008 several legislators asked the outgoing director of Public Safety, can we see the training curriculum? We were not allowed to see it. We never got it. They've asked repeatedly. Can we see what the training is? And no legislature to my knowledge has ever received it, that should not be a secret. That's our money. That's our money that's going to train people to deal with our people who are struggling with the whole host of social problems. So professionalizing the staff is an absolutely crucial thing that must happen. In the program subcommittee Mr. Nakamoto talked about the Judiciary and how training is so important and how training academies are important and how around the country they were shocked that Hawaii doesn't have

one for our adult Corrections Officers. So we should be having a training academy that actually trains people that your job is not to punish but to help people successfully transition to the community after they serve their sentence. That is part of the 2007 Community safety act which is Hawaii's reentry law. It says that reentry starts the day somebody answers that door. And we start programming people for success. That is something that has to happen. What's happening right now is the programming in the prisons is kind of strange because there are people who are mandated to complete a drug treatment program in order to be eligible for parole. However they can't get in, because some people are taking it for the second third and fourth times. So this system is backed up because of that. These are things that are fixable. This is not rocket science. This is stuff that we can do through real leadership and management. We need to do it. I love Stephen Morse's differential response system, because that's what we called diversion. And diversion works. And there's lots and lots of research showing that diversion is successful. Right now 74% of the people in our system are either Class C felon the lowest class felony or below which means they're misdemeanors, or Petty misdemeanors, parole and probation violations and pretrial detainees. What are we doing? At the end of July they were five hundred people and old CCC who could not make bail. Some couldn't make bail for \$50. And we're incarcerating them for \$145 a day. Does that make any sense? Does that make any sense at all? What are we doing? So when we keep hearing we have no money, I'm always the one in the audience that says, yes we do, I know where it is, and it's right in this system that could be used to actually build people. We could be building people, strong people and communities instead of incarcerating people and keeping more punishment on them. This is not a system that has worked. And we need to fix that. And it's hard to admit, that we're doing something that just isn't working. But you know what, we've got to do that if we want to make something that works. So let's take responsibility that we ask each and every person in the system be accountable, be responsible, we want the system to do the same. Model that behavior. Be responsible take responsibility be accountable for the decisions that you make. Alternatives to incarceration has been on the books since the 80s. The alternative is that we have are mostly within the system. Drug court. Hope. But there are a plethora of alternatives that we could be doing. There are diversion programs. We had a program for diverting first and second time drug offenders, Act 161. And that program was basically killed by the prosecutors, who convinced the judges that it was a bad idea and not to do it. So we know that there are plenty of things we can do. We can divert people into community service. For the small manini crimes, somebody who steals an energy drink. There's plenty of things that we can do that are more common sense. Be more responsible, and more effective, and we need to do that. The oversight committee, another fabulous suggestion, and this is something that we have been trying to get for a long time. There are lots of oppositions. Nobody wants to be looked at. We think a community oversight committee that can go into the facilities and see what's really going on and report back to the legislature is vital. That is all about accountability and about responsibility and we have to model that behavior we are asking other people to do. So when we look at the report that came out in 2010 it was really shocking. Not for some of us who've actually been in the system and see that our presence is not 40% Hawaiian his way, way more. I was born and raised in New York city where the prisons and jails are basically Latino and black. Here are prisons are brown. It's full of Hawaiians and Pacific Islanders. Why is that? We know most people are in for drugs and

