

An aerial photograph of a rugged, mountainous landscape. The mountains are covered in dense, vibrant green vegetation. A cable car line is visible, with several towers and cables stretching across the mountain ridges. The sky is a clear, bright blue with some light clouds. The overall scene is one of natural beauty and scenic views.

Hawaii Correctional System Oversight Commission

House Informational Briefing

March 18, 2024

Agenda

- Overview of Oversight
- History of the Commission
- Powers and Duties of the Commission
- Vision, Mission, Values
- Commissioners & Team
- Overview of Accomplishments
- Impact
- Investment
- Questions

WHAT IS CORRECTIONAL OVERSIGHT?

An independent, external mechanism designed, at a minimum, to ensure the collection, dissemination, and use of unbiased, accurate, and first-hand information about correctional conditions of confinement and the treatment of incarcerated individuals, primarily through on-site access to the facilities.

– National Resource Center for
Correctional Oversight

GOALS OF CORRECTIONAL OVERSIGHT:

Improve transparency of our nation's prisons and jails.

Increase accountability of agencies for ensuring the safe and humane treatment of people in custody.

Change lives of those most impacted for the better.

13 PRINCIPLES OF CORRECTIONAL OVERSIGHT

Independence

**Clearly Defined and Adequate
Jurisdiction and Authority**

**Unfettered Access to Records and
Facilities**

**Access to Corrections Executives and
Internal Affairs Staff**

**Full Cooperation of all Officers and
Department Staff**

Sustained Stakeholder Support

**Adequate Funding and Operational
Resources**

Public Reporting and Transparency

**Analysis of Policy and Patterns in
Practice**

Community Outreach

Community Involvement

**Confidentiality, Anonymity, and
Protection from Retaliation**

Procedural Justice and Legitimacy

BENEFITS OF CORRECTIONAL OVERSIGHT

Benefits to Incarcerated People and Staff

Regular monitoring of correctional facilities benefits incarcerated people and staff by enabling the early detection of problems, and offering opportunities to fix issues before the state becomes liable.

Benefits to Correctional Administrators

Correctional administrators benefit by being able to discuss their institution's capabilities and needs publicly, and by being offered new ideas by an outside independent agency.

Benefits to Judges, Prosecutors, Defense Lawyers, & Policymakers

Judges, prosecutors, defense lawyers, and policymakers benefit from having accurate information and data about programming outcomes, living conditions, and rehabilitative and reentry efforts.

Benefits to the Media and the General Public

The media and general public benefit from external oversight that promotes transparency, accountability, and democratic values.

HISTORY OF THE COMMISSION

Norway Trip

2015

Justice Michael Wilson, Robert Merce, Rep. Gregg Takayama (then chair of the House Committee on Corrections, Military & Veterans), Bert Matsumoto (then chair of the Hawaii Paroling Authority), and James Hirano (then Warden of MCCC) visited Norwegian correctional facilities and met with correctional experts from Norway, Sweden, Ireland, and England

Legislative Task Force

2015

After the trip to Norway, the group created a task force. The task force found that Hawaii's correctional system is not producing acceptable, cost-effective, or sustainable outcomes and needs immediate and profound change.

HCR85 Task Force Report

2018

Creating a Correctional Oversight Commission was one of the key recommendations of the HCR 85 Task Force's final report to the 2019 Legislature.

Act 179

2019

HB 1552 (2019) incorporated the Task Force's oversight recommendations and became law in 2019 as HRS 353L.

Commission Convenes

2020

The Commissioners Mark Patterson (Chair), Ted Sakai, Martha Torney, Judge Ronald Ibarra, and Judge Michael Town began meeting monthly and continued to meet virtually throughout the pandemic.

First Oversight Coordinator Hired

2022

In July 2022, the first staff for the Commission was hired (Oversight Coordinator).

POWERS AND DUTIES OF THE COMMISSION

Hawaii Revised Statute 353L-3



Investigate

Oversee the State's correctional system and have jurisdiction over investigating complaints at correctional facilities.



Facilitate Transition

Facilitate a correctional system transition to a rehabilitative and therapeutic model.



Set Population Limits

Establish maximum inmate population limits for each correctional facility and **formulate policies and procedures to prevent the inmate population from exceeding the capacity** of each correctional facility.



Oversee Reentry

Work with the Department of Corrections and Rehabilitation in monitoring and reviewing the Comprehensive Offender Reentry Program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii Paroling Authority's oversight of parolees.



Monitor Compliance

Ensure that the Comprehensive Offender Reentry System under Chapter 353H is working properly to provide programs and services that result in the timely release of inmates on parole when the maximum terms have been served instead of delaying the release for lack of programs and services.

VISION

The HCSOC will be the leader in corrections oversight and will set the standard for best practices nationwide.

