



# ANNUAL REPORT 2024

## Hawaii Correctional System Oversight Commission



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Email: [hcsoc@hawaii.gov](mailto:hcsoc@hawaii.gov)  
Website: [hcsoc.hawaii.gov](http://hcsoc.hawaii.gov)  
Tel: 808-587-4160

HCSOC  
235 S Beretania St. 16<sup>th</sup> Floor  
Honolulu, HI 96813

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# TO OUR READERS

As we reflect on the achievements of 2024, I am filled with pride and optimism about the progress made by the Hawaii Correctional System Oversight Commission (the Commission, HCSOC). This year has been a remarkable journey toward fostering a more humane, rehabilitative, and transparent correctional system for the people of Hawaii.

The Commission undertook significant initiatives, holding 19 public meetings and issuing 20 detailed reports that addressed critical facility conditions, systemic challenges, and policy recommendations. Our collaborative efforts with the Department of Corrections and Rehabilitation resulted in over 60 recommendations aimed at improving facility safety, enhancing rehabilitative opportunities, and promoting successful reentry into society.

Facility tours remain at the heart of our oversight. In 2024, we conducted 33 general facility visits and six special tours, offering firsthand insights into the state of our correctional institutions. These visits underscored the urgent need for infrastructure upgrades, expanded rehabilitative programming, and compassionate care for individuals in custody.

The Commission also prioritized reentry efforts this year. By establishing robust partnerships with community organizations and participating in transformative initiatives like the Breaking Cycles Symposium, we have laid the groundwork for a holistic approach to reintegration. These steps are vital in addressing the root causes of incarceration and reducing recidivism rates across our state.

Additionally, the HCSOC led the House Concurrent Resolution 23 Task Force, driving a statewide dialogue on sentencing reform. This initiative reflects our commitment to reshaping policies that ensure fairness, proportionality, and effectiveness within our justice system.

None of this progress would have been possible without the dedication of the Commission's members and staff, the support of our partners, and the voices of the community. Together, we are building a correctional system that aligns with Hawaii's values of compassion, equity, and accountability.

As we look ahead to 2025, the HCSOC remains steadfast in its mission to transform Hawaii's correctional system into one that embodies therapeutic care and rehabilitation. We invite you to join us in this endeavor, as your support and engagement are crucial to our collective success.

Mahalo for standing with us on this journey of progress and transformation.

**Mark Patterson**  
**Chairman**  
**Hawaii Correctional System Oversight Commission**



# INTRODUCTION

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.

Although the Commission was created in 2019, the Commission's funding was not released until 2022. In July 2022, the Oversight Coordinator was hired, which is when the office of the Oversight Commission officially opened.

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 Corrections and Rehabilitation in monitoring and reviewing the comprehensive offender reentry program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii paroling authority's oversight of parolees. The Commission may make recommendations to the Department of Corrections and Rehabilitation, 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.

## Meet the Commission

The Oversight Commission consists of five members who are appointed as follows:

- 1) One member shall be appointed by the Governor;
- 2) One member shall be appointed by the President of the Senate;
- 3) One member shall be appointed by the Speaker of the House of Representatives;

- 4) One member shall be appointed by the Chief Justice; and
- 5) One member shall be appointed by the chairperson of the Board of Trustees of the Office of Hawaiian Affairs.

**Office of Hawaiian Affairs Designee - Mark Patterson, Chair**

Appointed by the Office of Hawaiian Affairs (OHA) chair Colette Machado, Chair Patterson is the current Administrator of the Hawaii Youth Correctional Facility and former Warden of the Women's Community Correctional Center. He is known for his work in Trauma Informed Care within a Correctional Environment.

**Chief Justice Designee - Honorable Ronald Ibarra (retired), Commissioner**

Appointed by Chief Justice Mark Recktenwald, Judge Ibarra was appointed as a Circuit Court Judge in 1989. He has been the Third Circuit's Administrative Judge since 1993 and served as its first Chief Judge before retiring in 2017. In addition to presiding over civil and criminal cases, Judge Ibarra served on a number of judicial and State Bar committees and started two important courts: Veterans Treatment Court (2015) and Big Island Drug Court (2002). Judge Ibarra continues to serve on various judiciary, county, and state commissions and is involved with the Bar Association.

**Speaker of the House Designee - Martha Torney, Commissioner**

Appointed by Speaker of the House of Representatives Scott Saiki, Commissioner Torney is the former Executive Director of the Office of Youth Services and the former Deputy Director of Administration of the Department of Corrections and Rehabilitation. Commissioner Torney's extensive professional career was focused in the field of juvenile and adult corrections.

**Senate President Designee - Honorable Michael Town (retired), Commissioner**

Appointed by Senate President Ronald Kouchi, Judge Michael Town retired in 2010 after over 30 years as a trial judge—14 in Family Court and 16 in Circuit Court, with 3 as Senior Judge. He tried a wide variety of both criminal and civil cases. As an adjunct law professor for about 20 years, he taught Criminal Law, Restorative Justice, Family Law, and more at the University of Hawaii. Judge Town has published articles on the unified family court and judge as a coach among others. He has conducted workshops nationally and internationally. He holds degrees from Stanford, Hastings College of the Law, and Yale School of Law. Active in his community, he served on various committees, boards, and received awards for community service. Judge Town was a 2008 Sports Ethics Fellow and served in the U.S. Peace Corps in Colombia, South America. Notably, Judge Town served as a commissioner on the Parole Board from 2011-2019.

**Governor's Designee - Honorable R. Mark Browning (retired), Commissioner**

Appointed by Governor Green, Judge Browning brings a wealth of experience and a distinguished legal career to the Commission. Prior to his appointment, he served as a First Circuit Court judge, having assumed the position on May 6, 2010. His judicial journey began in 1997 as a district family court judge, during which he notably presided over the juvenile drug court from 2002 to 2010. Beyond his judicial duties, Judge Browning has been actively involved in various professional and community endeavors, underscoring his commitment to public

service. He has served on esteemed boards and committees, including the Project Visitation Advisory Committee, Friends of Foster Kids Board, and Judicial Education Committee, among others.

