



STATE OF HAWAII
HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION
235 S. Beretania Street, 16TH Floor
HONOLULU, HAWAII 96813
(808) 587-4160

Oversight Coordinator Monthly Report
Date of Report: July 20, 2023

In accordance with Chapter §353L-6, the Oversight Coordinator shall submit a monthly report to the Commission, the Governor, and the Legislature. The monthly report shall include actions taken by the Commission and expenses for the preceding month. In addition to the mandated parties this report must be shared with, the Oversight Coordinator will publicly post the monthly report to increase transparency and accountability. This report will also be shared with each individual who has the responsibility of appointing members of the Commission. This includes:

- 1) Governor of Hawaii
- 2) President of the Hawaii Senate
- 3) Speaker of the Hawaii House of Representatives
- 4) Hawaii Supreme Court Chief Justice
- 5) Chairperson of the Board of Trustees of the Office of Hawaiian Affairs

The Oversight Coordinator monthly reports are released on the third Thursday of each month to align with monthly Commission meetings where this report is publicly discussed. This report, and the June Oversight Coordinator report, will be publicly discussed during the July 20, 2023, monthly Commission meeting.

Budget Update

The Commission was recently notified that there was an error in the budget worksheets in that it should read, "Legislature **Does Not** Concur." There was no agreement in conference, and the HCSOC was not funded.

		FY24		FY25				FY24		FY25			
		Perm	Temp	Perm	Temp	Amt		Perm	Temp	Perm	Temp	Amt	
104-001						A		4.00		534,388		4.00	534,388 A
EXECUTIVE REQUEST: ADD POSITIONS AND FUNDS FOR LEGAL SERVICES (ATG100/EB). LEGISLATURE CONCURS. DETAIL OF GOVERNOR'S REQUEST: (1) PERM OVERSIGHT COORDINATOR (#124094; 1.00; 175,056) (1) PERM SPECIAL ASSISTANT TO THE OVERSIGHT COORDINATOR (#124096; 1.00; 60,000) (1) PERM REENTRY SPECIALIST (#992408; 1.00; 71,016) (1) PERM RESEARCH AND POLICY ANALYST (#124095; 1.00; 71,016) INTRA-STATE TRAVEL (25,000) OUT-OF-STATE TRAVEL (21,000) MEMBERSHIP AND DUES (7,100) SPECIAL PROJECTS AND CONSULTATION (100,000) TELEPHONE (2,000) OFFICE SUPPLIES (2,200)						EXECUTIVE REQUEST: ADD POSITIONS AND FUNDS FOR LEGAL SERVICES (ATG100/EB). DETAIL OF GOVERNOR'S REQUEST: (1) PERM OVERSIGHT COORDINATOR (#124094; 1.00; 175,056) (1) PERM SPECIAL ASSISTANT TO THE OVERSIGHT COORDINATOR (#124096; 1.00; 60,000) (1) PERM REENTRY SPECIALIST (#992408; 1.00; 71,016) (1) PERM RESEARCH AND POLICY ANALYST (#124095; 1.00; 71,016) INTRA-STATE TRAVEL (25,000) OUT-OF-STATE TRAVEL (21,000) MEMBERSHIP AND DUES (7,100) SPECIAL PROJECTS AND CONSULTATION (100,000) TELEPHONE (2,000) OFFICE SUPPLIES (2,200)							

However, Governor Josh Green graciously stepped in to ensure the Commission will function for at least another year. The amount confirmed by the Governor's Office for the Commission for FY24 funding from the Governor's discretionary funds will be \$413,388. This includes staff salaries, intra-state travel, membership and dues, telephones, and office supplies. This does not include out-of-state travel (Saguaro) or special projects/consultation (population limit study).

The Commission is incredibly grateful for Governor Green for funding the important work of the Commission.

In-Custody Deaths

On June 3, 2023, a person in custody, male, 62 years old was transferred from the Oahu Community Correctional Center (OCCC) to a nearby hospital where he was admitted due to terminal illness. On Sunday, June 18, 2023, OCCC was notified that the individual was pronounced deceased at 1:45am.

On Friday, July 7, 2023, a person in custody, male, 36 years old, was found unresponsive in his cell with facial injuries. Healthcare was immediately notified and conducted CPR and called 911 Emergency Services. Honolulu Police Department (HPD), State Attorney General (AG) Investigators, State Sheriffs, PSD's Internal Affairs Unit, and the Coroner came to the scene and pronounced the individual deceased at approximately 9:26pm. The case has been classified as a Murder and State Sheriff's, PSD's Internal Affairs, and Attorney General investigators are all conducting their respective investigations with the AG's office taking the lead investigative role.

On Sunday, July 9, 2023, a person in custody, male, 68 years old, was transported to a nearby hospital from the Halawa Correctional Facility (HCF) infirmary. This individual was on hospice care. On July 9, 2023, HCF was notified that the individual was pronounced deceased at 11:57pm.

Actions Taken

Facility Tours

Facilities Toured:

- Women's Community Correctional Center (WCCC) – June 15-16, 2023
- Kulani Correctional Facility – June 22, 2023
- Waiawa Correctional Facility – June 23, 2023
- Saguaro Correctional Facility – June 27-29

Additional facility tours have taken place to onboard the Reentry and Diversion Oversight Specialist. The Oversight Coordinator extends special thanks to all facility staff for their cooperation, expertise, and professionalism.

Justice-Involved Homeless Intergovernmental Collaboration

[Going Home Hawai'i](#) has taken the initiative to develop a strategy for intergovernmental collaboration meetings leading up to a Second Chance Summit in August 2023. The Summit will take place on August 23, 2023, in Kona. Registration is open and can be found

here: <https://www.eventbrite.com/e/going-home-hawaii-reentry-restoration-summit-tickets-651508087227>. The Coordinator is on the Steering Committee for this event and the Commission will be an active part in the intergovernmental collaboration.



House Concurrent Resolution 23 Taskforce

[HCR23 HD1 SD1](#) requests the Hawaii Correctional System Oversight Commission to convene a task force to examine and make recommendations regarding existing procedures of the Hawaii Paroling Authority setting the minimum terms of imprisonment. Mark Patterson, HCSOC Chair, will be chairing this task force.

In June 2023, the Council of State Government agreed to work in partnership with the Hawaii Correctional System Oversight Commission on House Concurrent Resolution 23. The Council of State Governments (CSG) Justice Center is a national, nonprofit, nonpartisan organization that represents state officials in all three branches of government. Their mission is to provide research driven strategies to increase public safety and strengthen communities.

The HCR 23 task force is required to do the following:

- Study whether parole system models used by other states might be suited for Hawai'i.

- Examine and compare the minimum sentences issued by the HPA and, in certain instances by the courts, to determine whether there are significant differences.
- Recommend whether the administration of justice may be better served by removing the responsibility of setting minimum sentences from the HPA.

How the CSG Justice Center Will Assist:

1. Provide context about parole systems across the United States.
2. Conduct a comprehensive analysis of Hawai'i's criminal justice data.
3. Review existing corrections, court, and other criminal justice policies and procedures.
4. Engage and collect input from a broad range of state and local stakeholders in the criminal justice system.
5. Present findings from the analyses to the task force and begin developing policy options.
6. Produce a report summarizing the analyses and policy options and present the report as requested.

This is at no cost to the Commission or the State of Hawaii.

Legislative Symposium

The Commission, the Correctional Reform Working Group, the University of Hawaii Manoa School of Architecture, and the Department of Public Safety are collectively planning a legislative symposium to bring nation and worldwide experts to Hawaii to examine the current correctional system and discuss the importance of culture and design when considering new jail or prison structures. The symposium is slated to happen sometime in October and the public will be updated as more information becomes available.

Tour of HCCC with Hawaii County Prosecutor's Office

On June 8, 2023, Prosecuting Attorney Kelden Waltjen, First Deputy Prosecuting Attorney Stephen Frye, and Supervising Deputy Prosecuting Attorneys Kevin Hashizaki and Andrew Son from the Hawaii County Prosecutor's Office toured the facilities at the Hawai'i Community Correctional Center ("HCCC") in Hilo with Oversight Coordinator, Christin Johnson. The Commission looks forward to working with the Prosecutors office to address our community's needs, reduce recidivism, and prioritize public safety on Hawai'i Island.

Tour of Halawa and OCCC with Senate

On July 11, 2023, the Senate Ways and Means Committee and the Senate Public Safety and Intergovernmental and Military Affairs Committee hosted site visits to the Halawa Correctional Facility, O'ahu Community Correctional Center (OCCC), and the Laumaka Work Furlough Center. The purpose was to bring awareness to initiatives to modernize our public safety facilities, disrupt pathways to prison, and reduce recidivism. Chair Patterson joined the Senate on the tours. The media release is attached to this report.

Big Island Press Club Media Interview

On June 19, 2023, Commission Ron Ibarra and Oversight Coordinator Christin Johnson participated in the Big Island Press Club Newsmaker televised panel on the Hawaii Correctional System Oversight Commission, featuring problem in Hawaii's prisons and

jails. The full interview can be watched here: <https://vimeo.com/840246176>. The taping will air on Hawaii public access television channels.

Review of Parole Hearing Process and Saguaro Correctional Center Tour

Below are brief initial impressions from the observation of Hawaii Paroling Authority parole hearings and general observations gathered from the Saguaro Correctional Center tour. Please note these are only initial impressions and general observations and focus areas are subject to change. The goal of sharing these is to increase transparency, identify and begin to create strategies to navigate systemic concerns, and work with the Department of Public Safety on solutions that encompass a rehabilitative mindset.

Hawaii Parole Hearings

On June 28 and 29, 2023, the Oversight Coordinator and Reentry and Diversion Oversight Specialist observed Hawaii Paroling Authority parole and parole reconsideration hearings at Saguaro Correctional Center. The in-person hearings were conducted by Hawaii Paroling Authority Board members Milton Kotsubo, Carol Matayoshi, and Gene DeMello, Jr.

***Note:** To date, no other parole hearings have been observed, so these initial observations only apply to the hearings in Saguaro on the above dates.*

Initial Impressions:

- 1) The Board members were prepared for the hearings and made fair assessments based on recommended program completion, treatment options, housing and employment arrangements, and furlough placement. Many of the parole denials were due to incomplete recommended programs.

- 2) Some recommended programs were unavailable to people in custody due to waitlists, waiting period requirements, and programs not being offered. The programs related to the delays are Residential Drug Abuse Program (RDAP) Two and RDAP Three, Special Housing Incentive Program (SHIP), and KASHBOX.