MISSION

Through targeted change, accountability, transparency, and engagement, the HCSOC will produce progressive and sustainable outcomes to better public safety in the state of Hawaii and facilitate a correctional system transition to a rehabilitative and therapeutic model.



HCSOC VALUES



'Alohilohi
(*Transparency*)

Being upfront and honest about our work.



Kuleana
(*Accountability*)

Always following through and following up to accomplish what we said we would do.



Pono
(*Integrity*)

Being honest and having strong moral principles.



Aloha
(*Compassion*)

Being genuinely concerned about other people and people's needs.



Ha'aha'a
(*Humility*)

Intentionally looking for ways to lift others to higher levels of confidence and experiences.

COMMISSIONERS & STAFF

Mark
Patterson

Chair - OHA Designee

Hon. Ron
Ibarra

Commissioner - Chief Justice
Designee

Martha
Torney

Commissioner - House
Speaker Designee

Hon. Mike
Town

Commissioner - Senate
President Designee

Hon. Mark
Browning

Commissioner - Governor
Designee

Christin
Johnson

Oversight Coordinator

George
Choe

Special Assistant

Cara
Compani

Reentry and Diversion
Oversight Specialist



OVERSIGHT & PUBLIC ACCOUNTABILITY

Public Meetings

- 63 public meetings
 - Monthly Meetings
 - Facility-Specific Meeting
 - Community Talk Stories

Public Reporting

- 23 Deaths in Custody (*Reporting since Oct, 2022*)
- 36 Public Reports
 - 19 Monthly Reports
 - 10 Facility-Specific Reports
 - 4 Annual Reports
 - 2 Strategic Plans
 - 1 Year-In-Review

In the Media

- 97 Media Articles
- 1 Press Release



65+ Facility Visits

Notable Facility Tours

- OCCC Tour with Supreme Court Justices
- HCCC Tour with Hawaii Country Prosecutor's Office
- Halawa and OCCC Tour with Senate
- HCCC Tour with House Members
- Saguaro Tour with Senate
- OCCC Tour with Amend
- Las Colinas Detention and Reentry Facility Tour

CORRECTIONAL FACILITY TOURS

FACILITY-SPECIFIC RECOMMENDATIONS FOCUSED ON REHABILITATION

51 recs from facility-specific repots, 4 recs from letters to DCR.



A NEW FOCUS ON REENTRY AND DIVERSION

Oversight

- Monitor and report facility-specific reentry efforts
- Report on the status, success, and implementation of reentry-specific legislative efforts

Reentry

- Monitor, review, and report on the Comprehensive Offender Reentry Program (HRS 353H)
- Ensure Comprehensive Offender Reentry Program results in timely release of people in custody

Rehabilitation

- Identify system-wide and individual needs of people in custody
- Utilize needs assessment to determine and recommend programs and treatment that achieve rehabilitation

Population Limits

- Offer recommendations, strategies, and collaboration on diversion and deflection efforts to decrease the Hawaii jail populations.
- Identify opportunities for movement throughout the correctional system

PROCESS AND PROJECTS



COMMISSION'S IMPACT

159 PUBLIC TESTIMONIES

Based on my many years of experience and observations with PSD (now DCR), it is essential for inmates and staff to have an independent voice without fear of being retaliated against or silenced.

– Lois T., 38 year employee of PSD/DCR

The Coordinator has been instrumental in helping our Office navigate connections between State agencies and community based organizations to reduce recidivism for individuals being released from incarceration.

– Office of the Prosecuting Attorney,
County of Kaua'i

We have had talks about us feeling like we need the feds to come back. That's how bad it is. No one's listening to us.

We finally have a voice and ear listening to us.

– Sgt. Kyles, OCCC

Working closely with the Oversight Commission, the Oversight Coordinator has shone a bright light into a dark system that has been ignored for decades.

- Community Member

Without the critical leadership of the Oversight Coordinator, and the cooperation and commitment of the Director of DCR to implement systemic changes, Hawaii will likely face a pattern and practice of investigation by the Department of Justice, and costly federal intervention.

– ACLU of Hawai'i

The Correctional Oversight Commission has advanced in making public and offering solutions to serious problems with Hawaii's jails and prisons.

– Hawai'i Friends of Restorative Justice

INVESTMENT

The Commission is requesting
\$462,134 for FY2025
which includes:

Budget Sheet
Sequence
No. 102-001
ATG100/EC

- 4 Full Time Positions
 - Oversight Coordinator
 - Special Assistant to Oversight Coordinator
 - Reentry and Diversion Oversight Specialist
 - Jail Oversight Specialist (*new position*)
- Inter-Island Travel
- Out-State-Travel (Saguaro)
- Memberships & Conferences
- General Office Supplies + Equipment



CONTACT US

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