## **Former Commissioner**

### **Theodore (Ted) Sakai - Founding Commissioner**

Commissioner Sakai dedicated five decades of unwavering service to the community of the State of Hawaii as a distinguished public servant. Initiating his career in the 1970s with the John Howard Association of Hawai'i, Commissioner Sakai provided assistance and counsel to individuals in the Halawa jail, and eventually became Executive Director of the John Howard Association of Hawai'i. Since 1979, Commissioner Sakai held various executive positions within the State Department of Corrections and Rehabilitation's (DCR) corrections system. Notably, he served as the director from 1998 until his retirement in 2002. In June 2012, Governor Neil Abercrombie persuaded Commissioner Sakai to return for a second term as the Department of Corrections and Rehabilitation Director, where he garnered recognition from the Association of State Correctional Administrators (ASCA) with the 2014 Outstanding Director of Corrections Award. The ASCA commended Sakai for expanding programs for incarcerated individuals, enhancing security measures, improving staff recruitment, and advocating for staff well-being. Commissioner Sakai concluded his second tenure with the Department of Corrections and Rehabilitation in 2014.

Commissioner Sakai dedicated his life to fostering a more humane corrections system, and his compassion for those in need is immeasurable. In the decade following his initial retirement, Commissioner Sakai continued his dedication by tirelessly working to facilitate programs and services for the children of incarcerated individuals. Additionally, Commissioner Sakai served on many volunteer boards and organizations including serving as volunteer Executive Director for Pu'ulu Lapa'au, assisting healthcare professionals with potential substance use disorders, mental or physical illness, or behavioral concerns. His commitment to addressing the unique challenges faced by incarcerated individuals and people affected by incarceration or substance abuse exemplified his ongoing passion for making a positive impact on the community.

In October 2019, Commissioner Sakai was appointed to the newly established Hawaii Correctional System Oversight Commission, further contributing his expertise and leadership to the field. During his tenure as Commissioner, Commissioner Sakai actively participated in the Commission's public meetings, conducted thorough facility tours in collaboration with the new Oversight Coordinator, and consistently emphasized the imperative for enhancements within the State's reentry system.

Commissioner Sakai's December 4th, 2023, resignation marks the conclusion of a distinguished career characterized by unwavering dedication and substantial contributions to the correctional system. The Commission expresses gratitude for Commissioner Sakai's invaluable service.

## **Meet the Staff**

### **Christin M. Johnson, Oversight Coordinator**

Christin M. Johnson, appointed by Governor Ige in July 2022 and reappointed by Governor Josh Green in 2024, serves as the State's first Oversight Coordinator. With a background in corrections reform, she previously worked in oversight roles in Michigan and New York City, including serving as a Standards Specialist for the New York City Board of Correction, where she focused on improving conditions for individuals in custody and facility staff on Rikers Island. Christin began her career as an Analyst with the Michigan Legislative Corrections Ombudsman, overseeing and investigating complaints in the state prison system.

Christin is a nationally recognized Certified Practitioner of Oversight through the National Association of Civilian Oversight of Law Enforcement (NACOLE). Christin holds a Masters in Criminal Justice from the University of Cincinnati and a Bachelor of Science in Sociology from Central Michigan University.

### **George Choe, Special Assistant to the Oversight Coordinator**

George has immense clerical and leadership experience from his previous roles working in the Attorney General's office as the Assistant to the Special Assistant to the Attorney General and as a District Manager for many years at Hertz.

### **Cara Compani, Reentry and Diversion Oversight Specialist**

Cara brings over a decade of experience in correctional oversight and reform on the local, national, and system-wide levels. Cara led the work of the D.C. Corrections Information Council in their inspection and monitoring of local and federal correctional facilities. Cara was also part of the Reimagining Prison Project work at the Vera Institute of Justice, which put forward a new, reimagined vision for the future of corrections. Cara has now turned her attention to the Aloha State and is fiercely passionate about furthering the work of the Commission. Cara is a native New Yorker who holds a J.D. and an LL.M.



# OVERSIGHT AND PUBLIC ACCOUNTABILITY

## Public Meetings

In accordance with §353L-3, the Hawaii Correctional System Oversight Commission shall meet with the Oversight Coordinator not less than once each quarter to make recommendations and set policy, receive reports from the oversight coordinator, and transact other business properly brought before the Commission. The Commission surpasses the legislative requirement and instead meets on the third Thursday of every month at 9am. The monthly meeting is offered as a hybrid meeting where Commissioners and members of the public can participate in person, or via teleconference. The meetings cover various applicable topics including what Commission-specific events or activities occurred in the previous month, what issues the Commission is most concerned over, various recommendations offered, legislative priorities, and the Commission also invites subject-matter experts to present to the Commission and to the public on matters important to corrections.

In the past year, the Commission has hosted 18 meetings including 11 monthly public meetings, six House Concurrent Resolution 23 task force meetings, and one community input meeting related to the House Concurrent 23 task force. All agendas, meeting minutes, and meeting recordings are available on the Commission's website.

## Public 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. Additionally, in alignment with transparency being a core value of oversight, the Commission continues to report on facility conditions after touring each facility, and reports on progress the office has made since its opening in July 2022. All reports are available on the Commission's website.

In the past year, the Commission has posted 20 public reports including 12 monthly reports and eight facility-specific reports.

### 2024 Monthly Reports

- [December 2024 Oversight Coordinator Report](#)
- [November 2024 Oversight Coordinator Report](#)
- [October 2024 Oversight Coordinator Report](#)
- [September 2024 Oversight Coordinator Report](#)
- [August 2024 Oversight Coordinator Report](#)
- [July 2024 Oversight Coordinator Report](#)
- [June 2024 Oversight Coordinator Report](#)
- [May 2024 Oversight Coordinator Report](#)
- [April 2024 Oversight Coordinator Report](#)
- [March 2024 Oversight Coordinator Report](#)
- [February 2024 Oversight Coordinator Report](#)
- [January 2024 Oversight Coordinator Report](#)

## 2024 Facility-Specific Reports

- [HCF December 2024 Commissioner Tour Report](#)
- [WCF November 2024 Commissioner Tour Report](#)
- [KCF October 2024 Commissioner Tour Report](#)
- [WCCC August 2024 Commissioner Tour Report](#)
- [OSCC July 2024 Commissioner Tour Report](#)
- [MCCC June 2024 Commissioner Tour Report](#)
- [HCCC April 2024 Commissioner Tour Report](#)
- [KCCC March 2024 Commissioner Tour Report](#)
  - [DCR's response to the KCCC March 2024 Commission Tour Report](#)
- [WCF December 2023 Commissioner Tour Report](#)

## Reporting on Deaths in Custody

Since October 2022, the Commission has reported within its monthly reports deaths that occur while individuals are in custody. The Commission was the first entity in the state to publicly report on deaths in custody and is the only entity in the state to report on the date, time, location, demographics of the individual, and initial cause of death.