Denials due to incomplete programming are of importance to the Commission because we are mandated to, “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 minimum terms have been served instead of delaying the release for lack of programs and services. HRS § 353L-3(b)(4).”

RDAP is a common program recommendation by the Parole Board. RDAP has a waitlist. SHIP (see SHIP program information in general Saguaro tour information below) placement precludes RDAP participation for more than 18 months. This is because SHIP is 12 months long, people in custody must wait at least six months post-SHIP before being eligible for RDAP, and there is an additional pre-SHIP investigative waiting period. These two issues, separately and combined, affect

timely access to RDAP and lengthen the time for program admittance and completion. RDAP is a common parole programming recommendation.

RDAP program eligibility is determined by the Mainland Branch, and one factor used in this determination is the minimum term for sentencing. For people with longer minimums or life terms, RDAP program eligibility is far off, and a reduction of minimum will likely only be granted if recommended programs are complete (usually including RDAP).

KASHBOX is an intensive residential substance abuse treatment program for inmates with serious substance abuse problems. KASHBOX is not offered at Saguario, and no accepted equivalent is offered at the facility. Incomplete programming can affect parole granting.

- 3) Generally, people in custody were not well prepared for parole hearings. There didn't appear to be training on communicating during hearings, representing and advocating for themselves, or taking responsibility.
- 4) The language interpreter connected to the hearings through the phone. It was difficult for the interpreter to hear and interpret all parties during the hearings. All parties couldn't actively hear and participate due to this setup. An interpreter via Teams or another Video Conferencing platform would be more effective for those who do not speak English as their primary language.
- 5) People in custody from the November Unit—including administrative segregation, disciplinary segregation, and SHIP—participated in the hearing in wheelchairs because their arms and legs were shackled for transport. There was no indication that these people posed a specific danger that required restraints during the actual hearing.

Saguaro Correctional Center, CoreCivic private facility in Eloy, Arizona

On June 27, 2023, the Oversight Coordinator and Reentry and Diversion Oversight Specialist toured Saguario Correctional Center. Below are general observations from the tour:

- 1) According to the Hawaii DPS population report, there were 870 people in custody at Saguario the week of June 26, 2023. The facility is not overcrowded or beyond rated capacity. Standard staffing rates for security and non-security staff supporting education classes, programming, and treatment. General population was rehabilitative in nature, people in custody were out of their cells, at school—the facility has a designated school—and programming, and participating in treatment.
- 2) Saguario is *accredited* by American Correctional Association and has outside *audits* from the Mainland Branch and *inspection and monitoring* from the Commission. Established accreditation, audits, and routine inspection and monitoring ensure

basic correctional standards and national benchmarks for corrections are met and maintained, this is the case at Saguaro.

There is a distinct and essential role for each of these oversight functions. According to Michele Deitch, subject matter expert in independent oversight of correctional institutions and co-chair of the American Bar Association's Subcommittee on Correctional Oversight, there are different oversight functions, including:

- a. *Accreditation* requires the facility meet specific standards to receive accreditation.
- b. The *audit* function reviews whether the facility meets established performance indicators, standards, policies, or fiscal responsibility benchmarks.
- c. The *inspection and monitoring* function involves routine inspection and public reporting on all correctional institutions in a jurisdiction by an entity outside the corrections agency or company.

Each function is important and distinct, and effective oversight encompasses these three functions and more. For more information on the role of oversight, please see this article by Michele Deitch [Distinguishing the Various Functions of Effective Prison Oversight \(pace.edu\)](#)

- 3) The Commission has serious concerns regarding the Special Housing Incentive Program (SHIP). Although SHIP is noted to be a programming house, the reality is that it is 12-plus months in a segregated housing setting. SHIP placement occurs after the violation of specific institutional rules. SHIP is broken down into three Phases, each four months long, with more out-of-cell time introduced in each phase. Phase one has one hour of outdoor recreation time per day (23 hours in cell), phase two has one hour of outdoor recreation and one hour of dayroom recreation per day (22 hours in cell), and phase three has three hours of combined outdoor and dayroom recreation time per day (21 hours in cell).

During the visit, more than 80 people from Hawaii were in the three phases of SHIP. Saguaro also houses people in custody from Idaho, and SHIP is not an option for or offered to those from Idaho. None of the facilities operated by Hawaii DPS offer SHIP either. For example, if an institutional rule violation occurs at Halawa Correctional Facility, the person in custody usually faces up to 60 days in disciplinary segregation if found guilty, not 12 months in SHIP.

The Commission is extremely concerned about the long-term physical and psychological effects of 12-plus months in a segregated housing setting, which are now well-documented and studied. The trend nationally is to decrease the amount of time in segregated housing settings. With the state of Hawaii's transition to a therapeutic model of corrections, SHIP should be reevaluated and potentially eliminated in totality as it does not align with a rehabilitative framework.

- 4) Saguaro is 3,000 miles from Hawaii family, friends, and community. This distance makes visitation and maintaining contact and connection very difficult.

The Oversight Coordinator wishes to extend special thanks to Edmund "Fred" Hyun, Hawaii Paroling Authority Chairperson, Corey Reincke, Hawaii Paroling Authority Acting Administrator, and the Hawaii Paroling Authority Board and staff. In addition, the Coordinator extends special thanks to all Warden Wead, Assistant Warden Powell, and the facility staff at Saguaro Correctional Center for their cooperation, expertise, and assistance.

Access to Courts

On May 4, 2023, the Commission submitted a letter to the Hawaii Supreme Court Chief Justice regarding a lack of access to attorneys due to people in custody not knowing who their attorney is. The details of the letter can be found in the [May Oversight Coordinator Monthly Report](#). The Oversight Coordinator has been working with the Judiciary to find potential solutions to curbe this issue. This will continue to be reported on until resolved.

MCCC Commissioner Tour

On Thursday, May 18, 2023, directly following the HCSOC public meeting, the Commissioners and Oversight Coordinator toured the Maui Community Correctional Center (MCCC). Unfortunately, due to the Commission meeting running long, the tour was shorter than hoped and it was difficult to gain the meaningful information needed to produce an impactful report. Therefore, the Oversight Coordinator, Reentry and Diversion Oversight Specialist, Commissioner Sakai, and Commissioner Ibarra toured MCCC on June 6, 2023.

Below are recommendations to be considered by the Department of Public Safety which stemmed from the MCCC tour. The full report can be read at:

<https://hcsoc.hawaii.gov/facility-specific-reports/>.

- 1) Officers need immediate policy refresher training on unit management.**
Officers should be reminded how to properly manage their logbooks in accordance to policy. This should include accurate timestamps of every individual who enters the unit. Further, officers should be reminded about 30-minute checks within restrictive housing as it was apparent that hourly checks were being conducted.
- 2) Grievance and medical forms and drop boxes should be inside the modules.**
In Modules C and D, grievance forms, the grievance request box, medical request forms, and the healthcare request box should be places and available in the module where people in custody have easy and daily access without asking staff. Officers should also be reminded of confidentiality of grievances and healthcare requests.
- 3) Restrictive Housing policies need to be updated to align with federal standards.**

There is significant research regarding the impact of segregation on a person's health, particularly since 2014 when PSD's policy on restrictive housing was implemented. The policy needs to be updated to reflect federal and ACA standards.

4) Fire Safety needs to be prioritized.

The chains and padlocks off of Dorms 1 and 2 need to be removed immediately, and the doors should be equipped with alarms that sound every time they are opened. Additionally, if staff are not doing it now, the facility would be well-advised to conduct regular fire drills and briefings so that the people in custody are familiar with procedures in case of fire.

Expenses for the Preceding Month

EXPENDITURE COSTS - June 2023

	Price/Item	Qty	Total	Notes
Office Equipment and Supplies			\$35,338	
Office Furniture	\$35,201	1.00	\$35,201	encumbered for FY
General Office Supplies			\$0	
Staff and Commission Badges			\$0	
Staff and Commission Badge Holders			\$0	
Cell Phone			\$0	
Cell Phone Monthly Plan	\$137	1.00	\$137	
Wifi Hotspot			\$0	
Inter-Island Correctional Facility Travel			\$543.00	
Airfare			\$0	
Car Rental	\$77	3.00	\$231	
Daily Per Diem	\$20	9.00	\$180	
Lodging+Tax			\$0	
Ground Transportation			\$0	
Airport Parking	\$22	6.00	\$132	
Mainland Correctional Facility Travel			\$1,115.50	
Airfare	\$1,116	1.00	\$1,116	6/26
Car Rental			\$0	
Daily Per Diem			\$0	
Lodging+Tax			\$0	
Ground Transportation			\$0	
Airport Parking			\$0	
Memberships + Conferences			\$2,891.95	
NACOLE (National Assoc. for Civilian Oversight of Law Enforcement)			\$0	
National Association of Sentencing Commissions	\$425	2.00	\$850	Registration fee
Airfare	\$2,042	1.00	\$2,042	8/6, 11/12
Car Rental			\$0	
Daily Per Diem			\$0	
Lodging+Tax			\$0	
Ground Transportation			\$0	
Airport Parking			\$0	
TOTAL			\$38,773	

General Office Information

Mailing Address: Hawaii Correctional System Oversight Commission
 235 S Beretania Street, 16th floor
 Honolulu, HI 96813

Website: hcsoc.hawaii.gov

Submit Testimony: <https://hcsoc.hawaii.gov/submit-testimony/>

Email: hcsoc@hawaii.gov

Social Media: [YouTube](#)
[LinkedIn](#)
[Facebook](#)
[Instagram](#)

Hawaii Correctional System Oversight Commission Monthly Meetings

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting held on July 20, 2023. The next monthly meeting is scheduled to occur on July 20, 2023, at the University of Hawaii at Hilo, 200 W Kawili Street, Hilo, Hawai'i 96720 and online via Zoom. More information can be found on the Commission's webpage here: <https://hcsoc.hawaii.gov/information/>.



Hawai'i Parole Project—House Concurrent Resolution 23 Task Force

Background and Scope of Work

The Hawai'i legislature passed House Concurrent Resolution (HCR) 23 during the 2023 legislative session to convene a 15-member interbranch, interagency task force to examine and make recommendations regarding the Hawai'i Paroling Authority (HPA) setting the minimum terms of imprisonment. In Hawai'i, there is a two-step process where the courts establish the maximum term of imprisonment as set out in statute, and HPA holds a separate hearing to determine the minimum term.