Drug involved crimes. Yet all the data shows that drug use is pretty even across the socio-economic spectrum. But who actually goes to prison? Mostly Hawaiians. At actually every point in the system their sanctions just accumulate and it's cumulative so when we look at why are Hawaiians so over-represented right now in OCCC there's about 500 Hawaiians, they're the largest population in there. What is going on? When we know that there are things that motivate things. Poverty. If we don't deal with poverty, we have people who can't make bail who are stealing to get money for drugs, we know that these are social challenges. There are people in our system with mental health issues, people who have substance abuse or misuse issues, people who are poor, people who are illiterate, people who are unemployed. These are social challenges, and we're not the only place on the planet that has them. But we incarcerate people for struggling with these issues this is not aloha. There are things that we could do that would be so much better. When the task force report in 2010 came out, the Native Hawaiian Justice Task Force was formed and their report headed by a judge Michael Broderick who gave a really impassioned speech when the report was released, talking about how the implementation of the recommendations in that report really was about the social equity in Hawaii. We all bear that. We all bear the responsibility for people who end up incarcerated. So our society's failing. But there are many things that we could do that would be so much more helpful. So I hope you post my testimony online because the Native Hawaiian Justice Task Force report came up with 38 recommendations, and I know people don't want to read the report. So the last 7 pages of my testimony, I went through every recommendation, what has happened to date, and where there were votes taken on that, what the votes and what the opposing votes were. So I think it's really important that we pay attention to these things these are things like DeMont said, we've been talking about this for a long, long time, this is nothing new or earth-shattering period I think we all know what's going on. But we need to do is to step up to the plate. So when we talk about five to six hundred million dollar building, the sad part of this is that the task force, part of of this report was, part of the resolution was really about pushing the new jail. A big new jail. 1250 beds in the new jail. When we know 81% of the people is class C and below. And then the entire system 74% of Class C or below. This is insane what we're doing. We are not helping people. You can get drugs in prison. I saw the guards walk right around the machine with their big coolers and nobody even looked inside. So when we talk about drugs in prison, you don't do a shakedown of just the cells, you got to do a shakedown of the entire facility from the warden's office to the Janitor's Closet. So what we're doing isn't working. I am begging the committee to continue on this big picture. Because you are the only ones doing it. The Hawaiian subcommittee is the only committee that's actually looking at the system and we've got to get out of the silos. This is not working for us. It's expensive. When we start looking at the whole system we can make real changes, but we cannot just continue to build our way out of it. What we're doing is not sustainable, it's super expensive, its destroying family units, it's destroying communities. Build people, not facilities. Thank you

I've been thinking a lot about this. And actually it's interesting. The ankle bracelets are technically another form of incarceration outside of a building. So when were talking about the guy who can't make \$50 bail. That's the guy who stole the \$1.99 energy drink, I don't think this guy needs bracelet. If you want to track to make sure somebody is going to show up in court that's the person who needs the bracelet. Somebody who did something who

your worried they're a flight risk or might cause harm the community. I think the use of the ankle bracelets can be successful although I might warn that most of the private prisons businesses are now buying out the electronic bracelet industry because they see this as a new marketing strategy for them. So I caution you about that because incarceration, justice should never be equated with economy. It shouldn't be an economic thing, if you're rich and white, do something bad, you don't have to go to jail, but if you're brown and bad, you do go to jail. We need to work on these kinds of things, so I worry, about the use of ankle bracelets I've heard some prisons want to use it on women, I think this is inappropriate, I think it should only be used for someone deems as a flight risk. As for bail, there would be criteria someone who is pre trial in for a serious crime should be there, but there are just so many people who should not be there. I'm glad somebody brought up visitation, because that is crucial. Keeping families connected is crucial. So the department just made a proclamation or press release saying that there will be 7 days of the week at OCCC. By the way its non contact. It's sort of like, the state giveth and the state taketh away. So there are 5 kiosks, at OCCC for visits, 7 days a week. The director testified the other day. There are 1,200 people in there now. So do the math, 1,200 people, 5 kiosks, how many people are actually going to get visits? So those kinds of things worry me. And I will just leave you with this thought. Phil Zimbardo, who is a pretty famous sociologist and psychologist from Stanford, came to Hawaii a couple of years ago, we brought him out and he started the Stanford Prison experiment. They retrofitted one of the basement areas and turned it into a prison. Recruited 24 students who they put through a battery of tests. Then they made some student's guards and some students, inmates. After 3 days they had to send one of the student inmates home because he was so severely depressed. After 6 days another professor came in and asked, "what are you doing? You are harming these people!" And the plug was pulled. 30 years later, he wrote a book called the Lucifer effect, and his research question is, what happens when you throw a good person in an evil situation, does good triumph over good or does evil triumph over good. The answer was that evil triumphs, and even today, some of the students who participated in that experiment are still having issues with what they went through. So understand that when we send people prison or to jail, we are creating major harm that doesn't stop when they leave the gate.

