



The Judiciary, State of Hawai‘i

Testimony to the Thirty-Third Legislature, 2025 Regular Session

House Committee on Judiciary and Hawaiian Affairs
Representative David A. Tarnas, Chair
Representative Mahina Poepoe, Vice Chair

Tuesday, April 1, 2025, 2:00 PM
State Capitol, Conference Room 325 and Videoconference

by

Rodney A. Maile
Administrative Director of the Courts

WRITTEN TESTIMONY ONLY

Resolution No. and Title: House Concurrent Resolution No. 23, H.D.1, Requesting the Department of Corrections and Rehabilitation, in Planning and Designing the New Oahu Community Correctional Center in Halawa, to include a Circuit and District Court Facility and Establish a Release Procedure Under Which Detainees or Inmates, Upon Release, are Transported to a Site Other than Residential Communities or Public Spaces.

Judiciary's Position:

The Judiciary supports the intent of House Concurrent Resolution No. 23, H.D.1 to incorporate a courtroom facility within the design of the new Oahu Community Correctional Center in Halawa, and we believe that a single multipurpose courtroom facility would be sufficient.

Thank you for the opportunity to testify in support of this Concurrent Resolution.



STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
**DEPARTMENT OF CORRECTIONS
AND REHABILITATION**
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No. _____

TESTIMONY ON HOUSE CONCURRENT RESOLUTION NO. 23, HOUSE DRAFT 1
REQUESTING THE DEPARTMENT OF CORRECTIONS AND REHABILITATION,
IN PLANNING AND DESIGNING THE NEW OAHU COMMUNITY CORRECTIONAL
CENTER IN HALAWA, TO INCLUDE CIRCUIT AND DISTRICT COURT FACILITIES
AND ESTABLISH A RELEASE PROCEDURE UNDER WHICH DETAINEES OR
INMATES, UPON RELEASE, ARE TRANSPORTED TO A SITE OTHER THAN
RESIDENTIAL COMMUNITIES OR PUBLIC SPACES.

by
Tommy Johnson, Director
Department of Corrections and Rehabilitation

House Committee on Judiciary & Hawaiian Affairs
Representative David A. Tarnas, Chair
Representative Mahina Poepoe, Vice Chair

Tuesday, April 1, 2025; 2:00 p.m.
State Capitol, Conference Room 325 & via Videoconference

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee:

The Department of Corrections and Rehabilitation (DCR) **supports the intent** of House Concurrent Resolution (HCR) 26, House Draft (HD) 1, which requests that DCR, in the planning and designing of the new Oahu Community Correctional Center (OCCC) in Halawa, to coordinate with the Judiciary to include circuit and district court facilities in the new OCCC, and establish a release procedure under which detainees or inmates, upon release, are transported to a site other than residential communities or public spaces.

DCR understands the intent of HCR 26, HD 1, and believes that a single multipurpose courtroom in the new OCCC, that can be utilized by both the circuit and district courts will be sufficient, and beneficial for the community. DCR will review all available options, with respect to transporting detainees and inmates upon release to an alternate location.

The DCR thanks the legislature for the opportunity to provide testimony in support of the intent of HCR 23, HD 1.

JOSH GREEN, M.D.
GOVERNOR



MARK PATTERSON
CHAIR

CHRISTIN M. JOHNSON
OVERSIGHT COORDINATOR

COMMISSIONERS
HON. R. MARK BROWNING (ret.)

HON. RONALD IBARRA (ret.)

MARTHA TORNEY

HON. MICHAEL A. TOWN (ret.)

STATE OF HAWAII
HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION
E HUIKALA A MA'EMA'E NŌ
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TO: The Honorable David A. Tarnas, Chair
The Honorable Mahina Poepoe, Vice Chair
House Committee on Judiciary & Hawaiian Affairs

FROM: Mark Patterson, Chair
Hawaii Correctional System Oversight Commission

SUBJECT: House Concurrent Resolution 23, House Draft 1, Requesting the Department of Corrections and Rehabilitation, in planning and designing the new Oahu Community Correctional Center in Halawa, to include circuit and district court facility and establish a release procedure under which detainees or inmates, upon release, are transported to a site other than residential communities or public spaces.