The **HCR 23 task force** is required to do the following:

- Study whether parole system models used by other states might be suited for Hawai'i.
- Examine and compare the minimum sentences issued by the HPA and, in certain instances by the courts, to determine whether there are significant differences.
- Recommend whether the administration of justice may be better served by removing the responsibility of setting minimum sentences from the HPA.

Overview of the CSG Justice Center

The Council of State Governments (CSG) Justice Center is a national, nonprofit, nonpartisan organization that represents state officials in all three branches of government. Our mission is to provide research-driven strategies to increase public safety and strengthen communities.

How the CSG Justice Center Can Assist

1. Provide context about parole systems across the United States.
2. Conduct a comprehensive analysis of Hawai'i's criminal justice data.
3. Review existing corrections, court, and other criminal justice policies and procedures.
4. Engage and collect input from a broad range of state and local stakeholders in the criminal justice system.
5. Present findings from the analyses to the task force and begin developing policy options.
6. Produce a report summarizing the analyses and policy options and present the report as requested.

CSG Justice Center Staff

Jennifer Kisela is a deputy program director at the CSG Justice Center, providing oversight and technical assistance on special projects related to the Justice Reinvestment Initiative. In her role, she provides content expertise in the areas of evidence-based practices in community supervision, quality assurance, correctional programming, and parole board decision-making. Prior to joining the CSG Justice Center, she worked for 15 years in community corrections, including as the research and continuous quality improvement administrator at Oriana House in Ohio where she implemented and oversaw the training and coaching of staff on the use of effective interventions. In addition, Jennifer has provided training and coaching services as an independent contractor to community corrections agencies throughout the U.S. Jennifer holds a BA in justice studies from Kent State University and an MS in criminal justice from the University of Cincinnati.



Carl Reynolds serves as a senior legal and policy advisor for the CSG Justice Center, where he helps manage and develop projects related to sentencing, courts, corrections, indigent defense, and juvenile justice issues. Prior to joining the CSG Justice Center, Carl served as director of the Texas Office of Court Administration. From 1993 to 2005, he was general counsel for the Texas Department of Criminal Justice (TDCJ), the agency responsible for prisons, probation, and parole, and the Texas Board of Criminal Justice—the governing body for TDCJ. Prior to that position, he was the executive director of the Texas Punishment Standards Commission, general counsel to the Texas Senate Committee on Criminal Justice, director of the Senate’s redistricting staff, and a briefing attorney for the Texas Court of Criminal Appeals. Carl holds a JD from the University of Texas School of Law, an MA from the Lyndon B. Johnson School of Public Affairs, and a BA from the University of Cincinnati.



Ka 'Aha Kenekoa
THE SENATE

KE KAPIKALA (STATE CAPITOL)
HONOLULU, HAWAII 96813

FOR IMMEDIATE RELEASE

July 12, 2023

Senate Communications: Matthew Prellberg 808-586-6261

**SENATE HOSTS SITE VISITS TO THE O'AHU COMMUNITY CORRECTIONAL
CENTER AND HALAWA CORRECTIONAL FACILITY**

Honolulu, Hawai'i – Yesterday, the Senate Ways and Means Committee and the Senate Public Safety and Intergovernmental and Military Affairs Committee hosted site visits to the Halawa Correctional Facility, O'ahu Community Correctional Center (OCCC), and the Laumaka Work Furlough Center. The purpose was to bring awareness to initiatives to modernize our public safety facilities, disrupt pathways to prison, and reduce recidivism.

Luis Salaveria, Director of the Department of Budget and Finance, discussed options for financing the new OCCC. Tommy Johnson, Director of the Department of Public Safety, and Keith Regan, Comptroller for the Department of Accounting and General Services, presented their vision for the future of the new Department of Corrections and Rehabilitation. Finally, Mary Alice Evans, Director of the Office of Planning and Sustainable Development, and Harrison Rue, TOD Program Manager, discussed the potential of the current OCCC site for transit-oriented development.

"We saw deplorable conditions in our jail and prison - everything from overcrowding and lack of lighting, to a leaking roof and damaged floors," says Senator Glenn Wakai, Chairman of the Committee on Public Safety and Intergovernmental Military Affairs, "Both facilities have glaring deficiencies, covered by decades of band aids. Ignoring the situation could lead to the Feds mandating upgrades and the costs to taxpayers will skyrocket."

"We plan to refocus and shift from what some may see as a punitive incarceration model to a model focused on treatment, education, and successful re-entry via wrap-around services", says Tommy Johnson, Director of the Department of Public Safety. "It is critical to establish diversions at the front of pipelines to prison to reduce the burden on our enforcement and correctional facilities."

The Senate has supported various initiatives that disrupt pathways to prison and reduce recidivism, including the statewide expansion of Alternative Learning Programs within the Department of Education, the establishment of the Office of Wellness and Resilience, and the continuation of the Ohana Zones Program.

"Our visit to OCCC, confirmed that the Senate's \$10 million allocation of funds in Fiscal Year 2025 for the relocation of the facility to a new site in Halawa Valley is a prudent one and will get this project moving," says Senator Donovan Dela Cruz, Chairman of the Committee on Ways and Means. "Overcrowding, aging facilities and outdated security infrastructure at OCCC are putting inmates and our public safety personnel at risk, and we need to move with urgency to get a new and modern facility built. We are encouraged to know that under Director Tommy Johnson's leadership, he is working closely with the Governor, Budget and Finance, Department of Accounting and General Services and the Department of Agriculture to move quickly on putting out a Request for Qualifications so that we can determine financing options that the State can move forward with and get this project underway and built."

For the new OCCC in Halawa, the Environmental Impact Statement was formally accepted in 2018, and the Planning and Review Use permit was approved by the Honolulu City Council in 2020. Next steps include issuing the Request for Qualifications, which is awaiting approval by Director Salaveria. This is a necessary step to inform future legislative requests and the issuance of the Request for Proposals.

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235 S. Beretania Street, 16th Floor
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(808) 587-4160

Maui Community Correctional Center (MCCC)
May/June 2023 Site Tour Observations
Date of Report: July 20, 2023

On Thursday, May 18th, 2023, the Hawaii Correctional System Oversight Commission (the Commission, HCSOC) toured the Maui Community Correctional Center (MCCC) collectively as a group. The tour included four of the five Commissioners – Martha Torney, Mike Town, Ted Sakai, and Ron Ibarra in addition to the Oversight Coordinator, Christin Johnson and Special Assistant, George Choe. Unfortunately, the timing of the tour was very limited as the meeting directly before the tour went longer than expected, leaving only an hour and a half to see the facility. Due to lack of time, the Commission decided to have two Commissioners and staff head back at a later date to MCCC to complete the tour.

On June 6th, 2023, Commissioners Ron Ibarra and Ted Sakai, Oversight Coordinator, Christin Johnson and Reentry and Diversion Oversight Specialist, Cara Compani completed a tour of MCCC. This report encompasses notes from the Commissioners and will be discussed during the July public meeting held on July 20th, 2023.

MCCC SITE TOUR OBSERVATIONS

General Observations

The Warden, Liane Endo, is a great leader with immense compassion. Staff were very welcoming and friendly. The educational instructors are very passionate and ready to expand opportunities for people in custody.

Commissioners saw people in custody with laptops who were working on different programming/classes. They were able to bring their laptop or tablet back to their cells to continue programming outside of the education area. Additionally, MCCC's court booths were in working order for virtual court appearances or virtual funeral visits.

The Law Library has the Hawaii Revised Statutes and Hawaii Reports. People in custody also have access to LEXIS to work on legal research. Information on entering Drug Court and practices were available which is important because Drug Courts focus on rehabilitation. There were also other non-legal books. The space was more than adequate and staffed by an experienced librarian.

Physical Plant

Overall, the facility was very clean, however, the facility is in clear need of updates and proper funding for those updates. Below are some of the most notable areas in need of maintenance or construction:

1. Staff dining room – part of the floor was missing, the space needs better lighting, and there was mold on the ceiling vent.

2. Dorms 6 & 7 Bathroom – the bathroom needed serious updating. The wall by the sinks was completely deteriorating and, in some areas, missing. Floor pieces by the showers were also missing. Many of the toilet bowls were broken and inoperable, and the smell was terrible. Mold was also present throughout the bathroom.
3. Module A – water was leaking through the ceiling tiles.
4. Hallway near Kitchen – ceiling tiles were missing and there was water leaking from the ceiling.
5. Holding cell – Heavy graffiti was throughout the cell.

Some Parts of the Facility are Badly Overcrowded.

The official capacities for all of Hawaii's facilities were set in 2001 by the Corrections Population Management Commission (CPMC). The capacities were based on the American Correctional Association Standards. The functions of the CPMC were transferred to the HCSOC. The Commission adopted the capacities set by the CPMC (except as modified for pandemic conditions) because the ACA Standards for housing have not changed significantly in the intervening years. The official capacities take into consideration a variety of factors, such as the level of out-of-cell time afforded to people in custody; the number of toilets, sinks and showers; and amount of dayroom space. Below are clear examples of overcrowded spaces:

1. Modules A and B each have an official capacity of 48. On June 6, the headcount in Module A was 75 (156% capacity), and the count in Module B was 78 (163% capacity). Three and four people in custody were housed in cells designed for two.
2. Dorms 1 and 2 have a total capacity of 40. 16 double bunks are placed in each dorm (160% capacity).
3. Dorm 3 has a capacity of 12. There appeared to be about 20 women housed there. (~167% capacity).

Unacceptable Level of Idleness in Several Areas of the Facility.

The official capacity limits assume a prescribed level of activity within the housing unit. For Modules A and B, the capacity limits assume that the people in custody spend no more than 10 hours per day in their cells. For Dorms 1 and 2, the capacity limits were based on the size of the day room available in the building. The capacity limit for Dorm 3 was generously set at 12 because of the specific program that was operating in that unit at the time.

The level of idleness in these units is unacceptable. In Modules A and B, people in custody are allowed out of their cells for two hours in the morning and two hours in the afternoon or evening, plus 20 minutes per meal period. They spend 19 hours a day in their overcrowded cells. With this level of lock-up time, conditions in Modules A and B are closer to that of restrictive housing than general population.

Restrictive Housing Units Practices Need to be More Closely Examined

Module C houses people in custody in administrative segregation. Module D houses people in custody in disciplinary segregation. In Module C, people in custody are allowed to be out of their cells for two hours per day. In Module D, people in custody are allowed out of their cells for one hour per day. Meals are served in the cells. There was one ACO in the control center observing Modules C and D.