Pastor Greg Dela Cruz:

Aloha kakou, my name is Greg Dela-Cruz I am from Maui. From Happy Valley Maui. I am the senior pastor at Living Way Church in Happy Valley. I'm also the, I work at Child & Family Services with the Neighborhood Place Wailuku since 2004. I've been working in our facility (MCCC), blessed to be a part of our facility since 2004. I'm very honored to be here this Task Force, this committee is amazing. I'm looking at a Task Force of doers and I'm just going to share some of the things that we're doing. Thank you Matt and Steven for making this possible, warden, I wouldn't have been able to any of this in the prison if it wasn't for you. I always learn from you. I also have the automatic thinking of you when I'm in the jails every week and they look at brothers and I see this automatic thing goes off in me that you belong here, you don't belong here, you don't belong here, you don't belong here, you belong here. I am motivated by the voices and motivated by Aloha and I'm here because I choose to be. I'm in this work because I choose to be, and I want to share some of the things that I'm doing if that's okay. What motivates me is the voices. So I have a little recording, I'm going to share some voices and I know it's going to get me excited to share some of the things we're doing.

George Ho'opai

"That's where I'm at now it's because of these people's help. These people who believe in your dreams, believe in your talents and gifts and they give you tools, and their energy to exercise that tool. Nobody else did that for me."

Pastor Greg

We're here in the Iao valley, Kepaniwai park. Kepaniwai, which means the damming of the waters. This was known for being a safe place, a Pu'uhonua. In wā kahiko, in ancient times there was a Pu'uhonua, was not only a place, a wahi kapu, a sacred place, but it was also a people. Here at Neighborhood Place, we get to be both. We get to be a safe place, and we get to be a safe people for people to approach a safe place that people can feel heard, helped and healed.

Richard Bascar

"Without places like this, we don't know where to go. So what we do is we stay on the street. I we do what we got to do to survive."

That was two guys with me in the middle first guy is George Ho'opai he spent probably 18 years in our jails and another brother Richard Bascar, that has been, I remember one time in court they said that you are a menace to society and the community doesn't want you anymore. And he is with us now and he just graduated nursing assistant classes and he's been clean for about six months and his goals is to be a nurse. And George is one of our leaders now. He's been in and out his whole life and I've been part of it most of his life I've been with him and he just he's one of our leaders with our dorm that we have at the church, he's been going over to other programs to help them and to ignite these guys and get motivated in their own believe of what can really happen. So he's going on for years clean and sober and so what I'm going to share just some of the things that we're doing. The favorite thing I do in my life is teach, Kamalama I've been teaching, Kamalama since

2004. I've been doing, we always meet James at the graduation and at the gate house. Thank you for all those years and believing in us and making it possible I know it always has it been easy. One of the things is the class we teach is Kamalama. We've been able to train the trainers and train people and do classes on Molokai, Lanai, Kauai and a few places here, QLCC, different places here on Oahu as well as Kona and Hilo. I don't know what facilities it's going on now but one of the things that we get to do is I get to spend 10 class sessions with these men and anywhere from 8 to 20 + men, and we teach this class in the community also. And we've even had opportunities now where the women, their wives or their caregivers have taken the class simultaneously or at the same time as the men, and then when the men get out, they're able to take it together and then the reunification. The class, we have, it's a very simple, basic curriculum that has been developed by Venus Rossetti and several amazing Hawaiian practitioners have help to support this curriculum. But what we've heard over the years is that it takes a certain people to teach this class as well. But one of the things, we go over the values of aloha, mālama, launa 'ōlelo, kuleana, hana pono and all these huge things that a lot of times we take for granted and aren't taught. And I get to learn from all these different people and kūpuna and all these people. I've had many people pour into my life over the years; Cy Kalama has been a huge influence in my life, as well as so many other practitioners. But one of the things we get to do is now I put in my treatment plan in jail, we say finish this class and then report to me at Neighborhood Place upon your release. Check-in, see how you're doing. Sometimes I'm able to do more. One of the things we get to do now is I'm training people up I'm not just talking about CFS, were also doing things in the church. We're doing that because a lot times I can fly under the radar in the church, because I'm the boss. We can cut through a lot of the red tape. But we're struggling. We're rubbing pennies together to make this happen. We've never had any huge funding. Steve he could probably speak to this other than a couple hundred dollars for some materials. We've been doing this on our own since 2004. Now I have at the church, we have four well actually we have a men's meeting every morning. We call it a Champions meeting. We meet every morning. It's similar to the first lap and peacemakers. I've been so inspired by Matt as well. But for the last 4 years we've been doing a men's meeting every morning Monday through Friday right now we're at a place where the last year we've had anywhere from 20 to 30 men every morning volunteer because they know where to go. We have a feeding program were able to help people with food boxes feed them, clothes whatever they need. I see guys coming down with the white shirts and the sweats and the plastic bag, I pick him up, and I make sure he has something. We are open from 7 o'clock in the morning till 9 o'clock at night. But we don't get any funding. People ask me about Grant's I say you know I used to have some grants but we just ask Ke Akua. He grants it to us. And we're still alive. We're able to buy our property. And it's just community support. And without any big monies and all these things, but we just get to do this. Right now we have 6 beds in our program and what I love to do is, the best thing is, my role is to help guys go to another program or if they're coming out of jail I can get them and I can transition them to another place if they need it or transition them back home or just be a warm hand off. A warm hand off is probably one of the biggest things we do. One of the things is. I believe every time I go to class I don't know what the magic is a lot of it is connecting with our kanaka, on that level and James has seen it over the years. But we build trust. I think one of the things that I heard a guy say once is trust is most of the inmates spell trust time. And the guys they did

