

February 22, 2024

House Committee on Judiciary and Hawaiian Affairs

Hearing Time: 2:00 PM

Location: State Capitol Conference Room 325

Re: HB1604, Relating to Criminal Justice Reform

Aloha e Chair Tarnas, Vice Chair Takayama, and members of the Committee,

On behalf of the Opportunity Youth Action Hawaiʻi hui, we are writing in **strong support** of HB1604, relating to criminal justice reform. This bill allows the court to order substance abuse assessment and treatment. It prohibits the arrest of a parolee, or the revocation of parole, solely due to the defendant having one positive test for drug use.

The use of alcohol and illicit substances by parolees is often rooted in complex issues of addiction, rather than a deliberate choice to disregard the law or terms of parole. Subjecting a parolee to arrest and potential revocation of community supervision is disruptive to their overall efforts and progress in re-integrating into their community. HB1604 recognizes that recovery from a substance abuse disorder is a process, often marked by challenges and setbacks. A positive drug test should be viewed as an indication of the need for further support and treatment, rather than an automatic trigger for punitive measures. This approach aligns with best practices in public health and substance abuse treatment, which advocate for patience, support, and evidence-based interventions in the journey towards recovery.

Further, treatment and support for substance abuse have shown to be more cost-effective and beneficial to society than incarceration. The State of Hawai‘i currently spends $253 per day, or $92,345 per year, to incarcerate just one individual. This bill reflects the legislature’s belief that, rather than spending funds to arrest a parolee who has tested positive for drug use and holding a heating on whether parole should be revoked, funds should instead be reinvested in employment, housing, social services, and community-based treatment programs that more effectively reduce recidivism.

Opportunity Youth Action Hawaiʻi is a collaboration of organizations and individuals committed to reducing the harmful effects of a punitive incarceration system for youth; promoting equity in the justice system; and improving and increasing resources to address adolescent and young adult mental health needs. We seek to improve the continuity of programs and services for youth and young adults transitioning from minor to adult status; eliminate youth houselessness and housing market discrimination against young adults; and promote and fund more holistic and culturally informed approaches among public/private agencies serving youth.

**Please support HB1604.**

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