The Commission did note several immediate problems in Module D:

1. The log entries were made by the ACO in the control station, not by the person making the visit. This needs to be corrected. For example, if a nurse visits a person in custody, the nurse should make the entry and affix their initials. Likewise, the ACO who actually serves the meal should affix their initials.

2. The times of the visits were not noted. This is an important piece of documentation that must be recorded in real time.
3. People in custody who are placed in these units do not have ready access to the grievance system. In these modules, people in custody must ask for a grievance form and may be asked to state what the grievance is regarding. In Module D, the locked grievance box is placed outside of the secure door which means that people in custody must ask an ACO to drop the grievance on their behalf.
4. In Module D, the Medical Request box is also placed outside the secure door. All medical requests should be handled confidentially. People in custody should be able to freely make such requests rather than ask a staff member to drop the request on their behalf

Further, in accordance with PSD policy, individual in-cell observation should occur at least once every 30 minutes at irregular intervals. This is the *minimum*, with more frequent observation when necessary.¹ During the tour, the one ACO in the control center could not see inside the cells from the post, and it became clear that individual cell checks are done every hour.

This same hourly in-cell check occurs for the females separated in the holding cells in the intake area. However, the cell window in the intake cell was small, couldn't be seen from the ACO post, and was difficult to see in even when standing in front of the cell. The Commission is concerned that people housed in these restrictive areas are not being checked in accordance with policy.

Additionally, people in custody housed in Module D, disciplinary segregation, for more than 60 days will do 60 days in disciplinary segregation, get a day or two break, and then go back into segregation for the remainder of the time (e.g., 30 more days). There are additional PSD policy requirements when segregation exceeds 60 days, including the written approval of the IDA.² The Commission has two main concerns with this practice:

1. It is apparent that the one-to-two-day break is being utilized to get around the restrictive housing policy which limits segregation to 60 days.
2. Even if all policies are being adhered to, more than 30 days in segregation is detrimental to physical and mental health and overall well-being. Disciplinary segregation beyond 30 days should be used rarely and sparingly. There is significant research regarding the impact of segregation on a person's health, particularly since 2014 when this policy was implemented. The policy needs to be updated to reflect federal and ACA standards.

Intake Unit is Highly Inadequate

The intake unit was designed and built in the 1970's, when MCCC first opened. At the time, the facility was designed to hold 20 people in custody. It is clearly inadequate for today's needs for the following reasons:

1. The unit has few cells to hold people in custody being received into or processed out of the facility.
2. On the day of the Commission's second visit, three of the cells were occupied by people in custody with serious medical conditions. There were no medical staff present during the tour of the unit.
3. One of the cells is designated for suicide watch. Staff assigned to suicide watch would be able keep constant observation only by standing directly outside of the cell. A sitting officer would not be able to see into the cell.

¹ Hawaii Department of Public Safety, Corrections Administration Policy and Procedure, *Administrative Segregation and Disciplinary Segregation Policy*, COR.11.0, dated 11.2014; Federal Standards—Standard 7.05 Supervision of Inmates—and also ACA Standards state the same 30-minute requirement.

4. The ACO on duty told us six or seven intakes at the same time would overwhelm the unit. They would not be able to properly secure the new people in custody. The practice in such a situation is to shackle some people in custody and have them wait in the sally port that leads to the outside.

Serious Fire Safety Issues in Dorms 1 and 2

Dorms 1 and 2 are contained in a wooden structure. The exit doors at the end of Dorms 1 and 2 are chained and padlocked. According to an ACO, this is done to prevent people in custody from leaving the dorm, which would present a security problem. However, this practice creates a serious fire safety issue. These doors are designed to afford an emergency exit for the occupants of the dorms. If there is a fire – especially a fire near the front of a dorm or in the common area between the dorms, the people in custody would not be able to escape until someone unlocked the padlocks. The padlocks need to be removed immediately. The doors should be equipped with alarms that sound every time they are opened.

It is further noted that the fire escape plan for Dorms 1 and 2 is on an 8” by 10” laminated sheet placed near the front entry. When Commissioners and staff reviewed the plan, they were unable to discern the escape routes. Because of the density of wooden structures in the area immediately surrounding Dorms 1 and 2, it would be difficult for a person in custody to navigate their way to the area of refuge. If staff are not doing it now, the facility would be well-advised to conduct regular fire drills and briefings so that the people in custody are familiar with procedures in case of fire.

Inadequacy of the Medical Unit

The issues described in the above section on the Intake attest to the severe limitations of the medical unit. It is the Commission’s understanding that a new medium security housing unit is being constructed. When this is completed, some of the units housing women will be converted to be utilized by the health care staff. Hopefully, this will provide the facility with more adequate suicide watch and infirmary cells. The Commission intended to discuss this with the health care staff during the visit, however, they were in an all-hands meeting during the visit.

The Commission identified several system-wide issues that MCCC cannot address alone:

1. MCCC needs better support for staff, especially after potentially traumatic incidents (e.g., suicide, assaults, unwell colleagues). PSD should provide professionals for staff to confidentially speak with, at low to no cost to staff, including therapists and PTSD treatment providers.
2. The length of time spent in jail pre-trial is too long. The Commission spoke with several people in custody who were pre-trial for more than two years. This contributes to facility overcrowding and is detrimental to rehabilitation and other reentry efforts. Prisons are better suited to house people in custody long-term and offer the programs and services needed for rehabilitation. Jails do not have the same capacity, resources, or directive. Jails are intended to house people awaiting trial—presumed to be innocent—and those in transition, either back to the community after one year or less or to prison for longer sentences.
3. Lower security level modules are under capacity, while higher security level modules are over capacity.
 - o For men in custody, the more secure settings—Modules A and B—were generally overrated capacity (with four people for each cell designed for one or two people at the most), while the less secure settings were generally under rated capacity (with

open beds). It is important to break down rated and current capacity by module and correlated security level to see the whole picture.

- The furlough module is underutilized. There were three males on the furlough module, with a dozen more men on furlough living in the community under the custody of PSD. This module has a capacity for more than 20 people. Furlough placement and classification is not a decision made at the facility level but a custody and classification issue based on PSD policy.
4. Women in the jails need equal access to services and programs. Women and men are both housed at MCCC, and women represent the minority. Therefore, most programming, movement, and access have been designed with men in mind. Federal standards require that women and men in custody have equal access to services and programs.³
- For example, movement for women is minimal because they must be separated from the male population at all times, limiting access to programming and other services outside of their actual housing unit. The facility is doing its best with space limitations, however, there needs to be designated space for women, not just to sleep but to support programming, recreation, healthcare, and the other needs of the population.

Recommendations to be considered by the Department of Public Safety:

1) Officers need immediate policy refresher training on unit management.

Officers should be reminded how to properly manage their logbooks in accordance to policy. This should include accurate timestamps of every individual who enters the unit. Further, officers should be reminded about 30-minute checks within restrictive housing as it was apparent that hourly checks were being conducted.

2) Grievance and medical forms and drop boxes should be inside the modules.

In Modules C and D, grievance forms, the grievance request box, medical request forms, and the healthcare request box should be placed and available in the module where people in custody have easy and daily access without asking staff. Officers should also be reminded of confidentiality of grievances and healthcare requests.

3) Restrictive Housing policies need to be updated to align with federal standards.

There is significant research regarding the impact of segregation on a person's health, particularly since 2014 when PSD's policy on restrictive housing was implemented. The policy needs to be updated to reflect federal and ACA standards.

4) Fire Safety needs to be prioritized.

The chains and padlocks off of Dorms 1 and 2 need to be removed immediately, and the doors should be equipped with alarms that sound every time they are opened. Additionally, if staff are not doing it now, the facility would be well-advised to conduct regular fire drills and briefings so that the people in custody are familiar with procedures in case of fire.

The Commission extends special thanks to the MCCC staff for their time, professionalism, and expertise during the tour.

³ Federal Standards for Prisons and Jails, Chapter 1. Inmate Rights, p. 8 to 9

BIPC Newsmaker: Hawaii Correctional System Oversight Commission.

Press Release. From BIPC Gleanings May 2023

BIPC continues its series of Newsmakers next month with a televised panel on the state's Correctional Commission Oversight Commission, (<https://hcsoc.hawaii.gov>), featuring a panel addressing problems in Hawaii's prisons and jails.

The June 19 taping of a one-hour show at Na Leo Studio in Hilo will air on Hawaii public access television channels.

The show features Kevin Dayton, a former BIPC member and Honolulu Civil Beat reporter who writes on corrections issues; Christin Johnson, oversight coordinator of the Hawaii Correctional System Oversight Commission and Mark Patterson, Oversight Commission chairman and Office of Hawaiian Affairs appointee.

BIPC board member and film maker Robert Duerr, along with his wife Adriana, will be producing the show with their Bulldoggie Productions. The Duerrs are film award winners of a Cine Golden Eagle, Four Telly Awards, a Silver Telly Award and a Rome International Film Festival honor. Their work includes NASA, the

Dept of Treasury and the rock band AC/DC.



Inmate bunks are seen tucked into a corner of a common room in this Nov. 22, 2019, photo taken during a media tour of Hawaii Community Correctional Center. (Nancy Cook Lauer/All Hawaii News)

Issues at Hawaii prisons, including overcrowding and facility shortfalls, have been serious and ongoing, with the Hilo facility Hawaii Community Correctional Center a particular problem.

In fact, as Dayton detailed in a March 27 Civil Beat article (<https://www.civilbeat.org/2023/03/judge-seeing-is-believing-when-it-comes-to-atrocious-conditions-at-the-hilo-jail/>), Big Island Chief Judge Robert Kim, calling the conditions at the Hilo jail "atrocious," and several other judges have refused to send trial defendants there at all.

Johnson, in a Sept. 23 Hawaii News Now report (<https://www.hawaiinewsnow.com/2022/09/23/state-official-calls-complete-overhaul-hccc-describing->

facility-terrible-mess/), called for a complete overhaul of the Hilo jail, describing it as a "terrible mess," adding she'd never seen a facility like it. Johnson previously worked at the infamous Rikers Island facility in New York. Stay tuned for program times and channels.



*Robert Duerr filming in Buenos Aires, Argentina.
Albatross News.*

YEAR IN REVIEW

Marking one year since the Hawaii Correctional System Oversight
Commission gained staff.