time with but if we can go in there and we can do time. I've done jail Ministry before but I love being a part of programs since 2004. One of the things is also, the positive thing that I'm seeing is like when guys come out a cash box or Arizona with the experience of being in the Hawaiian programs, these guys are automatic transition. I can tell. It's almost like they get to check in when they come out. He's speaking my language. I love to connect with those guys too. And there's kind of like the continuity of things they talk about in cash box or guys coming from Arizona. That kind of connection its exciting. I was doing some couples coaching and I was with another social worker and she was amazed because this Hawaiian guy he started raging look like he was about to hit somebody, he was so angry. And I knew that he did work with lua. And I know his Kumu. And I said Hawaiian, that's hewa. I said ho'omalulu! And guess what happened? He bowed his head, and said sorry Uncle, you're right sorry. Immediately social worker looked at me asked me if I was a magic word what just said happened. I told him we connected, I love him, and he respects me. Even now guess what we do? Someone needs to go to treatment, somewhere outside we try and get our guys off of Island, to start to get clean, its hard to get clean in their own place especially on Maui I can speak probably for all the other places too. So guess what we do? We sell laulau, sell plate lunches to get these guys to treatment. I'm not here to grumble about where the money is going but I'm just saying we could use a couple bucks. We're still going to do it because it needs to be done and I love what I do. And I love seeing people change. And there are guys out there that really care. There's guy's in the system and looking up here you guys, we can do some amazing things. We've been doing amazing things. But I would hate to see a lot of these guys that are doing stuff not do this stuff just because of money or just because people don't know. I do want to speak to this, and I hope this is okay but, this just happened the other day I was at the facility, I'm not going to say any names but there was a lockdown situation. And that's all I knew, my class didn't come in one of the ACOs came up to me and said Pastor Greg, I just want to let you know that the guy was just doing what he needed to do, just because people are in uniform, doesn't mean they're right. Now I just want to tell you Pastor Greg, don't give up on that guy don't cut his line and the ACO told me that I was so blessed and encouraged to know it wasn't anything incriminating or just something that went down but the ACO recognize something, that was aloha.

Momi Conner:

Aloha. My name is Momi, I am Married DeMont. Basically I'm just a person that lives in the community. And really, never really paid attention to incarcerated people, because I deal with babies. I deal with the education system. I was very fortunate out of all my brothers and sisters, I was the one that took care of the kids. And then through the years I knew of family members going in and out. And I know that family member hurt the family as a whole because that was when we all have to sit down and we have to have do Ho'oponopono. We had to figure out why it was that this person thought he had a right or did what he did. That was my one-on-one as far as the criminal system. And then I married DeMont Connor. And I made the time to really pay attention to what was going on. My biggest thing with him was how come there's nobody that can take you folks in? How come there's people sitting in prison waiting for a place to go? And then I met Anna. And Anna was a part of Holomua Pu'uhonua. She said it was because the communities are not ready for the guys coming out. My question was, if they max out there going to come out anyway. So whether the community is ready or not, you better get ready. Right? Because they're coming. They're going to go someplace. And a lot of times, they need someplace to go, or they keep him in the prison. That's where I really get to talk story with Kat. Because a lot of them are in prison, because there's no place for them to go. Or they cannot make bail. Or there's something going on. Building a bigger building, to house more people, or the concept that I got was you like bring everybody home. But being married to him I learned something, he said bring them home to what? When the lady said that her son felt more happy, or safe, going back to Arizona, it touched my heart. So basically what we need is, we need more little centers instead of a big building. Almost every community on our Islands there is a Pu'uhonua in that area. Where we went to heal. So if we could do that, instead of spending money on one big building, I think it would be better for us. Thank you again Hawaiian subcommittee for really opening up because this is the first time that we actually have an open community meeting. Thank you.