In 2023, there were 17 deaths in custody. In 2024, there were 12 deaths in custody. The details of the deaths that occurred in 2024 are below:

- 1) On Thursday, January 4, 2024, a person in custody, male, 56 years old, was found unresponsive in his cell at the Hawaii Community Correctional Center (HCCC) around 12:50pm. Staff immediately called for backup and onsite nursing staff in addition to 911 Emergency Services. Staff utilized chest compressions, AED, and Narcan before the EMS transported the individual to the Hilo Medical Center. The individual was declared deceased around 1:34pm. This appeared to be a death caused due to a drug overdose, however, an autopsy is being completed which will confirm the cause of death. Additionally, investigations by the Hilo Police Department and both the Departments of Law Enforcement and Corrections and Rehabilitation are underway.
- 2) On Friday, March 22, 2024, at the Kauai Community Correctional Center (KCCC), a person in custody, male, 33 years old, escaped from KCCC. The individual ran onto the Kuhio Highway where he was unfortunately struck by a vehicle. This was a hit and run incident. On March 28, this individual succumbed to his injuries and was pronounced deceased.
- 3) On Saturday, March 30, 2024, at the Halawa Correctional Facility (HCF), a person in custody, male, 84 years old, was found unresponsive. Medical staff notified Emergency Services, and the individual was pronounced deceased at 4:21pm. This individual was unfortunately terminally ill.
- 4) On April 28, 2024, at the Maui Community Correctional Center (MCCC), a person in custody, male, 52 years old, was unwell with abdominal pain. He was relocated to Holding for observation and assessment. While there, staff initiated CPR on the

individual and called 911. The Maui Fire Department arrived to provide medical assistance and the Maui Police Department was also onsite. Unfortunately, emergency medical technicians (EMTs) pronounced the person in custody deceased at 12:05 am on April 29, 2024. This individual had an undisclosed pre-existing medical condition.

- 5) On May 5, 2024, at Saguaro Correctional Facility (AZSC), a person in custody, male, 46 years old, was found unresponsive and not breathing in his cell. Staff began administering CPR and utilized an AED. Emergency Medical Services (EMS) personnel arrived at the facility and assumed CPR and life-saving measures. The individual was then transported to a nearby hospital. AZSC received notification that the individual was pronounced deceased at the hospital at 6:53 pm. This death appears to be a homicide. The Eloy Police Department is the lead investigating agency, and Hawaii has also dispatched criminal investigators to the facility.
- 6) On Wednesday, June 12, 2024, at 2:20 pm, a person in custody, female, 78 years old, was found unresponsive in the infirmary at Women's Community Correctional Center (WCCC). Medical staff contacted hospice, and the individual was pronounced deceased by hospice staff at 3:37 pm. This individual was in long-term hospice care at the facility.
- 7) On June 18, 2024, at Halawa Correctional Facility (HCF), a person in custody, male, 30 years old, was found unresponsive in his cell at approximately 7:15 pm. Medical and 911 Emergency Medical Services (EMS) were called, and the person in custody was transported to Pali Momi Hospital's Emergency Room. At approximately 8:39 pm, HCF was notified that the individual was pronounced deceased. This appears to be a death by suicide. The Honolulu Police Department and the Department of Law Enforcement's Internal Affairs are conducting their respective investigations, as is the Department of Corrections and Rehabilitation.
- 8) On August 22, 2024, a person in custody, male, 72 years old, was found in his cell with shallow and staggered breathing at the Saguaro Correctional Facility (AZSC). Staff immediately called 911 Emergency Services and the person in custody was transferred to a nearby hospital. At approximately 6:33am the individual was pronounced deceased at the Case Grande Medical Center in AZ. No foul play is suspected nor drug overdose.
- 9) On Monday, October 14, 2024, a person in custody, male, 59 years old, was found in his cell bleeding at the Halawa Correctional Facility (HCF). Staff immediately removed the individual's cellmate, called 911 Emergency Services, and performed CPR until EMS arrived. At approximately 1:40am, the individual was pronounced deceased by City and County EMS. This incident appears to be a murder.
- 10) On October 20, 2024, a person in custody, male, 34 years old, was found unresponsive in his cell with a sheet around his neck at the Halawa Correctional Facility (HCF). Staff immediately cut the sheet from the individual, called 911 Emergency Services, and performed CPR until EMS arrived. The individual was transported to Pali Momi, where life saving measure continued, but unfortunately at approximately 6:04pm, the individual

was pronounced deceased by the attending ER doctor. This incident appears to be suicide.

11) On Monday, October 21, 2024, a person in custody, male, 37 years old, was found unresponsive in his cell with a sheet around his neck at the Saguaro Correctional Center (AZSC). Staff immediately cut the sheet from the individual, called 911 Emergency Services, and performed CPR until EMS arrived. At approximately 8:14pm, the individual was pronounced deceased by a medical doctor of Banner Health. This incident appears to be a suicide.

12) On Thursday, December 5, 2024, around 2:15am, a person in custody, male, 33 years old, was found unresponsive in his cell with a sheet around his neck at the Halawa Correctional Facility (HCF). Staff immediately cut the sheet from the individual, called 911 Emergency Services, and performed CPR until EMS arrived. Around 3:46am, the individual was unfortunately pronounced deceased by the City and County EMT. This incident appears to be suicide, which is the fourth suicide this year.

## Press Releases and Letters

The Commission has sent various letters and reports to the Department of Corrections and Rehabilitation and other stakeholders pertaining to specific issues the Commission would like to see addressed. The full letters are posted in the appendix of this report.

In 2024, the Commission sent three public correspondences and posted three media releases.

