

The Hawaii Paroling Authority (HPA) serves as the central paroling authority for the State of Hawaii. HPA is a quasi-judicial body whose mission is to determine minimum terms of imprisonment; evaluate and grant parole utilizing HPA and community resources as a link for parolees to reintegrate into society. HPA consists of five board members who also investigate and make recommendations for gubernatorial pardons in concert with the Director of The Department of Public Safety.

In recent weeks there has been misinformation about HPA and its role in releasing jailed inmates due to COVID-19 and the Supreme Court Orders SCPW 20 0000200 and 20 0000213.

The HPA's "kuleana" lies specifically with the prison sentenced felon population, NOT the jail/pre-trial or probation populations that have been released under SCPW 20 0000200.

Contrary to media reports, there is no list or plan to mass release 500 sentenced inmates from the State's correctional facilities. There are no inmates convicted of murder, sex assault, or domestic violence to be released under the Supreme Court Order, and there are no inmates granted parole/release without a verified residence, program, or placement to another jurisdiction.

Parole may be granted after a hearing by the board, taking into consideration victim statements, as well as recommendations from attorneys for the defense and prosecution, PSD and HPA staff. If granted parole, **actual release** may take 7 business days to 6 months depending on acceptance/confirmation of the listed placements; residence, program, acceptance by another state, other state department with shared jurisdiction, Immigration or Federal Sentence. Parole is an earned privilege based on institutional behavior, program completion and accomplishments. Granting parole is not automatic.

Through the course of a calendar year the Board conducts 4,000+ hearings on charges ranging from property crimes to violent offenses against persons as well as 1500+ administrative (non-in person) hearings to consider reduction of minimum sentence, early discharge, and pardons to name a few. The decisions of

the Board impacts prison population, victims, restitution and the community at large.

Currently there are approximately 1500+ individuals under parole supervision (2800+ confined sentenced felons). Length of supervision depends on each parolee's remaining time on their sentence. As an example: Sentenced to 5 years and granted parole after 3.5 years – paroled for the 1.5 years remaining on the sentence.

The profile of the convicted felon population is complex. In general terms, a great majority are long time drug addicts who may steal to support their habits. Most have, prevailing medical and mental health issues. Many are veterans suffering from PTSD, or were raised in an abusive household with parents & siblings who have a criminal history or incarceration. Many are victims of physical and/or sexual abuse, and many have juvenile records with the Family Courts. Most have no self esteem, confidence or sense of cultural identity. Their ages range from 18 to 70+. There are some inmates who were working professionals. Some are your family members, neighbor, colleague but got caught up in "something."

The Department of Public Safety without exception, must receive and intake ALL defendants sentenced by the courts to an indeterminate or extended prison term(s) of incarceration (5 years, 10 years, 20 years , life with or without parole). The Department cannot pick and choose. To the credit of the courts, they have attempted to stem the commitments by placing individuals on probation (in lieu of prison) with the hope that community supervision will correct the behavior. In the Judiciary's last annual report, there were 24,000 plus misdemeanants and felons on probation. What if the courts were to revoke 10% of the felon probationers due to Non-compliance and new crimes? Revocation results in incarceration adding to the current prison inmate numbers. Many in our community say "Good, lock um up and throw away the key." They forget or ignore the fact, that 95% will eventual return to the streets, treated or not, with or without supervision through parole or when they max-out their sentence.

While I understand the Supreme Court's order and the concerns expressed by the ACLU, Public Defenders Office and community advocates, it took COVID-19 to bring community awareness to overcrowding in the jails and prisons. Hawaii's

prison overcrowding is nothing new and stems from the community and law makers sentiments back in the 70s. In the late 50s and 60s, Hawaii was at the forefront in developing a correctional philosophy focused on treatment and rehabilitation. The practice of locking people up was NOT working. In 1970 there was consensus to develop a Master Plan and construct community-based facilities and programs. The attitude shifted in the late 70's. New mandatory sentencing laws, and stricter minimum sentencing policies overwhelmed the new facilities, forcing 'band-aid' approaches for the increasing populations. The state continues to deal with over-population and each administration has been harshly criticized for struggling to provide the basics that the greater community takes for granted.

Criminal behavior cannot be FIXED by government alone. It takes a community and a commitment by all. Whether you say "lock them up and throw away the key" or say add rehabilitative treatment programs, community "drop in centers", and ways to inform/educate the community, expect a high price tag. No matter what, the community needs to be a part of the solution.

Lock up does not fix the problem but neither does throwing stones.