Joseph Loko'olu Quintero:

Aloha. My name is Joseph Loko'olu Quintero. I am a Kahu for the Hawaiian Church of Hawaii nei. I was asked by one of your committee members to come and share my experience. I was volunteering at Hālawā, in the Hawaiian service program from 2013 to 2015. I went every Tuesday, and we did Hawaiian practices and spirituality. We did our cultural practices. We did a chant. The men did ha'a. I'd like to say when I first went in there the men's eyes were dark. No light. After a couple of months of letting them know who they are as Hawaiians, identify themselves, as Hawaiians, the light came back. These men were smiling. It was very interesting because I had, as DeMont had mentioned, different members of gangs in there, USO, the Family, they were all there. And one thing they all agreed upon was, this is the Pu'uhonua, a safe place. Even in Hālawā. To practice their culture. To identify who they are. And their behavior became exemplary throughout Hālawā. Even the ACOs mentioned to me that these guys are 24/7. I called them gentlemen all the time. Even though they are pa'ahao. I looked at them as gentlemen. It was that identity of being Hawaiian, which rebirthed them. It recreated them. It allowed them to recognize mistakes, their behavior, their personality, and they smiled. And to see so many guys smile, when I first went in there, it was like 5 or 6 guys. Within a few months, our class was full. And we had a waiting list of eighty to a hundred people. And the whole results of this service, was for Makahiki. Which DeMont had mentioned. Makahiki is very powerful. To see our Hawaiian men grasp on who we are, our people, our identity, it was really moving. And we worked in a way where they understood that were making ho'okupu. It was humbling. And they did it with great humbleness, and great respect. And to see them all come together and shed the gangs. And they mentioned, we talked about it at different times, the gang life in there, the gangs were upset with them because they call them the subculture. And I told them wait, wait, wait. No, no, no. Our Hawaiian identity, we are Hawaiians, we are not a subculture. The gang life is a subculture. And they really started to change around, make differences. I did talk to them all about transitioning out, what was needed, yes family was needed for transitioning out. So I wanted to let you know that please keep instilling is Hawaiian programs. Keep the Hawaiian programs alive. It's very important for all of us. Make programs like the Pu'uhonua program as they transition out. Maybe better than going to Laumaka or something like that. So that they have something that is Hawaiian based. Thank you.

Roger Epstein:

Thank you Justice Wilson. Nice to be here. I'm here on behalf of the Hawaii Friends of Restorative Justice. I am the vice-president. It's an organization that does restorative circles when people leave prison. Lauren Walker has been doing this for years, she's terrific. They also do some programs up at the women's prison that introduces them to concepts that are so fundamental for most of us, but I'm shocked when I go up there to see how little people in prison have received, in terms of knowledge about common ways to be in the community. I've been to 3 now graduations from the program they've had up there, and the women are just thrilled about what they've learned. And what I see is they're people like everybody else. But they've just had so little training. So I'm also on Matt's board as a director, and I've been a co-host on something that's called the Hawaii forgiveness project for years. In my day job I've been a lawyer in Hawaii for 45 years, as an international corporate tax lawyer. I just retired from the largest Law Firm here in Hawaii. I've been in a lot of interfaith things, I also call myself the only Jewish, Christian, Buddhist, Daoism, Sufi, tax lawyer in Hawaii, maybe in the world. I just want to say, in order to have a program with Aloha, we've got to live aloha. We really have to put his into practice. We are not putting it into practice. When I was in law school they would say, there are several things to send people to prison for, for punishment, to keep them off the streets, for Rehabilitation. We don't do rehabilitation, we really don't. and what I'm concerned about is that I don't think the community really believes that you can rehabilitate people. I think we got to think about that really seriously. Do we mean this? We have to convince ourselves. And I would put into practice, I've represented every large company in the state of Hawaii, and I assure you they believe in aloha as much as we do. And as you move along in this process I'd like to bring it in, I'd like to see if we can bring the companies into play. I'd like to see the ugly trust come in to do this. This has to be a community effort. And if we're going to make it real for those people, we're going to have to show a couple of things. One that this stuff works. If it doesn't work, who the hell wants to do it? And I think that's a problem. I don't think people believe it works. I think people believe we have to put people in prison because we have to keep them away from ourselves. So we have to show it works. And secondly we have to show that we are saving money or at least that we're not spending more money. And so you can make those cases, you can make all those cases. But you can make it. So it's part of the process Justice Wilson said you're going to look for a year and a year-and-a-half down to the next legislature. We have a year to see if we can put something together. My job is a corporate tax lawyer is a transactional thing. Somebody wants to buy a business to do something let's get around all the issues, everything and then lets work on them one by one to see if we can knock it out. So the whole friends of restorative justice, Rich, Lauren Walker, and myself we are committed to be able to ever help we can. I don't have this experience in prison but I do have experience as completing projects. I'm so we'd like to use that to the extent we can, and thank you very much for the work you're doing.