### 2024 Media Releases

- [2024.12.06 Media Release - Christin M. Johnson Reappointed as Oversight Coordinator](#)
- [2024.04.16 Media Release - Commission Welcomes Honorable R. Mark Browning as Newest Commissioner](#)
- [2024.03.18 Media Release - Passing of Commissioner Ted Sakai](#)

### 2024 Correspondences

- [2024.12.9 - Letter of Support to UHCDC on Breaking Cycles](#)
- [2024.11.18 - Letter to Governor Green re Oversight Coordinator Nominees for Appointment](#)
- [2024.05.06 - Memo from Chair Patterson regarding Oversight Coordinator Temporary Family Leave and Interim Oversight Coordinator Announcement](#)

## In the Media

The Commission has created a new tab on its website for any media coverage involving the Commission. In the last year, the Commission has been cited in at least 14 media articles. All media coverage can be found on the Commission's website.



# TOURS AND IMPRESSIONS OF FACILITIES

## General Facility Tours

An important part of the Commission's work is consistently touring all correctional facilities to monitor conditions of confinement, and to receive complaints. Below are tours completed by Commission staff which allow staff to write thorough reports and recommendations based on what they see, hear, and experience during the tour. The Commission would like to thank all corrections staff who are an imperative part of understanding the innerworkings of the correctional system.

During 2024, the Oversight Coordinator completed 33 facility visits.

### 2024 Facility Tours

- Oahu Community Correctional Center (OCCC) - January 3, 2024
- Waiawa Correctional Facility (WCF) - January 4, 2024
- Oahu Community Correctional Center (OCCC) - January 5, 2024
- Waiawa Correctional Facility (WCF) - January 5, 2024
- Kulani Correctional Facility (KCF) - January 8, 2024
- Women's Community Correctional Center (WCCC) - January 9, 2024
- Maui Community Correctional Center (MCCC) - January 10, 2024
- Kauai Community Correctional Center (KCCC) - January 12, 2024
- Halawa Correctional Facility (HCF) - January 16, 2024
- Oahu Community Correctional Center (OCCC) - January 23, 2024
- Hawaii Community Correctional Center (HCCC) - January 25, 2024
- Kulani Correctional Facility (KCF) - January 25, 2024
- Hawaii Community Correctional Center (HCCC) - January 26, 2024
- Women's Community Correctional Center (WCCC) - January 29, 2024
- Kauai Community Correctional Center (KCCC) - January 30, 2024
- Maui Community Correctional Center (MCCC) - January 31, 2024
- Halawa Correctional Facility (HCF) - February 1, 2024
- Halawa Correctional Facility (HCF) - February 2, 2024
- Halawa Correctional Facility (HCF) - March 19, 2024
- Kulani Correctional Facility (KCF) - March 22, 2024
- Kauai Community Correctional Center (KCCC) - March 25, 2024
- Oahu Community Correctional Center (OCCC) - March 27, 2024
- Hawaii Community Correctional Center (HCCC) - April 3, 2024
- Maui Community Correctional Center (MCCC) - April 4, 2024
- Women's Community Correctional Center (WCCC) - April 9, 2024
- Waiawa Correctional Facility (WCF) - April 10, 2024
- Hawaii Community Correctional Center (HCCC) - May 10, 2024
- Maui Community Correctional Center (MCCC) - May 16, 2024
- Oahu Community Correctional Center (OCCC) - June 20, 2024
- Women's Community Correctional Center (WCCC) - August 22, 2024
- Kulani Correctional Facility (KCF) - October 17, 2024
- Waiawa Correctional Facility (WCF) - November 21, 2024
- Halawa Correctional Facility (HCF) - December 5, 2024

## Special Facility Tours

Below are notable tours of either community-based programming or correctional facilities that had a special purpose:

### **Going Home Hawaii Reentry Housing**

On Thursday, December 28, 2023, Commissioner Ron Ibarra, and HCSOC staff toured Going Home Hawai'i's reentry and recovery housing, services, and offices in Hilo and Kona on Hawai'i Island.

Going Home Hawai'i's (GHH) mission is to assist justice-involved men, women, and youth on Hawai'i Island with reintegration into community life through employment, education, housing, and appropriate services. GHH fulfills this mission by providing reentry and recovery housing with wraparound supportive services, including one-on-one care coordination, community-based volunteer mentors with similar lived experiences, programs in cultural and personal development, and support for justice-involved pregnant women who are struggling with or at risk for alcohol and illicit substance use.

GHH serves Hawai'i Island men and women who are justice-involved, both pre- and post-incarceration, and facing unstable housing or homelessness. When considering GHH's Reentry and Recovery Housing participants:

- 75% have a history of homelessness before incarceration;
- Many have mental and physical health issues, struggle with substance use disorders, and lack employment and access to reliable transportation;
- 22% are female; and
- 59% identify as Native Hawaiian or Part Hawaiian.

The Commission toured the GHH Kona Residence, a complex of two-bedroom apartments known as the Mahina Townhomes, including over 60 beds for reentry housing and permanent supportive housing. The Commission also toured three residences in Hilo serving as transitional housing for about 25 men and women.

GHH is seeking to expand permanent supportive housing on Hawai'i Island immediately, scale up community and crisis services, shift to health driven diversion programs, and increase deflection programs.

The Commission wishes to thank the entire GHH team-especially Les Estrella, CEO, and Desmon Haumea, Native Hawaiian Cultural Practitioner-and the GHH participants for the informative tour, opening their homes to the Commission, and the warm aloha. The Commission is impressed with the impactful and vital work of GHH and all of the services and support they offer to Hawaii Island and Hawaii overall.

### **Halawa Resource Fair**

HCSOC staff attended the inaugural Halawa Correctional Facility (HCF) Resource Fair on March 14, 2024. This event was specifically designed to assist men who have been paroled or are maxing out of HCF within the next year. Between 300 and 400 individuals in custody participated in this event.

The resource fair encompassed almost 40 service providers. These included job readiness programs, housing options and shelters, substance abuse treatment, sobriety support, health and behavioral health care, education, and other support services. Community service providers were grateful for the opportunity to engage with individuals in custody at HCF, allowing them to provide detailed information about their programs. People in custody at HCF appreciated the chance to connect with potential service providers before leaving the facility.

Key leadership from the Department of Corrections and Rehabilitation, including the Director, deputy directors, and staff from the reentry office, were in attendance and delivered remarks commending the event's significance and the collective efforts that made it a reality. The success of this event was achieved through the collaborative efforts of HCF leadership, the education department, and Transforming Lives Prison Ministry. The Commission acknowledges and appreciates their dedication to organizing this impactful and inspiring event and hopes it serves as a model for similar initiatives in the future.