Christin M. Johnson
Oversight Coordinator
July 20, 2023

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Introduction

The state's first Oversight Coordinator of the Hawaii Correctional System Oversight Commission, Christin Johnson, was appointed by Governor Ige and started with the Commission on July 11, 2022. Since that time, the Commission has published significantly more reports and has taken a more active role in the community, the legislature, and with various stakeholders. To memorialize this work and ensure the Oversight Coordinator's efforts are aligned with the Commission's mandate, Mark Patterson, Chair of the Commission, requested a report highlighting the work that completed during the Oversight Coordinator's first year.

The Coordinators' work is a direct contribution to the Commission's dedication and commitment to a more rehabilitative and therapeutic correctional system.

Year in Review – One Year Since the Commission Gained Staff

The Hawaii Correctional System Oversight Commission (the Commission, HCSOC) was created by Act 179, Session Laws of Hawaii 2019, to "ensure transparency, support safe conditions for employees, inmates, and detainees, and provide positive reform towards a rehabilitative and therapeutic correctional system." The establishment of the Commission was a result of recommendations provided by the Task Force on Prison Reform to the Hawaii State Legislature. Part I of Act 179, 2019 (codified in Chapter 353L, Hawaii Revised Statute), not only established the HCSOC, but also consolidated two existing commissions into HCSOC: the Reentry Commission and the Corrections Population Management Commission. The HCSOC's five members are appointed by the Governor, the President of the Senate, the Speaker of the House, the Chief Justice, and the Office of Hawaiian Affairs Board of Trustees Chairperson.

The Commission's mandate includes four core functions:

1. Oversee the State's correctional system and have jurisdiction over investigating complaints at correctional facilities and facilitating a correctional system transition to a rehabilitative and therapeutic model;
2. 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;
3. Work with the Department of Public Safety 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. The Commission may make recommendations to the Department of Public Safety, the Hawaii paroling authority, and the legislature regarding reentry and parole services; and
4. 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.

These four functions guide all priorities of the Commission (oversight, rehabilitation, population limits, and reentry) to ensure best practices for an effective correctional system.

Expanding the Commission’s Capacity

For the first three years before having staff, the Commission continued to bring attention to issues they were familiar with throughout the facilities. Since having staff, the Commission has been able to be the “eyes and ears” inside the facilities and bring unprecedented transparency to an otherwise closed off system.

Facility Tours Conducted

1. Oahu Community Correctional Center (OCCC) – July 25, 2022
2. Halawa Correctional Facility (HCF) – August 2, 2022
3. Waiawa Correctional Facility (WCF) – July 10, 2022
4. Women’s Community Correctional Center (WCCC) – August 16, 2022
5. Kulani Correctional Facility (KCF) – August 25, 2022
6. Hawaii Community Correctional Center (HCCC) – August 25, 2022
7. Maui Community Correctional Center (MCCC) – August 29, 2022
8. Hawaii Community Correctional Center (HCCC) – August 31, 2022
9. Kauai Community Correctional Center (KCCC) – September 6, 2022
10. Saguaro Correctional Center – CoreCivic private facility in Eloy, Arizona – September 8 and September 9, 2022
11. Hawaii Community Correctional Center (HCCC) – September 21, 2022
12. Hawaii Community Correctional Center (HCCC) – October 6, 2022
13. YWCA O’ahu Fernhurst Residence (PSD contracted reentry program) – October 11, 2022
14. Hawaii Community Correctional Center (HCCC) (unannounced) – October 15, 2022
15. Maui Community Correctional Center (MCCC) – October 18, 2022
16. Hawaii Community Correctional Center (HCCC) – October 28, 2022
17. Oahu Community Correctional Center (OCCC) – November 3, 2022
18. Oahu Community Correctional Center (OCCC) – November 14, 2022
19. Hawaii Community Correctional Center (HCCC) – November 15, 2022
20. Hawaii Community Correctional Center (HCCC) – December 12, 2022
21. Halawa Correctional Facility (HCF) – December 28, 2022 (*grievance meeting*)
22. Hawaii Community Correctional Center (HCCC) – December 12, 2023
23. Hawaii Community Correctional Center (HCCC) – December 29, 2022
24. Hawaii Community Correctional Center (HCCC) – February 7, 2023
25. Hawaii Community Correctional Center (HCCC) – February 13, 2023
26. Kauai Community Correctional Center (KCCC) – March 16, 2023
27. Hawaii Community Correctional Center (HCCC) – March 22, 2023
28. Halawa Correctional Facility (HCF) – April 14, 2023
29. Oahu Community Correctional Center (OCCC) – April 14, 2023
30. Hawaii Community Correctional Center (HCCC) – April 20, 2023
31. Hawaii Community Correctional Center (HCCC) – May 11, 2023
32. Oahu Community Correctional Center (OCCC) – May 16, 2023
33. Halawa Correctional Facility (HCF) – May 17, 2023
34. Hawaii Community Correctional Center (HCCC) – May 11, 2023

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| 35. Maui Community Correctional Center (MCCC) – May 18, 2023 | 40. Halawa Correctional Facility (HCF) – June 14, 2023 |
| 36. Oahu Community Correctional Center (OCCC) – May 25, 2023 | 41. Women’s Community Correctional Center (WCCC) – June 15 and 16, 2023 |
| 37. Kauai Community Correctional Center (KCCC) – May 31, 2023 | 42. Kulani Correctional Facility (KCF) – June 22, 2023 |
| 38. Maui Community Correctional Center (MCCC) – June 6, 2023 | 43. Waiawa Correctional Facility (WCF) – June 23, 2023 |
| 39. Hawaii Community Correctional Center (HCCC) – June 8, 2023 | 44. Saguaro Correctional Facility – June 27, 28, and 29, 2023 |

Elevating Legislative Priorities

The Commission supported 30 bills opposed five bills related to public safety. Five public safety-related bills passed the Third Reading in the House of Representatives and the Senate of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2023. Those are:

- 1) [HB823 HD2](#), Relating to Deaths within the Correctional System
 - a. Signed into law on April 19, 2023, as [ACT 022](#).
- 2) [SB210 SD2 HD1 CD1](#), Relating to Criminal Justice Data Sharing
- 3) [SB712 SD2 HD1 CD1](#), Relating to Corrections
- 4) [HB68 HD1 SD1 CD1](#), Relating to Criminal Justice
- 5) [HB451 HD1 SD1 CD1](#), Relating to Incarcerated Individuals

Increasing Support during Legislative Session

On March 8 2023, the [House Committee on Finance](#) (FIN) received 49 pages of testimonies in support of the HCSOC. This came from 15 local and national agencies and 17 concerned citizens totaling 32 testimonials. Additionally, on March 23, the [Senate Committee on Ways and Means](#) (WAM) received 38 pages of testimonies in support of the HCSOC. This came from 14 local and national agencies and 12 concerned citizens totaling 26 testimonials. This was in part from a massive effort made by the Oversight Coordinator to gain as much written support as possible. The Commission is so incredibly grateful for the ongoing support while the office continues to grow and build on this important work. Those who submitted testimony include:

- | | |
|--|--|
| - Criminal Justice Research Institute - Dr. Erin Harbinson | - Women's Prison Project - Linda Rich |
| - Hawaii Paroling Authority - Edmund "Fred" Hyun | - State of New Jersey Office of Corrections Ombudsman - Terry Schuster |
| - Community Alliance on Prisons - Kat Brady | - State of Michigan Legislative Corrections Ombudsman - Keith Barber |
| - Maui Economic Opportunity - Debbie Cabebe | - United Public Workers (UPW) - Kalani Werner |
| - Going Home Hawaii - Les Estrella | - Correctional Association of New York - Sumeet Sharma |
| - John Howard Association - Jennifer Vollen-Katz | - Pennsylvania Prison Project - Claire Shubik-Richards |
| - Hawaii Health & Harm Reduction Center - Nikos Leverenz | |
| - FAMM - Molly Gill | |

- American Civil Liberties Union (ACLU) of Hawai'i - Carrie Ann Shirota
- Dan and Lee Curran, Makaha Community Members
- Esther Geil, Community Member
- Stacey Nelson, Professor of Oversight and Law Enforcement, Loyola Law School
- Jeff Tomita, Concerned Citizen
- Diana Bethel, Honolulu Community Member
- Wendy Gibson-Viviani Kailua Community Member
- Donn Viviani, Kailua Community Member
- Patrick Uchigakiuchi, Psychologist, Community Member
- Kristine Crawford, Community Member
- Paula Toki Morelli, Community Member
- Pu'a Foundation - Toni Bissen
- 'Ekolu Mea Nui - Jamee Miller, EdD, LSW
- Robert K, Merce, Honolulu Community Member
- Nashla Rivas-Salas, Civilian Oversight Professional
- Barbara Polk, Community Member
- Mayone Kinikini, Community Member
- Jeanne Y. Ohta, Community Member
- Kim Coco Iwamoto, Community Member
- George Choe, Community Member
- Corinne Apana, Community Member
- Catherine Lampton, Community Member,
- Carolyn Eaton, Community Member
- Cathy Tilley, Community Member

On March 14, 2023, the House of Representatives recommended the Commission receive \$534,388 and on April 11, 2023, the Senate recommended the Commission receive \$406,288. The Commission was recently notified that there was an error in the budget worksheets in that it should read, "Legislature **Does Not** Concur." There was no agreement in conference, and the HCSOC was not funded.