Kapuakealiikua Kamae:

Aloha. O wau 'O Kapuakelii Kamae, No Wai'anae mai au. I want to make it really short. And the thing that I want to advocate to you folks. And actually all of government. Is to utilize and Implement audiovisual technology. Because there are so many more voices that aren't in this room. Like the Kahu from Maui, he had to come all the way over here. Expensive. Taking time off from his normal duties. So government, I think all of the government needs to include a queue for audiovisual Testimony. And you still honor those individuals that did come, but for your review that it is included so that there would be so much more participation to include as I'm sure you already have those that are incarcerated. And a big kahea to those that have come out of the system. And just to reiterate and to Mahalo, Kat, DeMont, and everyone that's already provided wonderful testimony, Mahalo.

Leimomi Kahn:

Aloha. Aloha mai kakou. 'O Leimomi Kahn ko'u inoa. And I'm really here in just my own personal capacity. Not representing any organizations. And I come, because of personal family experience with the sister who was incarcerated who is now a citizen, a regular person in our community. I am motivated by our experiences with her time in prison, and then her transition when she came out of prison. I am also motivated because of the numbers of Native Hawaiians who are in prison. And I worry for the, how we can make things better to address the causes that lead them into the prisons. But given the short time that we have, I think I just want to make 3 points. One is when I looked at the points that you all sent out, one of the focuses is on Aloha. I would suggest that there might need to be a second focus, which is kuleana. Kuleana especially for those who are incarcerated, we heard brother earlier today say that no matter what you do, that individual must make the choice to participate, and wants to make his or her life better. So I think somehow we need to build in that value in our system. The second thing I'm thinking having heard a number of wonderful testimony today is that we may need to change our Paradigm in the way we rehabilitate people. Meaning that perhaps instead of investing so much money in a new prison, which would likely lead to more people being in prison, perhaps the investment should be in our community. We heard many, many people come today to talk about the programs in their communities that they offer. Many of them successful. So maybe we should be looking at a change in Paradigm where we work more with the community centers that help to rehabilitate people that have some programs, and Community Partnerships. That has many, many benefits. Besides keeping the incarcerated close to their community and their families. I think it has some economic value for the communities, and for those non-profit organizations. The other thing is this one for me is probably my top one. And that is programming people for success. And that is programming people for success from day one. So my sister went to prison, it was 3 months before she was to be released when she was put into a transition program. And I think we should start from the beginning, to get them involved in other communities, from which they live. Meaning that sometimes you are what you are then, so no matter what you doing in prison, if you come out, if you haven't exposed yourself to other opportunities and other people, you're going back to that same environment. And so those are the points I wanted to make, Mahalo nui loa.

Chantrell Wai'alaie:

Aloha pumehana kakou. My name is Chantrell Wai'alaie. Thank you for allowing me to speak on this issue today. I'm here today representing my 'ohana, my people, kanaka maoli. The prison system and the incarceration of Hawaiians is a very sensitive topic to me and my family. My cousin Bronson Nunuha Tachera, was sent away to Arizona. And before he could return home to us, he was killed there. He was stabbed over a hundred and forty times. He had to get plastic surgery just so we could view his body at the funeral. And the people who killed him carved their gang name into his chest, and I was told that he was supposed to return home before he was killed, but something with paperwork and not getting things back in time, I'm not really sure it is just what I was told. Before he died he petitioned to be moved to another cellblock because he feared for his life. Even prior to the stabbing he was already getting punched kicked and stomped by gang members there. I was told that he was arrested because at the time he was homeless and he broke into someone's house. He was convicted of second-degree burglary and attempted second-degree burglary and third degree criminal property damage, so he was sentenced to five years in prison. While he was there he was housed with killers and people who committed dangerous crimes at every level. Well before he was stabbed, he had wrote back to us that he had petitioned to get sent to another cell block, but he also wrote back on the other end about how he had found God, and how he found joy in participating in the Makahiki and cultural classes that took place there. And my friend Andre Perez told me about how he met Bronson up in Arizona, and that they were actually just starting to get through to the gang members and they were actually getting them to talk to one another through these classes and through this cultural sharing. So my cousin was from Waianae, and I was told that one of the people that stabbed him was from Kalihi, so they're from different places on the island, different territory sometimes tension. But Andre told me that he had actually got people talking to each other and they been making big strides before they shut down those classes. So I just wanted to stress the importance of that because a little while after the classes ended, all these things started to build up again, and once again tensions. And later on that's what happened to my cousin. Also as a law student I participated in the law for Youth Empowerment classes so we go out to the detention facilities for the youth. Hale Ho'omalua in Kapolei. We usually teach street law, and talk to the kids about what to expect when they get into court and how to carry themselves and whatnot. But personally I've kind of implemented Hawaiian cultural values, where I connect them to places that we're from, and stories, and the kids they light up when we talk about things like that. They want to talk about things like that, and once we start talking about culture than we get to our goals and things that they want to do after, and it's just this link. We only have about 45 minutes a session but most of the times they don't want to leave, we're still talking story. A couple weeks ago I kind of implemented, I also work as a financial trainer at Hawaiian Community Assets, and we teach financial literacy based on Hawaiian cultural values. I asked them if I could do a session takes over lessons from our classes and work with the boys most of them about 16 to 18, and they were very interested in the class and I was so surprised I had their attention the entire time and I let them use the books that we give out to people that take classes, and they want to keep those books. They asked me one of the boys asked me I want to steal this, he wanted to take it with him. In the books each lesson starts with sharing Hawaiian cultural values and practices that we carried, which are

Kupuna did. Even with credit from Mauka to Makai we traded, we had our own credit practices. They love that. So I just wanted to stress how important it is to find the way to implement and cultural values and the significance that it can have and also go back to what's really happening to our people. My cousin story is just one story, and that's just one store in my family, I carry many more just like that. Thank you



Testimony for 9/30 Task Force Mtg

Mon, Sep 26, 2016 at 9:16 AM

Please take a look at the questions below and answer what you can me ka ho'okamani 'ole (with honesty), a me ka 'oia'i'o (and with truth).

What alternatives to incarceration do you recommend that has the potential to strengthen our system?

- o What do you think is holding us back from implementing these alternatives?

Aloha Shayne,

I am the Executive Director of IHS, The Institute for Human Services, Inc. and a psychiatric APRN by training. We serve homeless persons and families on Oahu and those facing the possibility of homelessness, which often include people being released from incarceration.

I would like to offer these humble responses to the questions you put out through Kat Brady.

What would a criminal justice system infused with ALOHA look like?

Critical to build a system from the ground up that sees the people coming in not only as perpetrators of crime, but to also understand them as impacted by events in their life that have contributed to the actions that led them there. I'm not saying they should be excused. But there needs to be training among ACOs about kindness and justice that support a system of rehabilitation vs a culture of punishment. But it is critical that there be good assessment to ferret out the difference between those who are hardened criminals and those who are more likely to respond to treatment. If we can triage more of those that can be impacted, we will have less and less of the second category in the future.

The community must be embraced as a partner in rehabilitation and room needs to be made to support the incarcerated individual.

- What are some specific ways you would like to see ALOHA being practically used in our system?

I would like to see opportunities for helping behaviors to be cultivated among inmates. There are few opportunities for people to practice it and to cultivate a culture that fosters that response instead of the ones that violates another person. You can't just tell people not to do certain behaviors without teaching them replacement behaviors that are more prosocial and productive. The power of positive behavior supports are quite remarkable. But I am also not so naïve to think that ALL inmates could respond to this. Those that are assessed to be true sociopaths and psychopaths do not have capacity for empathy. Not sure if that can be taught to certain people. But applying an "enlightened self-interest" framework to enhancing motivation is critical.

- Are there any changes we can make today for free or low cost that can improve our system?

