

The Senate
The Twenty-Fifth Legislature
Regular Session of 2009

Committee on Public Safety and Military Affairs
Senator Will Espero, Chair
Senator Robert Bunda, Vice Chair

Committee on Health
Senator David Y. Ige, Chair
Senator Josh Green, M.D., Vice Chair

DATE: Thursday, February 26, 2009
TIME: 1:15 p.m.
PLACE: Conference Room 229

**TESTIMONY OF THE UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO
ON S.B. 1073, RELATING TO CORRECTIONAL FACILITIES.**

My name is Dayton M. Nakanelua, State Director of the United Public Workers, AFSCME, Local 646, AFL-CIO (UPW). On behalf of the approximately 2,000 correctional officers and blue collar employees from bargaining unit 1 who work in our correctional facilities, **the UPW opposes Senate Bill 1073 which repeals the exemption that allows smoking in correctional facilities.**

Last December, I discussed with Director Clayton Frank the use of tobacco products in our correction facilities. It was my understanding that while tobacco products would be considered contraband and prohibited to inmates, use of tobacco products for employees, volunteers, vendors and visitors would be allowed in designated areas. These designated areas were to be identified by the warden of each facility (see attachment: letter dated January 22, 2009).

This measure circumvents this understanding and current policy. While not condoning the use of tobacco products, this practice is a personal decision and I believe our members should have access to designated smoking areas. Unlike other state employees whose designated areas are just outside the building, this bill would require the designated area to be entirely outside the gated facility, essentially making it inaccessible to employees. Because of the unique physical nature of correctional facilities, the UPW opposes repealing the exemption and asks that SB 1073 be held.