Monday, May 15, 2023 3:36 pm LEGISLATIVE BUDGET SYSTEM Page 107 of 1070
BUDGET COMPARISON WORKSHEET

Program ID: ATG100		LEGAL SERVICES	
Structure #: 110301000000			
Subject Committee: JHA		JUDICIARY & HAWAIIAN AFFAIRS	

SEQ #	HB300 CD1			HB300 GM		
	Perm	Temp	Amt	Perm	Temp	Amt
104-001				4.00		534,388

<p>EXECUTIVE REQUEST: ADD POSITIONS AND FUNDS FOR LEGAL SERVICES (ATG100/EB). ***** LEGISLATURE CONCURS. *****</p> <p>DETAIL OF GOVERNOR'S REQUEST: (1) PERM OVERSIGHT COORDINATOR (#124094; 1.00; 175,056) (1) PERM SPECIAL ASSISTANT TO THE OVERSIGHT COORDINATOR (#124096; 1.00; 60,000) (1) PERM REENTRY SPECIALIST (#992408; 1.00; 71,016) (1) PERM RESEARCH AND POLICY ANALYST (#124095; 1.00; 71,016) INTRA-STATE TRAVEL (25,000) OUT-OF-STATE TRAVEL (21,000) MEMBERSHIP AND DUES (7,100) SPECIAL PROJECTS AND CONSULTATION (100,000) TELEPHONE (2,000) OFFICE SUPPLIES (2,200)</p>	<p>EXECUTIVE REQUEST: ADD POSITIONS AND FUNDS FOR LEGAL SERVICES (ATG100/EB). *****</p> <p>DETAIL OF GOVERNOR'S REQUEST: (1) PERM OVERSIGHT COORDINATOR (#124094; 1.00; 175,056) (1) PERM SPECIAL ASSISTANT TO THE OVERSIGHT COORDINATOR (#124096; 1.00; 60,000) (1) PERM REENTRY SPECIALIST (#992408; 1.00; 71,016) (1) PERM RESEARCH AND POLICY ANALYST (#124095; 1.00; 71,016) INTRA-STATE TRAVEL (25,000) OUT-OF-STATE TRAVEL (21,000) MEMBERSHIP AND DUES (7,100) SPECIAL PROJECTS AND CONSULTATION (100,000) TELEPHONE (2,000) OFFICE SUPPLIES (2,200)</p>
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However, Governor Josh Green graciously stepped in to ensure the Commission will function for at least another year. The amount confirmed by the Governor's Office for the Commission for FY24 funding from the Governor's discretionary funds will be \$413,388. This includes staff

salaries, intra-state travel, membership and dues, telephones, and office supplies. This does not include out-of-state travel (Saguaro) or special projects/ consultation (population limit study).

The Commission is incredibly grateful for Governor Green for funding the important work of the Commission.

Legislative Symposium

The Commission, the Correctional Reform Working Group, the University of Hawaii Manoa School of Architecture, and the Department of Public Safety are collectively planning a legislative symposium to bring national and worldwide experts to Hawaii to examine the current correctional system and discuss the importance of culture and design when considering new jail or prison structures. The symposium is slated to happen sometime in October, and the public will be updated as more information becomes available.

House Concurrent Resolution 23 Taskforce

House Concurrent Resolution 23 ([HCR23](#)) was passed in the 2023 legislative session. This resolution requires the Hawaii Correctional System Oversight Commission to convene a task force to examine and make recommendations regarding existing procedures of the Hawaii Paroling Authority setting the minimum terms of imprisonment.

Publishing Reports

Since the hiring of the Oversight Coordinator, the Commission has published an additional nineteen public reports that expand transparency and accountability over the Department of Public Safety. Much of those reports, if not all, have garnered media attention highlighting the public interest in public safety and more specifically what is happening in the jails and prisons.

Annual Reports

In accordance with [§353L-6](#), the Commission shall submit an annual report to the governor and the legislature no less than twenty days before the convening of each regular session. The annual report shall include a full and complete statement of actions taken by the Commission for the preceding years, and recommendations, including any proposed legislation, that the Commission deems necessary or desirable.

- [2022 HCSOC Annual Report](#)
- [2021 HCSOC Annual Report](#)
- [2020 HCSOC Annual Report](#)

Oversight Coordinator Monthly Reports

In accordance with [§353L-6](#), the Oversight Coordinator shall submit a monthly report to the Commission, the governor, and the legislature. The monthly report shall include actions taken by the commission and expenses for the preceding month.

2023

- [June 2023 Oversight Coordinator Report](#)
- [May 2023 Oversight Coordinator Report](#)
- [April 2023 Oversight Coordinator Report](#)

- [March 2023 Oversight Coordinator Report](#)
- [February 2023 Oversight Coordinator Report](#)
- [January 2023 Oversight Coordinator Report](#)

2022

- [December 2022 Oversight Coordinator Report](#)
- [November 2022 Oversight Coordinator Report](#)
- [October 2022 Oversight Coordinator Report](#)
- [September 2022 Oversight Coordinator Report](#)
 - o [HCCC August 2022 Site Visit Observations](#)
- [August 2022 Oversight Coordinator Report](#)

Facility-Specific Reports

Below are facility-specific reports that encompass observations made by Commissioners after touring the applicable facility.

- [HCCC May 2023 Follow Up from August 2022](#)
- [HCCC April 2023 Site Visit Observations](#)
- [KCCC March 2023 Site Visit Observations](#)
- [OCCC February 2023 Site Visit Observations](#)
- [HCCC August 2022 Site Visit Observations](#)

Strategic Plan

The Commission's first strategic plan was released in January 2023 and sets the priorities for the oversight office for the next twelve months. The plan and priorities are not meant to replace or overshadow the important work that government and community stakeholders have already focused on and put substantial work into. Instead, this plan is meant to build on and encompass that work, including the recommendations from the 2019 House Concurrent Resolution 85 Task Force on Prison Reform report.

This strategic plan is one of the first priorities set by the Oversight Coordinator. Included in the plan is setting the foundation for a new oversight office to explain what oversight is, why it is beneficial, and to highlight future plans for the oversight office. Read it here: [2023 Strategic Plan](#).

Other

The Commission and Oversight Coordinator highlighted and shared other reports that were helpful and important for the public.

- [2023 Recommended Reading on Correctional Reform](#)
- [2022.10.4 Report from Correctional Reform Working Group: Getting It Right – Recommendations and Action Plan for a Better Jail](#)
- [2021 PSD Community Resource Guide](#)
- [2021 PSD Programs Services Inventory](#)
- [2019 House Concurrent Resolution 85 Task Force on Prison Reform](#)
- [2018 House Concurrent Resolution 134 Task Force Final Report](#)
- [2001 Corrections Population Management Commission \(CPMC\) Report](#)

Elevating the Commission’s Work Through Media

The Oversight Coordinator designed and published a new website specifically for the Commission. Before, the Commission’s information was embedded in the Attorney General’s website, and it was difficult for the public to easily find information. Now, information surrounding the Commission members, staff, reports, meetings, applicable news, and jail and prison regulations are easily accessible.

Additionally, the Coordinator launched social media pages for the Commission, including [Facebook](#), [Instagram](#), [YouTube](#), and [LinkedIn](#).



Instagram



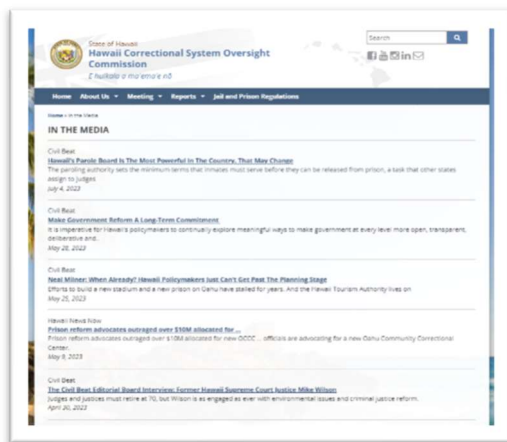
Facebook



YouTube



Website



The Commission’s meetings are live streamed via Facebook and YouTube to ensure the public can participate as much as possible. Additionally, recordings of the meetings are available and referenced in the meeting minutes for individuals to tune in.

With the additional resources published, the Commission’s work has been noted in the news over 75 times since 2019. All applicable media reports are tracked and also published on the Commission’s website.

Increasing Accountability by Tracking Issues

Priority Incidents

The Oversight Coordinator receives notification of any and all Priority One incidents that occur in the Department of Public Safety. Priority One incidents are the most serious incidents that occur in a facility, and the Department of Public Safety defines them as:

- 1) Death of an inmate/detainee/resident/custody, employee or civilian, when occurring on facility grounds or in connection with PSD operations, including when the AED is used to revive inmate/detainee/resident/custody. In addition to the Priority Notification made by the Watch Commander, the facility Health Care staff shall provide notification to its clinical, medical and mental health service administrators, including the Division Health Care Administrator.

- 2) All Escapes including furlough walkaways (failure to return or not present). The Deputy Director of Corrections is responsible for forwarding and tracking the status of all incidents and reports sent to the Attorney General's Investigations Office.
- 3) Sabotage, actual, or suspected, resulting in major property damage, which renders a living unit or support service (to include a courtroom) area unusable.
- 4) Assault, aggravated, by or to an employee, inmate/detainee/resident/custody or civilian resulting in injuries requiring a hospital transport. In addition to the Priority Notification made by the Watch Commander, the facility Health Care staff shall provide notification to its clinical, medical and mental health service administrators, including the Division Health Care Administrator.
- 5) Any significant discovery of contraband, including a significant amount of drugs, weapons, or firearms discovered at the work site.
- 6) Any felony, misdemeanor, or arrest of an employee or others to include visitors, volunteers, contractors, or civilians occurring at the work site. Incidents involving staff off duty and/or not at the work site refer to other departmental notification directives.
- 7) A disturbance Involving three (3) or more inmates/detainees/residents/custodies or others (visitors, volunteers, contractors, or civilians) that Is not brought under control within ten (10) minutes.
- 8) Any discharge of a firearm by an employee, while on duty. This includes any accidental discharge of a firearm.
- 9) Any hostage or barricade situations.
- 10) An attempted suicide by an inmate/detainee/resident/custody involving death or significant injury requiring a hospital transport. In addition to the Priority Notification made by the Watch Commander, the facility Health Care staff shall provide notification to its clinical, medical and mental health service administrators, Including the Division Health Care Administrator.
- 11) Any incident or emergency that has jeopardized the safety of a Dignitary, while under the protection of PSD's Law Enforcement Division.
- 12) Any High Speed or High Risk Motor Vehicle Pursuit involving PSD.
- 13) A bomb threat or unattended/receipt of a suspicious package.
- 14) Any Prison Rape Elimination Act (PREA) reported Incident of Sexual Abuse or criminal incident of Sexual Harassment (usually involves a threat).

In October 2022, the Oversight Coordinator began including in-custody death announcements in every Monthly Oversight Coordinator Report. The reports include the demographics of the individual who had died in addition to preliminary information surrounding the death. This aligns with national standards of oversight and transparency.

Since October 2022, there have been 18 deaths in custody. The Oversight Coordinator receives all preliminary information regarding the incident that occurred in addition to death investigations completed by the Department of Public Safety Internal Affairs.