Hearing: Tuesday, April 1, 2025; 2:00 p.m.
State Capitol, Room 325

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee:

The Hawaii Correctional System Oversight Commission (HCSOC) **supports** House Concurrent Resolution 23, House Draft 1, Requesting the Department of Corrections and Rehabilitation, in planning and designing the new Oahu Community Correctional Center in Halawa, to include circuit and district court facility and establish a release procedure under which detainees or inmates, upon release, are transported to a site other than residential communities or public spaces.

Implementing an on-site courtroom presents a transformative opportunity to enhance security, efficiency, and cost-effectiveness in the judicial and correctional systems. The financial burden of defendant transportation is substantial, encompassing fuel expenses, vehicle maintenance, and the manpower required for safe transit. The establishment of an on-site courtroom alleviates these costs by removing the need for frequent and resource-intensive travel. Correctional officers can be reassigned to other critical duties within the facility, improving overall operational efficiency, reducing overtime, and allowing for a more strategic allocation of taxpayer dollars.

Further, early wake and transport times, coupled with extended holding periods, often result in undue stress and fatigue for individuals awaiting hearings. A courtroom within the jail facility allows for a more humane and efficient process, ensuring that defendants are presented before a judge in a timely manner while avoiding unnecessary distress and logistical complications. Additionally, the Department significantly reduces the risks associated with transporting people in

custody to an external court by removing security vulnerabilities, including the potential for escape attempts and disruptions.

Lastly, the presence of a courtroom within the jail allows for expedited arraignments, bond hearings, and other legal proceedings, reducing case backlogs and ensuring swifter resolutions. Immediate access to defendants enables judges, attorneys, and court staff to process cases more efficiently, potentially fostering a more responsive and effective justice system which could lower the population of pretrial detainees in the jail system.

For the reasons noted above, the Commission supports House Concurrent Resolution 23, House Draft 1. Should you have additional questions, the Oversight Coordinator, Christin Johnson, can be reached at 808-900-2200 or at christin.m.johnson@hawaii.gov.

Thank you for the opportunity to testify.

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HCR 23 HD1 REQUESTING THE DEPARTMENT OF CORRECTIONS AND REHABILITATION, IN PLANNING AND DESIGNING THE NEW OAHU COMMUNITY CORRECTIONAL CENTER IN HALAWA, TO INCLUDE A CIRCUIT AND DISTRICT COURT FACILITY AND ESTABLISH A RELEASE PROCEDURE UNDER WHICH DETAINEES OR INMATES, UPON RELEASE, ARE TRANSPORTED TO A SITE OTHER THAN RESIDENTIAL COMMUNITIES OR PUBLIC SPACES.

Chair Tarnas, Vice Chair Poepoe, and Honorable Committee Members,

The Office of the Public Defender (OPD) **SUPPORTS THE INTENT OF THIS RESOLUTION WITH AN AMENDMENT**

As the mission of the OPD is to assist indigent defendants before all courts, our office advocates on behalf of individuals experiencing homelessness with regularity. Deputy Public Defenders represent individuals who are charged with all levels of crime, many of which intersect with mental health, addiction, and homelessness.

A courtroom at a jail, we hope, would expedite the hearings and lead to more just remedies for individuals who are housed in pretrial incarceration.

The title of this resolution is troubling. Individuals who are released from custody are not ordinarily released with conditions that bar them from being in "residential communities or public spaces." Releasing individuals from custody in some arbitrary place after a hearing is bizarre and illegal. Most of Oahu could be considered a residential community or public space. This phrase would likely be found void for its vagueness, and a violation of a variety of constitutional issues including the first, fifth, eighth, and fourteenth amendments, and the rights against freedom of movement. We suggest deleting this language.

Thank you for the opportunity to testify on this measure.