



**ACLU of Hawai'i Statement:  
HB300 HD1 SD1 CD1 Relating to the State Budget  
May 2, 2023**

ACLU of Hawai'i supports a **Peoples' Budget** that protects the civil rights and civil liberties enshrined in our Constitutions, and invests in healthy, safe, and equitable communities.

Our Decriminalizing Houselessness, Reimagining Public Safety and Smart Justice campaigns focus on diverting people from the criminal legal system, reducing the number of people in our jails and prisons, eliminating racial disparities, shrinking the prison system and shifting wasteful spending away from incarceration. We advocate for reinvestment in things that keep our communities safe: housing, health care, jobs, education, and restorative justice.

Hawai'i continues to spend millions of taxpayer dollars on corrections. **We spend nearly \$80,000 per year to incarcerate one adult but less than \$10,000 to educate a keiki in our public schools. Even with the high dollar amount spent on incarceration, we still have a 40-60% (and increasing) recidivism rate. This goes to show that what we are currently doing in our correctional facilities is not working.**

**Last year, the State Legislature made history by boldly announcing that it would appropriate ZERO funds for the planning of a new jail to replace the O'ahu Community Correctional Center (OCCC) jail, instead focusing on pretrial criminal reforms.**

Criminal justice reforms have proven successful in other states by significantly reducing the pretrial population by 30-40% and the total number of incarcerated people.

**Criminal justice reform has also proven successful in Hawai'i. Over the past 15 years, we have reduced the number of youth detained or incarcerated by more than 80%. Contrary to a popular myth, juvenile crime did not go up!**

Decarcerating the juvenile population did not just happen by chance. A lawsuit by the ACLU of Hawai'i and an investigation by the Department of Justice spurred the State to address egregious anti-gay and anti-transgender abuse and harassment of youth at the Hawai'i Youth Correctional

Facility.<sup>1</sup> In turn, this led to collaborative efforts by State and community stakeholders to divert youth from Hawai‘i’s juvenile justice system, using evidence-based practices, and culturally appropriate trauma-informed care.

This collaborative evidence-based approach can work for our adult system too. We need to focus on the root causes that propel people into the criminal legal system and invest in proven community-based resources to stop the revolving door to our jails and prisons.

Against this backdrop of success with our juvenile justice system, **we are disappointed that the Legislature’s proposed budget appropriates nearly \$30 million dollars for jail and prison expansion, including \$10 million for the continued planning to replace OCCC. The estimated price tag for the new OCCC is \$650 million to a billion dollars.** This exorbitant amount will only line the pocketbooks of consultants and make our communities poorer, not safer. This is a lose-lose situation and lives up to the status quo of Hawai‘i’s wastefulness when it comes to tax-payer dollars and resources.

Similarly, despite strong community opposition, we are shocked that the **Legislature is contemplating an appropriation of \$50 million to the Hawai‘i Technology Development Corporation to start construction of the “Cop City” or First Responders Technology Campus (FRTC).** This consolidated training and operation campus for different governmental agencies including a resort complete with fitness facilities, a swimming pool, and a privately developed hotel would be built on agricultural lands at an estimated price tag between **\$315-\$470 million dollars.**

Amidst an affordable housing crisis, high rates of homelessness, and a shortage of healthcare workers in Hawai‘i, appropriating \$50 million or a lesser amount for the proposed Cop City is simply egregious. **We implore lawmakers to reallocate any proposed funding for Cop City to affordable housing, healthcare, and behavioral health crisis response teams trained in de-escalation and harm reduction techniques.** In doing so, we will pivot away from the status quo of sending armed police officers to respond to mental health crises, which has led to an increase in use of force, and tragically, more police killings.

It may be too late to stop these specific appropriations under HB 300 CD1, but we still urge lawmakers to courageously speak out during the floor vote against funding for jail and prison expansion and the proposed Cop City, and recommit to building safe, healthy, thriving, and equitable communities by aligning our budget, the Peoples’ Budget, with our values.

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<sup>1</sup><https://www.aclu.org/press-releases/hawaii-youth-correctional-facility-pay-over-half-million-dollars-relentless-campaign>