### **Women's Community Correctional Center Resource Fair**

HCSOC staff attended the WCCC Resource Fair on June 13, 2024, held in the facility courtyard. Through this event, community service providers were able to come into the facility and connect with incarcerated women prior to their release. All the women at WCCC – not just those approaching release – were invited to attend. A wide array of service providers were present, including job readiness, substance abuse treatment, education and vocational programs, housing support, sobriety support, programs for children and families, health care, and behavioral health services.

The Department of Corrections and Rehabilitation, including the Reentry Office, the Hawai'i Paroling Authority, and work furlough programs were represented. The women also had the opportunity to connect with potential employers. Key leadership from DCR, including the Director and deputy directors, were also present and delivered remarks, highlighting the opportunities available through the resource fair, thanking all the providers, and emphasizing the event's importance and the collective efforts that made it possible.

The women in custody who attended the fair were provided with valuable opportunities to engage with these service providers, offering them hope and tangible support for their future. The success of this event was achieved through the collaborative efforts of Transforming Lives Prison Ministry, WCCC leadership, Offender Services and Case Management, and staff. The Commission acknowledges and appreciates their

dedication to organizing this impactful and inspiring event and hopes additional resource fairs will occur at WCCC.

### **Halawa Annual Commencement Celebration**

On Friday, November 8, 2024, Halawa Correctional Facility held its 2<sup>nd</sup> Annual Commencement Exercises for GED and HiSET Graduates at the Learning Center. The ceremony featured 15 graduates - two who were already released into the community. Families of the graduates were in attendance to celebrate their loved one's achievements.

The Commission was proud to honor these graduates and share warm congratulations to all. Special thanks to MJ Nakamura, Education Supervisor at HCF, for organizing this event and inviting the Commission.



### **OCCC Tour with the First Circuit Post-Booking Jail Diversion Stakeholders**

On Tuesday, November 12, 2024, First Circuit Post-Booking Jail Diversion stakeholders toured the Oahu Community Correctional Center (OCCC). HCSOC staff organized this collaborative effort, which included representatives from the Department of Corrections and Rehabilitation, Judiciary, Honolulu Prosecuting Attorney's Office, Office of the Public Defender, Governor's Office, Criminal Justice Research Institute, and Jail Diversion Program Coordinator and team members from the Department of Health.

The tour aimed to advance collective diversion efforts on Oahu, providing a meaningful opportunity to strengthen collaboration among key partners, offering participants a deeper understanding of OCCC's conditions and challenges—including overcrowding—and fostering connections to improve outcomes.

The Commission thanks Warden Schell, DCR Deputy-C, OCCC staff, and Judiciary for their assistance in coordinating and facilitating the tour.



## Saguaro Makahiki Celebration

On November 13, 2024, Chair Mark Patterson and Oversight Coordinator Christin Johnson attended the Makahiki Celebration at the Saguaro Correctional Facility in Eloy, AZ. The celebration included kani ka pu (blowing of the conch shell), gathering, sunrise, and after sunrise chants and greetings, Makahiki Procession of Na Mo'olono, prayer, hula, games, and mele. It was a well-attended event that was supported by Ohana Ho'opakele. The Commission thanks Ohana Ho'opakele for supporting such a meaningful event, and all involved who welcomed the Commission to participate.



# FACILITY-SPECIFIC ISSUES & RECOMMENDATIONS

In accordance with the Commission's mandate to oversee the State's correctional system, the Commission collectively toured every Hawaii prison and jail throughout 2024. Below are brief descriptions of the nine (9) facility-specific reports that encompass observations and recommendations made by Commissioners after touring the applicable facility. In addition, the full reports are in the appendix of this report.

In 2024, the Commission submitted over 60 recommendations to the Department of Corrections and Rehabilitation for their consideration.

## WCF Facility Conditions & Recommendations

*Report released on January 18, 2024*

On Thursday, December 21, 2023, directly following the HCSOC public meeting, the Commissioners and Oversight Coordinator toured Waiawa Correctional Facility (WCF). After the tour, the Commission compiled their notes encompassing their impressions and offered the recommendations below to the Department of Corrections and Rehabilitation:

### 1) **Increase the Population at Waiawa as Waiawa is One of the Most Rehabilitative Facilities in Hawaii**

Commissioners heard from both the Kulani and Waiawa Wardens that people in custody are routinely returned to Halawa because they refuse to participate in required work programs. The Parole Board is less likely to release a person from medium security than minimum or furlough, which means that those returned to Halawa will most likely prolong their stay in corrections and be less prepared to succeed on parole. The Department should determine factors that contribute to this problem and how to resolve it, perhaps through technical assistance at the national level or from private foundations.

### 2) **Expand the Opportunity to be Housed at a Minimum-Security Facility to Those who are Medically Frail**

The Medical Unit reported that some individuals transferred from Halawa are not healthy enough to work and, therefore, returned. This is an area the Department should carefully review. Substance abuse treatment is often a requirement to be eligible for parole, yet minimum custody individuals with medical problems that preclude them from work details do not have the opportunity to participate. In general, those with medical conditions that impact their ability to work should not be deprived of living in less restrictive environments and stepping down in preparation for release.

### 3) **Identify a Vessel to Donate Excess Produce to the Community**

One factor limiting farm production at WCF is the facility's inability to donate excess produce. The Commission recommends DCR leadership work with WCF to find an avenue for produce donation in a timely manner. There are many people and communities in need of food in Hawaii. Providing produce to these groups will benefit

the recipients with fresh, healthy produce and offer a sense of pride and purpose for people in custody.

## **KCCC Facility Conditions & Recommendations**

*Report released on April 18, 2024*

On Thursday, March 21, 2024, directly following the HCSOC public meeting, the Commissioners and Oversight Coordinator toured the Kauai Community Correctional Center (KCCC). After the tour, the Commission compiled their notes encompassing their impressions and offered the following recommendations to the Department of Corrections and Rehabilitation:

- 1) Immediately cease any usage of the Restraint Chair and WRAP Chair until, at minimum, a policy is developed and approved by the Attorney General to protect the State from liability.**

If DCR intends to continue use of such restraint mechanisms, it is imperative that a policy be developed and approved by the Attorney General to protect the State from liability.