We need to make visitation an imperative and link families with good programs that teach them how to support without enabling through reconnection with those Hawaiian values you mentioned earlier in your message. People become more embittered when they are isolated from their community. But I have seen the power of recognizing one's place in community to give hope and motivate people for good. I bet there are those in our community that would step forward to help make this happen for very little cost.

Mahalo for the opportunity to share,

Connie Mitchell, MS, APRN, BC

Executive Director

IHS, The Institute for Human Services, Inc.

It is up to us to find the joy that dissolves the desperate moment, that changes the burden of life to the passion. Find the gift that brings that joy in your life and nurture it and guard it and grow it. And when you can, find the gift in others and urge them toward it -David Smith

Name: Kaylene Kauwila Sheldon

HCR 85 Task Force-Hawaiian Sub-Committee

Representing Organization: The John Munn Kahikina Kelekona Foundation (JMK)

Native Hawaiian Incarceration, Incarceration policies

Aloha e HCR 85 Task Force & Decision making Committes:

My name is Kaylene Kauwila Sheldon. I am the founder of The John Munn Kahikina Kelekona (JMK), an organization that dedicates itself to protecting sacred sites, focuses environmental concerns and strengthens families and communities. Our main concern is the displacement of Native Hawaiians spending their incarceration time in other places and not in Hawai'i. We want our Hawaiian people to serve their time in Hawaii. Other concerns are:

1. Cultural programs in prisons- We would like more cultural programs such as a. Hawaiian Cultural Gardens b. Food programs with Hawaiian traditional diet from garden to plate. c. Allow Hawaiian prisoners access to do their geneology work through database, ulukau, and visits to the Archives or with the permission of churches, visits to the Visitor's Center or Catholic cathedral. d. Access to places like Kaho'olawe or Makua Valley to do restoration work.
2. Participate in protocols, events and places. a. More participation in the 'Aha Kāne, Makahiki, Lā Kūoko'a, Queen's birthday, Iolani Palace, The Royal Mausoleum.
3. Participate in the act of mālama, protocol, respect at sacred places like Mauna Kea, Iolani Palace, The Royal Mausoleum, Kaho'olawe, Makua Valley, King Kamehameha III Summer Palace etc...
4. During their (prisoner)transitioning to go out into society, (through funding and services from Alu Like, OHA, federal & state, business support) have prisoners go through a five year process of free counseling, anger management classes, workshops, goal oriented support group and cultural workshop, hula hālau, & work programs to help with their transitioning to public life.
5. During these work programs minimum wage should be \$10 an hour and employers should be encouraged to arrange benefits.
6. Programs should allow special events for prisoners and families to meet.
7. More support for children and carcerated parents in transitions from social services and foster care, providing free parenting classes for ex prisoners and counseling for children.

Mahalo nui loa for your concerns for Native Hawaiians in prisons.

Me ka ha'aha'a,
Kaylene Kauwila Sheldon



Hawaiian Sub commitee

Vivian-Malia Hardman
To: shayneyoshimoto@gmail.com

Wed, Sep 28, 2016 at 10:32 PM

Name: Vivian-Malia Hardman

Meeting Date: September 30, 2016

HCR 85 Task Force - Hawaiian Sub-Committee

Representing: Self

Written Testimony:

Aloha,

I am giving this Testimony regarding Native Hawaiian Inmates. Being, I've never been incarcerated like most who haven't been in the law in that manner, have family members and friends who are affiliated.

Growing up surrounded culturally with kanaka ma'oli influences it is a different lifestyle from Western surrounding. When we have problems with others we ho'oponopono instead of violence, when were having a hard time with emotions and being grounded we Hi'uwai to cleanse. The Hula to keep us healthy with connections to our Kupunas instead of drug abuse and language barriers.

Alot of native Hawaiians,who are incarcerated are obviously to grounding themselves culturally and their ways of coping with society and life become what they feel at the time works. Question is how can we help them? A simple answer, we Aloha them, we re establish a healthy relationship with them, we believe in them and never give up on them. It's so easy to have them incarcerated and throw away the key and forget about them, but the problems still remains what choices they made how do we help them to become upstanding citizens so upon release they're able to be in society.

A suggestion why not open up more cultural Influence programs with, language,values,job/school training,spiritual,and family settings. Let's help our native Hawaiians and, "Aloha Kekahi I Kekahi".