Conditions of Confinement

After touring all of the correctional facilities and reviewing Priority One incidents, the Oversight Coordinator has diligently reported out on conditions of confinement in addition to publicly speaking on the conditions. The following issues are present at all correctional facilities on island and are the main focus of the Commission:

- 1) Evident staffing shortages:
 - a. Mandatory overtime for 16- and 24-hour shifts potentially affecting officer safety and safety of the incarcerated population.
 - b. Limits out-of-cell time for people in custody (in unit and outdoor recreation).
- 2) Unacceptable level of overcrowding in the jails contributing to inhumane conditions.
- 3) Extremely old buildings and infrastructure creating dangerous conditions for staff and people in custody.
- 4) Classification Concerns:
 - a. Nearly 80% of people in custody are in secure settings. Average rate across the country is 40-50%.
 - b. Serious lack of movement and out-of-cell time for those in custody.

Additionally, the Oversight Coordinator has worked closely with the Commission to track, monitor, and resolve more specific issues as highlighted below.

Saguaro Correctional Center Limited Legal Call Schedule

On November 22, 2022, the Hawaii Correctional System Oversight Commission (the Commission) received a written complaint from the Hawai'i Innocence Project regarding a limited legal call schedule at the Saguaro Correctional Center. According to the Hawai'i Innocence Project, the current schedule only permits legal calls Tuesday-Thursday from approximately 7:30am-12:00pm Hawaii Standard Time which does not allow for regular and timely communication with their clients.

The Commission sent a letter to the Department of Public Safety on November 29, 2022, requesting that changes be made to the Saguaro policy to allow for legal calls during normal Hawaii Standard Time business hours and, if needed, after hours and weekends.

The Department of Public Safety responded on December 19, 2022 and reported that the legal call schedule had been expanded to Monday-Friday from 6:00am-1:00pm HST. The Department has also committed to make accommodations for after-hour client call requests from attorneys.

Electronic Medical Record (EMR) Down since June 2022

On August 10, 2022, the Coordinator learned that the Electronic Medical Record (EMR) had been down since June 2022 causing staff to rely on a paper/pen-based system with no clear indication of when the EMR would be back up for staff utilization. This issue was immediately addressed with the Department of Public Safety with clear urgency. The Coordinator explained that this is a crisis for those in custody because:

- 1) Patient safety and health is at risk without a functioning EMR.
- 2) EMRs are necessary to ensure consistency in care across multiple providers.
- 3) EMRs ensure medications are appropriately administered and documented to lessen risk to patient's health and tracking of medication used, especially when being transferred across facilities.
- 4) From a cost perspective, EMRs reduce time spent on documentation as there are often templates and order sets to improve efficiency.
- 5) Additionally, this is massive liability for the Department.

The Coordinator was assured that the EMR was back up and running by August 24, 2022, and publicly addressed this matter. However, the Coordinator learned on December 10, 2022, that the EMR was only working for two weeks before completely failing again. The Department confirmed that they purchased new servers, but they were not successful in fixing the issues as the EMR system is old (purchased in 2008) and outdated. The Coordinator asked if there was any plan for a new EMR, and although the Department is looking into a new system, there is no timeframe for when a new system might be implemented.

The Coordinator respects that the Department has been working diligently on this issue, however, it is unacceptable to have a non-functioning EMR for six+ months. Medical staff are becoming increasingly burnt out by not having the tools they need to effectively treat patients and give the best care.

On December 30, 2022, the Commission sent a letter to the Department of Public Safety stating “If the EMR cannot be fixed, the Commission recommends immediate purchase and implementation of a new medical record system. Additionally, the Commission is requesting to be kept up to date and informed on all matters related to the EMR including specific plans and timelines for this issue to be resolved.”

On January 6, 2023, Director Tommy Johnson responded that PSD shares the Commission's concerns and has been working with the vendor to address this matter, and PSD has also been meeting weekly internally to do whatever they can to get the system up and running. Director Johnson included various updates to restore the current system, and search for another vendor to secure a new system.

After many attempted fixes and various upgrades to the system, the EMR went live on February 10, 2023. Although there are still some issues within the system (certain bugs, corrupted tables, etc.) that are currently being worked on, the Commission is glad to know the EMR is back up for medical and healthcare staff to utilize.

Hawaii Community Correctional Center (HCCC) Conditions

On September 2, 2022, a special report was released on the conditions of the Hawaii Community Correctional Center (HCCC) due to serious and immediate concerns involving the safety of those who work and live at HCCC. The report encompassed initial observations and impressions from the August 25, 2022, tour of HCCC by the Oversight Coordinator, Christin Johnson, and by Commissioner Ted Sakai. Since the report was released, the Coordinator has visited HCCC consistently to work with the Department leadership, the Warden, and facility staff to improve conditions within their control. An additional report was released on May 18, 2023, which followed up on HCCC's initial site visit observations and included statuses of improvement on each area of concern:

- Overcrowding – *Improvement*
- Shipping Container/Covid Housing Overcrowding – *Improvement*
- Housing Women in Dry Cells – *Unresolved*
- Suicide/Safety Watch Concerns – *Improvement*
- Padlocks on Cell Doors – *Resolved*
- Lack of Visibility Through Cell Windows – *Resolved*
- No Bedframes or Bunkbeds in Cells – *Resolved*
- Visitation – *Unresolved*
- Access to Clothing and Bedding – *Resolved*
- Access to Outdoor Recreation – *Resolved*

Overall, the Coordinator is impressed with the number of improvements that have occurred in the past seven months since the initial tour with Commissioner Ted Sakai. Although there are still improvements to be made at HCCC, the Coordinator believes that HCCC is more in line with the other jails throughout Hawaii.

Building Local Community and Nationwide Partnerships

Facility Tours with Stakeholders

The importance of transparency and accountability within jails and prisons goes beyond the Commission itself. Many of the issues plaguing the corrections system have been systemically built by various government partners spanning decades. Therefore, it is imperative to invite stakeholders into the facilities. The Oversight Coordinator has toured with public defenders, prosecutors, district judges, supreme court justices, and legislators to ensure that concerns within the correctional facilities are addressed in a holistic and systemic fashion.

Justice-Involved Homeless Intergovernmental Collaboration

The Going Home Consortium consists of more than 50 public and private entities and their representatives, with a network of over 300 state and national partners. Going Home Hawai'i is a 501(c)3 nonprofit organization and the governing fiscal body for the Hawai'i Island Going Home Consortium. The Oversight Coordinator has consistently attended the Going Home Consortiums and has participated in justice-involved homeless intergovernmental collaboration meetings.

The collaborative meetings align with lessening the overcrowding in HCCC by supporting efforts from various local, community, and state stakeholders in a consortium to find solutions for the justice-involved homeless community. Going Home Hawaii has taken the initiative to develop a strategy for intergovernmental collaboration meetings leading up to a Reentry Housing Summit in April 2023.

Mana Wahine Ekolu 2022

From November 28-30, 2022 the Coordinator attended Mana Wahine Ekolu hosted by the Pu'a Foundation. The Pu'a Foundation actively engages, facilitates and serves communities and their efforts to build a resilient society and improve upon their quality of life through healing and reconciliation efforts that address consequences of the 1893 overthrow. Mana Wahine Ekolu is a female empowerment conference for all focusing on trauma, healing, & justice. The Mana Wahine Gathering has a unique dual approach in that we seek to strengthen the capacity of those who support community members impacted by system-involvement, all the while enhancing the wellness of each participant.

The Coordinator wishes to thank the Pu'a Foundation for the invitation and the opportunity to learn more about Hawaiian history and culture, and to connect with community members.

National Association of Civilian Oversight of Law Enforcement (NACOLE) 2022 Conference

The National Association for Civilian Oversight of Law Enforcement (NACOLE) is a nonprofit organization that brings together individuals and agencies working to establish or improve oversight of police and corrections in the United States. Since NACOLE's first event in 1995, the organization has worked to put together a comprehensive, informative, and inclusive Annual Conference that addresses both skills training and current and emerging topics. Stretching over four days, the conference provided a forum where the growing community of civilian oversight practitioners, law enforcement officials, journalists, elected officials, students, community members, and others can meet to exchange information and ideas about issues facing civilian oversight of law enforcement.

The 2022 Conference was held in Fort Worth, Texas from September 11 – 15. The Chair of the Commission, Mark Patterson, attended the conference and participated in many of the panels, particularly the panels specific to corrections oversight including:

- A Gender Responsive Approach to Corrections
- The Fine Line Between Oversight and Operations
- Violence in Jails and Prisons: Strategies for Oversight and Prevention
- The Value of Comparative Prison Oversight Across State Boundaries: Lessons from Illinois, New York, and Pennsylvania
- Starting a New Prison Oversight Body: A Conversation with New Jersey's Correctional Ombudsman

The Chair was also invited to be a part of the panel, "A Gender Responsive Approach to Corrections" to highlight his work with the juvenile girls in the state of Hawaii.

Criminal Law Forum 2022

On Friday, October 7, 2022, the Oversight Coordinator participated in the Criminal Law Forum hosted by the Hawaii State Bar Association. The Coordinator presented on the current state of the Hawaii jails and prisons within the Prison Reform panel. This forum was attended by 81 attorneys, 32 judges, and 11 other guests (including court administrators and law clerks).

Prison and Jail Innovation Lab 2023 Conference

From February 3-4, the Oversight Coordinator attended a national conference put on by the Prison and Jail Innovation Lab at the University of Texas at Austin. There were four main sessions: the first was focused on “The Depths of Deliberate Indifference,” with case studies of four different corrections agencies (Rikers, Alabama, Arizona, and Texas); the second examined “The Levers of Change,” and asked about the tools available to turn a prison or jail around, even after a win in the courts; the third presented some rare examples of innovations in prisons that seek to change institutional culture; and the fourth asked whether meaningful change is truly possible and whether there is hope for reforming America’s prisons and jails. The program for this event can be found here: <https://pjil.lbj.utexas.edu/cruel-and-not-unusual-conference-program>.

Securing Partnerships

Thoughtworks

In July 2022, shortly after starting with the Commission, the Oversight Coordinator connected with a company called Thoughtworks in hopes of procuring a case management system for receiving and managing complaints and Priority One incidents. Thoughtworks is a leading global technology consultancy that integrates strategy, design, and software engineering to enable enterprises and technology disruptors to thrive. For over 30 years, they have been at the forefront of digital innovation and have vast experience creating adaptable technology platforms, designing world-class digital products and harnessing the power of data, and AI to unlock new sources of value.