The policy must include, at a minimum:

- Under what conditions may the restraint be used (never for punishment);
- Who must approve the use of the restraint (should be Warden, Deputy Warden, Chief of Security);
- Health Care must be informed and determine any medical risk in the use of the restraint;
- Placing an individual in the chair must be filmed, as with cell extraction;
- The individual should be checked on a regular basis (every 10 minutes) to ensure there is no medical problem and blood is circulating;
- There is a time limit for use of the restraint, such as two hours;
- An individual placed in the chair due to mental health issues (such as harm to self or others) must have medical and mental health approval; and,
- A log maintained for the duration of the restraint.

- 2) The shipping container units outside Module 5 must not be used until there is a specific post made for that area to ensure there is staff in the immediate vicinity at all times.**

The Commission found that the shipping containers in front of the administration area did not have an ACO in the vicinity due to there being a lack of post assignment. Instead, the front gate officer is assigned to watch the shipping containers in addition to their normal duties. The Department places itself at considerable risk by not posting an ACO in the immediate vicinity whenever any of the cells are occupied. The shipping containers must have a designated post and otherwise not be used as an ACO cannot be guaranteed to be in the immediate area whenever a cell is occupied.

It is, therefore, recommended that KCCC not use these units unless it can post an ACO in the immediate area whenever any cell is occupied. It should be noted that the Commission posted a similar recommendation one year ago in March 2023, however, the issue has not been addressed.

- 3) **Immediately prioritize the construction and replacement of the KCCC kitchen as it poses a dangerous threat to individuals or staff being hurt due to its desperate condition.**

The floors in the kitchen and mess hall were worn through to bare wood in some areas and completely gone in other areas. Plywood had been temporarily laid down to cover missing floorboards, but they were flimsy and extremely dangerous to walk on. The dangerous condition of the floor in the kitchen and mess hall could easily result in serious injury to staff and people in custody. A new floor must be laid as soon as possible.

- 4) **Remove the window covers of the shipping container windows to allow natural light.**

The Commission found that the shipping container cells had a slab of material completely blocking the windows to ensure women in the cells were not seen by men in custody. In accordance with American Correctional Association (ACA) Standard 4-ALDF-1A-16: *All inmate rooms/cells provide the occupants with access to natural light by means of at least three-square feet of transparent glazing, plus two additional square feet of transparent glazing per inmate in rooms/cells with three or more inmates.* Therefore, the Commission recommends removing the window covers to ensure access to natural light.

It should be noted that the Commission posted a similar recommendation one year ago in March 2023, however, the issue has not been addressed.

- 5) **Ensure individuals in the facility are receiving the most out-of-cell time possible in alignment with a rehabilitative and therapeutic environment.**

Due to overcrowding, Cabin C's lanai was enclosed to increase the number of beds to house women, leaving the women no dayroom or outdoor space. Men housed in Cabin A and B, however, still have an open and functioning lanai that they can use at their leisure. Per the Commission's recommendation after the last visit in March 2023, a small lanai was added to Module C to ensure that women are afforded a dayroom/outdoor space comparable to the men. The Commission applauded this effort; however, the Commission was informed by the women housed in the Cabin and staff, that the women are given limited access (if any) to the lanai since male worklines sometimes pass by in the surrounding areas.

The facility must ensure incarcerated women have the same access to dayroom and recreation space as men.

- 6) **Ensure that individuals who work on the facility worklines are being paid accordingly, by Department policy.**

The Commission was informed that KCCC is not paying individuals to work on worklines. Although the Commission agrees that wages are extremely low per policy, it is not acceptable to deviate from policy, particularly when the deviation may affect an individual's opportunity to buy commissary, phone calls, or video visits. Additionally, this places an added burden on the community members as they will be the ones who send in money for people in custody to purchase commissary or make phone calls or video



visits. Therefore, KCCC must pay individuals who work on the workline their appropriate wage per Department policy.

## HCCC Facility Conditions & Recommendations

*Report released on June 20, 2024*

On Thursday, May 10, 2024, directly following the HCSOC public meeting, the Commissioners and Interim Oversight Coordinator toured the Hawaii Community Correctional Center (HCCC). After the tour, the Commission compiled their notes encompassing their impressions and offered two recommendations to the Department of Corrections and Rehabilitation:

### 1) **Reduce Overcrowding through System-wide Population Reduction Efforts**

The most significant issue at HCCC remains overcrowding, particularly in Punahele, where vulnerable populations, such as those with acute mental illness and severe health issues, as well as new admissions, are housed. Even with the opening of the new unit, the facility will remain overcrowded. Addressing this requires a State and Third Circuit-wide priority on safely reducing the jail population. DCR alone cannot resolve this issue; instead, it must involve a coordinated system-wide effort.

All justice partners, including the Judiciary, Office of the Public Defender, Office of the Prosecuting Attorney, Probation, the Department of Health, and Corrections and Rehabilitation, must work both individually and collectively to safely reduce the jail population. On Hawaii Island, a coordinated approach is essential.

**A. Further Diversion Initiatives.** The Commission supports ongoing and new diversion initiatives on the Big Island to address the needs of justice-involved individuals. The Commission is aware that this is in process and supports the furtherance of these and other diversion initiatives.

**B. Work Together Reduce Pretrial Time.** As of May 2024, there were 81 pretrial detainees who had been in custody at HCCC for more than six months. Consider a Third Circuit-wide goal - Judiciary, Prosecutor, Public Defender, and criminal defense attorney - to reduce timelines for all cases, aiming to expedite both felony and misdemeanor proceedings and reduce the time people spend in HCCC pretrial.

**C. Population Analysis.** To safely divert people and support successful transitions post-incarceration, it is essential to understand individual needs. The Commission asks the Department of Corrections and Rehabilitation to consider a population analysis with the following information in a confidential, non-identifying manner: *demographic data, mental health and substance use data, key health indicators, housing data, employment, and income status*. This information will be used to determine what services and support are needed, what is currently provided and available within the community, and where the gaps are. There is a strong community network, including providers, throughout Hawaii Island, but more data is needed to link people to services and support these efforts effectively.

