



## The Senate

STATE CAPITOL  
HONOLULU, HAWAII 96813

August 25, 2020

Director Nolan Espinda  
Department of Public Safety  
919 Ala Moana Blvd.  
Honolulu, HI 96814

Dear Director Espinda:

COVID-19 is raging within the walls of OCCC. Getting it under control will take strong leadership and effective planning. The members of this the Senate Special Committee on COVID-19 wishes to assist you in these efforts. To get an idea of where we are, how we got here, and what solutions can be expected, please answer the following questions:

1. The first OCCC inmate tested positive on August 7. As of August 24, there are a total of 52 employees and 243 inmates infected with COVID. Many OCCC staff were concerned at the pace of testing and got tested on their own. Why did it take two weeks to test everyone confined and working at OCCC? Why did you decline testing assistance from the private sector?
2. Is it true that after being swabbed, ACOs were told to go back to work, rather than wait for their results? Five OCCC guards are in the hospital. Three are on ventilators. How many of them were called back to their posts before getting their results?
3. After suspects are brought into OCCC they are isolated for five days and then released into the general population. Explain how that fits into CDC guidelines and your pandemic response plan?
4. When and how were staff made aware of the Department of Public Safety COVID-19 Pandemic Response Plan? <https://dps.hawaii.gov/wp-content/uploads/2020/08/COVID-19-Pandemic-Response-Plan-Revised-August-2020-1.pdf>
5. When did PSD staff receive COVID training? What kind of COVID training was provided?
6. A guard says on August 13; you released a COVID positive inmate. Why? What have you done to track or inform health officials about his whereabouts? How many other COVID positive inmates have been released?
7. Is it true that guards are being forced to work 24 to 32-hour shifts? Where do you provide them with accommodations to rest?

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8. Guards were given cloth masks, which are helpful in a non-infected surrounding. In a contagious environment, the CDC recommends using N-95 masks. Why were they not provided to staff on August 7?
9. Guards complain that they are not being given basic sanitation supplies and are purchasing them out of their own pockets. How do you plan to remedy this situation?
10. When did the deep-cleaning of the facility begin? Why did you wait so long?
11. On August 14, you told Supreme Court Justices that in Annex 1, with more than a hundred inmates, infected prisoners were being separated from non-infected prisoners. Guards say that is not true and that everyone is mixed together. Can you explain this discrepancy?
12. Is it true that some staff have been denied Workman's Compensation or Administrative Leave after testing positive for COVID-19 due to administrators saying they contracted the virus elsewhere (e.g., at home or at a party)?
13. You are planning to place tents on a field and have ordered isolation cells to be delivered in October. Why didn't you order these items earlier? Why didn't you ask for CARES funding in May for these items?
14. On August 21, you dropped off pizzas and manapuas at the front gate. Why didn't you personally distribute it to your staff? When was the last time you stepped foot into Annex 1?
15. Have you reached out to the federal detention facility to relieve some of the pressure at OCCC? What was their response?
16. How real of a threat is a federal takeover of OCCC?

The Committee appreciates your attention to this matter and respectfully requests a response by **4:00 p.m., Friday, August 28, 2020**. Please email your response to all Senate Special Committee COVID-19 members. Should you have any questions, please contact Duncan Osorio at 586-6800 or via email at [d.osorio@capitol.hawaii.gov](mailto:d.osorio@capitol.hawaii.gov).

Sincerely,

Senator Donovan M. Dela Cruz  
Senator Jarrett Keohokalole  
Senator Michelle N. Kidani  
Senator Donna Mercado Kim  
Senator Sharon Moriwaki  
Senator Kurt Fevella

Cc: Senate President