Thoughtworks has been diligently designing a case management system that will fit the Commission’s unique needs. All of this is at no cost to the Commission or the State of Hawaii.

UCSF Amend

In April of 2023, Dr. Brie Williams from UCSF Amend agreed to work in partnership with the Commission to present to the Department of Public Safety in addition to various stakeholders in Hawaii and focus on decarceration, jail design, and culture within the corrections system. Amend at UCSF is a public health and human rights program that works in prisons to reduce their debilitating health effects on residents and staff, while also joining policy makers and community leaders to advance decarceration strategies and a better, new system of accountability and healing in the US. Amend prioritizes health-focused culture-change initiatives, staff training, public education, advocacy, and policy-oriented research.

Amend will be presenting during the Legislative Symposium scheduled for October, 2023. The University of Hawaii will be assisting with travel costs for Amend staff. However, Amend waived all of its fees in support of the Commission and the people of Hawaii.

Council of State Government

In June 2023, the Council of State Government agreed to work in partnership with the Hawaii Correctional System Oversight Commission on House Concurrent Resolution 23. The Council of State Governments (CSG) Justice Center is a national, nonprofit, nonpartisan organization that represents state officials in all three branches of government. Their mission is to provide research driven strategies to increase public safety and strengthen communities.

The HCR 23 task force is required to do the following:

- Study whether parole system models used by other states might be suited for Hawai'i.
- Examine and compare the minimum sentences issued by the HPA and, in certain instances by the courts, to determine whether there are significant differences.
- Recommend whether the administration of justice may be better served by removing the responsibility of setting minimum sentences from the HPA.

How the CSG Justice Center Will Assist:

1. Provide context about parole systems across the United States.
2. Conduct a comprehensive analysis of Hawai'i's criminal justice data.
3. Review existing corrections, court, and other criminal justice policies and procedures.
4. Engage and collect input from a broad range of state and local stakeholders in the criminal justice system.
5. Present findings from the analyses to the task force and begin developing policy options.
6. Produce a report summarizing the analyses and policy options and present the report as requested.

This is at no cost to the Commission or the State of Hawaii.

Moving Forward with Strategy

On January 1, 2023, the Oversight Coordinator released the Commission's first Strategic Plan to guide operations, time, and financial investments. The strategic plan was one of the first priorities set by the Oversight Coordinator to explain what oversight is, why it is beneficial, and to highlight future plans for the oversight office.

The plan is divided into four functions that will guide all strategic priorities (oversight, rehabilitation, population limits, and reentry) to ensure best practices for an effective correctional system.

Oversight

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

Objective 1: Fully equip the Office of the Hawaii Correctional System Oversight Commission to serve the state of Hawaii.

Strategies:

1. Determine and seek appropriate funding for staff hires, travel for on-site facility monitoring, staff development, and basic office needs.
2. Develop standard training for staff that encompasses the history, organization, and changes within the Department of Public Safety in addition to the history, culture, and concerns of the communities served by the Department of Public Safety.
3. Develop and adopt rules, office policies, and standard operating procedures to ensure consistency and efficiency.

Objective 2: Create and finalize investigative and monitoring procedures for investigating complaints at correctional facilities.

Strategies:

1. Partner with a pro-bono company to assist in designing an internal (and forward-facing) case management system. Members of the public must be able to access the demographic and high-level data regarding types of complaints we receive, when we receive them, and from which facilities the complaints are reported.
2. Develop training standards aligned with national standards for best practices while touring facilities, speaking to staff, and speaking to those in custody to ensure the utmost professionalism in addition to the development of an investigative manual to ensure consistency, efficiency, and thoroughness in all investigations.
3. Hire a Jail Monitor and a Prison Monitor to complete investigations and monitoring at their respective facilities.

Objective 3: Increase engagement and transparency related to public safety and corrections.

Strategies

1. Promote and maintain a strong digital presence by social media and the HCSOC website to ensure information is easily accessible and understandable.
2. Adjust meeting logistics, including but not limited to, location, virtual capabilities, and structure in order to increase community participation and elevate resident voice.
3. Ensure that public information is released in an easily understandable format, in addition to creating an automatic emailing list for those interested in office updates.

Rehabilitation

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

Objective 1: Evaluate current Department of Public Safety policies, practices, and procedures for increased innovation and focus on rehabilitation.

Strategies:

1. Using key recommendations from the HCR 85 Taskforce report, the Reentry Commission Strategic Plan, and other relevant studies, evaluate which recommendations have been implemented into the Department of Public Safety policies and practices, which are in progress, and which have not been implemented.
2. Regularly evaluate trends in complaints received, the findings of those complaints, the Department's grievance system processes to assess current policies and to submit solid policy recommendations.
3. Regularly tour correctional facilities, announced and unannounced, to monitor conditions, hear from staff, and speak to those in custody, in addition to completing specific tours relevant to data collection or systemic analysis.

Objective 2: Conduct ongoing research studies of the operation and administration of correctional system laws in other jurisdictions and locally.

Strategies:

1. Partner with local colleges and universities to create opportunities for students to be involved in academic research and policy change through an internship program.
2. Partner with local and national nonprofit organizations to assist in conducting research studies of other jurisdictions with the goal of transitioning Hawaii to a more effective and sustainable correctional system that focuses on rehabilitation instead of punishment.
3. Hire a minimum of two researchers to assist with investigative studies, policy, and legislative changes that are vital to creating a more effective correctional system.

Objective 3: Create opportunities to work in partnership with community, government, and nonprofit stakeholders to design and recommend changes that support rehabilitation and safer communities.

Strategies:

1. Reinvest in recommendations that existed prior to Act 179 from community partners that include but are not limited to the HCR 85 Taskforce report, the Reentry Commission Strategic Plan, and other relevant studies.
2. Engage with community organizations, County officials, and other stakeholders who are focused on reentry and rehabilitation efforts.

3. Advocate for federal and state resources to fund community efforts towards reentry and rehabilitation to create safer communities.

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.

Objective 1: Support legislative changes that lead to more equity and safer communities while reserving incarceration for those who truly need to be detained.

Strategies:

1. Partner with local agencies to draft and/or publicly support legislation proven to safely lower inmate populations without jeopardizing public safety.
2. Use data and statistical analysis to evaluate public safety practices and publicly release information specific to inmate demographics for a better understanding of the population.
3. Meet with various stakeholders and legislators regarding inequities behind cash bail, counterproductivity behind state imprisonment for lower-level crimes, and having state sentences be more proportional to crimes.
4. Partner with local agencies to find solutions in preventing the criminalization of homelessness and individuals experiencing mental health crises, many of whom are incarcerated in the jails specifically.

Objective 2: Establish maximum inmate population limits for each correctional facility.

Strategies:

1. Review the Corrections Population Management Commission's 2001 Annual Report and the Commission's Infectious Disease Emergency Capacities 2020 report to ensure inmate population limits are appropriate, particularly after Covid-19 restrictions begin to ease, by aligning with national standards.
2. Work with the Department of Public Safety to update all measurements of cells, dorms, and spaces used for housing, as many spaces have been changed or converted since 2001.

Objective 3: Formulate policies and procedures to prevent the inmate population from exceeding the capacity of each correctional facility.

Strategies:

1. Work in partnership with the Department of Public Safety and appropriate unions to ensure policies and procedures are written, taught, and exercised to keep the population at appropriate levels in each facility, including reviewing transfer policies.
2. Develop and sustain relationships with the Judiciary, Department of Health, Department of Human Services, Department of Labor, Family Services, and the Taskforce on Homelessness to formulate policies that assist with lessening the inmate population.
3. Ensure the current assessment instruments, classification system, individual program planning, and corresponding reentry programming is properly being utilized to fill pre-transitional beds.

Reentry

Work with the Department of Public Safety 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. The Commission may make recommendations to the Department of Public Safety, the Hawaii paroling authority, and the legislature regarding reentry and parole services; and 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.

Objective 1: Familiarize the public with requirements set in 353H regarding the Offender Reentry System in addition to the Department of Public Safety Reentry Commission Strategic Plan.

Strategies:

1. Prepare and present information specific to the offender reentry process which includes mapping of the state's systems and programming efforts that are a reflection of current reentry practices of the Department of Public Safety.
2. Explain and present the current processes of each separate facility and county to ensure consistency across the state.
3. Host various Listening Sessions to receive feedback from community members, people in custody, families, Department staff, and other stakeholders. These Listening Sessions will be hosted publicly in addition to privately (within the correctional facilities) so the Commission can gather effective feedback.

Objective 2: Monitor and review the comprehensive offender reentry program, including facility educational and treatment programs, rehabilitative

services, inter-facility transfer processes, parole preparation programs, work furloughs, and the Hawaii paroling authority's oversight of parolees.

Strategies:

1. Strategize and publicly post an oversight plan to assess and review all programming rehabilitative services, work furloughs, and the Hawaii paroling authority's oversight of parolees.
2. Request specific data sets that encompass all reentry programs in addition to the data and analysis that shows success of each program.
3. Create a set of standards that programming should meet to lessen recidivism and ensure program efficiency and effectiveness.

Objective 3: Ensure the timely release of inmates on parole when the minimum terms have been served instead of delaying the release for lack of programs and services.

Strategies:

1. Host various Listening Sessions to receive feedback from programming staff, people in custody, facility administrators, and other stakeholders. These Listening Sessions will be hosted privately so the Commission can gather feedback within each correctional facility.
2. Use data and analysis to pull each individual's earliest release date and compare those who are considered, "Chair to Set" to find individuals waiting on programming or housing needs before being released.

Hiring of Staff

The Oversight Coordinator has hired two staff in the past year:

- October 2022 – George Choe, Special Assistant to the Oversight Coordinator joined the team to assist with daily clerical tasks, preparation for the Commission meetings, organization of testimony and hearings during the legislative session, travel to each of the neighbor-island and mainland facilities, and so much more. George is the “heartbeat” of the office and keeps everything moving smoothly.
- June 2022 – Cara Compani, Reentry and Diversion Oversight Specialist joined the team to assist with the Commission's priorities to diversion and reentry, and specifically to the Commission's mandate covering reentry efforts. Cara brings over a decade of experience in correctional oversight and reform on the local, national, and system-wide levels.

Conclusion

Although this last year has been successful in terms of setting up the State of Hawaii's first oversight office, the Commission and Oversight Coordinator recognize there is still significantly more work to be done to have a successfully functioning oversight office. The Oversight Coordinator is honored to do this work and will continue to work diligently for the people of Hawaii.