## 2) Enhance Programming Opportunities and Reduce Idle Time

In addition to facility overcrowding, people in custody have too much idle time and limited access to programming. The Commission witnessed this idle time and recommended the following:

A. Re-establish and Expand Programming Opportunities. Re-establish programming opportunities at pre-COVID levels and then expand opportunities. Bring more programs back into the facility from community service providers. Community partnerships and programs are essential to enhance the facility's ability to manage operational issues.

- Consider a mentor/mentee program to serve those transitioning back to the community from both the main jail and Hale Nani, and allow mentors access to individuals pre-release to prepare for the transition. The Commission was updated that a successful program used to exist funded by a Bureau of Justice Assistance (BJA) Second Chance grant. Going Home Hawaii is an excellent resource for this initiative.

B. Increase VolinCor Training Opportunities. Offer regularly scheduled continuous VolinCor training opportunities for community service and program providers. Lastly, the facility should make every effort possible to ensure attorneys can get ahold of their clients and that individuals in custody be able to get ahold of their attorneys. If the black phone in Komohana was meant for attorney-client calls, the phone should be immediately fixed and restored to Komohana.

## 3) Optimize New Housing Unit Utilization

The new housing unit should be assessed and utilized to balance current housing priorities and serve the needs of different populations. This includes decreasing overcrowding, especially in Punahele, better serving vulnerable populations, including the mental health population, creating a proper space for women, and allowing for necessary facility maintenance. With the completion of the new housing unit, it's crucial to consider how it can support the largest issues within the facility.

To begin, consider using the new housing unit for short-term housing movement that will support necessary maintenance throughout the other housing areas, allowing for the rotation of housing for essential maintenance issues.

During the Commission's talk stories with HCCC staff, many recommended moving the mental health population to the new unit, transforming it into a dedicated mental health housing unit. The new unit includes suicide-resistant features, group space, and recreational areas suitable for this population. Currently, the mental health population is around 45 people, and these cases are not in a single unit, while the capacity of the new housing unit is 48. This move would help decrease overcrowding in Punahele, create more space for women in the main facility, and relocate others from inadequate spaces, significantly improving living conditions.

It should be noted that even with the addition of these 24 new cells, accommodating up to 48 more people, the true jail population will still exceed capacity, necessitating continued population reduction efforts.

#### 4) Expedite Punahale Front Office/Lobby Remodel Completion

It is essential to complete the new Front Office/Lobby remodel to ensure that staff needs are adequately met, including proper restroom facilities. Currently, staff are using porta-potties placed in front of the facility or sharing one restroom for all staff, which is a multi-purpose restroom. The Commission recommends that all necessary parties assist in expediting the completion of this project to provide appropriate facilities for staff.

#### 5) Expand Furlough Utilization at HCCC

Currently, 31 men are in the HCCC furlough program despite the capacity to accommodate up to 100 participants. Identifying and addressing the roadblocks to furlough is crucial to allow more individuals to benefit from these programs and move through the correctional system. While the Commission acknowledges that custody status is not the only factor in furlough determinations, it is a significant one. Notably, 34 individuals at Kulani Correctional Facility have community status, which is required for furlough. It is important to examine why more people in custody are not in furlough at HCCC and other sites.

### MCCC Facility Conditions & Recommendations

*Report released on July 18, 2024*

On Thursday, June 20, 2024, directly following the HCSOC public meeting, the Commissioners and Interim Oversight Coordinator toured the Maui Community Correctional Center (MCCC). After the tour, the Commission compiled their notes encompassing their impressions and offered the below recommendations to the Department of Corrections and Rehabilitation:

#### 1) Increase Programming Opportunities

People in custody have too much idle time and limited access to programming—including cultural programming—education, and reentry preparation. The Commission witnessed this idle time while onsite, with people in custody spending extended periods in their cells, dorms, or units. Too much idle time can lead to dangerous conditions and decrease mental health and well-being.

Therefore, the Commission recommends the following:

- **Expand Programming:** MCCC should expand programming, education, vocational training, reentry preparation, and cultural-based opportunities. To determine where to begin, ask people in custody what would be most helpful.
- **Community Partnerships:** Establish and further community partnerships to offer some of the opportunities listed in the previous paragraph and set people up for a successful transition back to the community.

## 2) Update Recreation to Align with Department Policy and Federal Standards

The Commission received numerous complaints from people in custody indicating that outdoor recreation time is limited. The Commission recommends MCCC adopt practices and a recreation schedule that align with federal standards and the DCR *Recreation and Leisure* policy and procedures, offering all people in custody at least one hour of outdoor recreation per day and additional out of cell or unit time.<sup>1</sup> This will also assist in decreasing idle time.

## 3) Expand Furlough Utilization at MCCC

It was very disappointing that only five people in custody were participating in work furlough despite the capacity to accommodate at least 50 or more participants. Identifying and addressing the roadblocks to furlough is crucial to allow more individuals to benefit from these programs and move through the correctional system.

The Commission recommends that DCR assess, identify, and resolve systemic issues, resulting in increased furlough participation at MCCC and the other furlough sites. The Commission would like to see furlough occupancy rates close to 100% as it significantly increases the chances of success post-release.

## 4) Ensure Timely Mail Delivery

The Commission heard from numerous people in custody regarding delays in both outgoing and incoming mail delivery. This is particularly concerning for legal matters and maintaining contact and support necessary for reentry. The Commission recommends that MCCC investigate the causes of mail delays and take immediate action to ensure timely mail delivery of both outgoing and incoming mail.

## 5) Enhanced Oversight of Disciplinary Segregation

The Commission continues to hear significant concerns about Module D, the disciplinary segregation unit—delays in outgoing and incoming mail, slow library requests, inability to make legal calls for an extended period of time in May, and stays exceeding 60 days with a day or two policy workarounds.

The Commission urges MCCC to implement enhanced oversight of this unit to ensure compliance with DCR policy and federal standards. Additionally, timely action is necessary to address mail delays, library delays, legal call access, and preventing extended stays in disciplinary segregation.

## 6) Reinstate Contact Visits

Currently, there is no in-person contact visitation, and this has been the case for almost four years (initially due to COVID-19, then due to construction). In-person contact visits are imperative for maintaining relationships with family, friends, and communities. The

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<sup>1</sup> Hawaii Department of Corrections and Rehabilitation, Corrections Administration, Policy and Procedure Manual, COR.14.14, *Recreation and Leisure Time*, dated May 12, 2016; and Federal Performance Based Detention Standards, Rev. 11, May 2022, G.6, Recreation, G.6.2, pg. 51, available at: [The Federal Performance Based Detention Standards](#)

Commission recommends beginning in-person contact visits as soon as the construction is complete.

### **Justice System-Wide Recommendation:**

#### **7) Reduce Pretrial Time for Felony Cases**

As of May 2024, there were 42 pretrial detainees who had been in custody at MCCC for more than six months. Notably, one person has been in custody at MCCC since 2017, and several people have been there since 2019 and 2020. MCCC, and jails in general, are not designed for long-term holds, resulting in little to no programming, too much idle time, and little out-of-cell time for extended periods.

The Commission asks the Judiciary, Prosecutor, Public Defender, and criminal defense attorneys to consider establishing a circuit-wide goal to reduce timelines for felony cases—expediting proceedings and minimizing the time people spend in MCCC pretrial to six months. Together, these same stakeholders have significantly decreased the population in the past year and at other times, and this presents another opportunity to make a substantial impact.

## **OCCC Facility Conditions & Recommendations**

*Report released on August 22, 2024*

On Thursday, July 18, 2024, directly following the HCSOC public meeting, the Commission and Oversight Coordinator toured the Oahu Community Correctional Center (OCCC). After the tour, the Commission compiled their notes encompassing their impressions and offered the following recommendations to the Department of Corrections and Rehabilitation:

### **Follow-up on Previous Commission Recommendations**

The Commission made the following recommendations following the HCSOC February 2023 tour, which has not yet been implemented. The Commission continues to recommend the following:

#### **1) Allows for Natural Light by Removing Wood Covering from all Cell Windows**

Replace wood-covered windows in housing units with to allow natural light, in line with ACA standards. Although some wood coverings have been removed over the past year, wood coverings do still remain on some cell windows. According to ACA Standard 4-ALDF-1A-16, *all inmate rooms/cells must provide occupants with access to natural light through at least three square feet of transparent glazing, plus two additional square feet per inmate in rooms/cells housing three or more individuals*. Therefore, the Commission recommends OCCC continue replacing wood coverings to ensure all cell windows in all modules allow natural light. Compliance with the ACA standards is of particular importance with OCCC moving toward ACA accreditation.

**2) Restoration of Contact Visits**

OCCC has not offered in-person contact visits for four years, initially due to COVID-19. Extensive research underscores the importance and rehabilitative benefits of contact visits for those in custody, as these visits allow individuals to maintain closer connections with their loved ones and communities. The Commission, therefore, continues to recommend OCCC reinstate contact visits.

**3) Continued Engagement with Criminal Justice System**

The Commission continues to find that much of OCCC's severe overcrowding is linked to individuals with low bails, serious mental health issues, homelessness, and others who are particularly vulnerable to excessive trauma from incarceration. While the Commission recognizes current engagement efforts by OCCC and DCR leadership and legislative tours, the Commission continues to recommend further stakeholder engagement.

**Additional Recommendations to be considered by the Department of Corrections and Rehabilitation:**

**1) Expand Programming Opportunities**

People in custody at OCCC have too much idle time and limited access to programming, including cultural, education, and reentry preparation. The Commission recommends expanding programming opportunities and community partnerships to reduce idle time and increase programming opportunities. While the facility has made some progress in this area, it is essential to continue and be innovative (even within limited space) to support people in custody and also gain community support and trust.

**2) Prioritize Timely Repair of the Sally Port Gates for Safety**

The sally port gates had been inoperable for about one and a half months. Although one gate was repaired before the Commission's visit, the other remained open. For security reasons, it is crucial to prioritize the timely repair of the sally port so that both gates can close properly.

**3) Prioritize Kitchen Upgrades, Including Dishwasher Repair and Mold-Free Trays**

The kitchen at OCCC is in dire need of updates to ensure sanitary conditions for staff and the kitchen workline, and to provide safe food for the entire facility. Urgent repairs are needed for the dishwasher, along with replacement of ceiling and floor tiles, rusted appliances, and food service trays. Although there are plans for a new facility, these conditions cannot wait until then and must be addressed immediately.

**4) Ensure Facility Wardens and Leadership Have Access to DCR Confidential Policies and Procedures**

The Commission was surprised to learn that Warden Schell did not have access to the Department of Corrections and Rehabilitation's (DCR) "confidential" policies and procedures. The Commission recommends that facility wardens and leadership be granted access to these documents to effectively manage the facility and ensure compliance with departmental policies and procedures.

**5) Expand Furlough Utilization at OCCC**

Although OCCC has the highest furlough participation and occupancy rate, around 60%, there is still the opportunity to increase furlough participation at OCCC for people in DCR custody. Identifying and addressing the roadblocks to furlough is crucial to allow more individuals to benefit from these programs and move through the correctional system. The Commission recommends that DCR assess, identify, and resolve systemic issues around furlough participation. The Commission would like to see furlough occupancy rates near 100% as it significantly increases the chances of success post-release.

**6) Install Shade for Recreation Cages in the Holding Unit**

The recreation area outside the Holding Unit consists of individual cages, which currently lack shaded areas to protect people in custody from the sun. The Commission recommends installing shade structures, even tarps, to provide protection from sun exposure.

**7) Investigate and Address Concerns from People in Custody at OCCC**

The Commission has received multiple complaints regarding the following issues at OCCC:

- **Roaches in Cells:** Roaches are present in the cells. This poses a health and sanitation concern. **The Commission recommends implementing a pest control plan that effectively and safely eliminates the roach population.**
- **Difficulties in Accessing Bail Calls:** The Commission learned that some individuals have experienced delays of several weeks in accessing bail calls, which has prevented those who could make bail from being released. This delay not only impacts individual rights but also contributes to overcrowding. The Commission urges the facility to establish and confirm a reliable system that allows timely access to bail calls for all eligible individuals and **ensure all people in custody have prompt access to bail calls.**

**8) Ensure Regular Access to Books and Reading Material, Legal Calls, Mail, and Recreation for Those in the Holding Unit, including those in Disciplinary Segregation**

People in custody in the holding unit at OCCC reported irregular access to legal calls and daily recreation, and inconsistent mail service, along with no books or reading material. ACA standards require the following access for people in disciplinary segregation:

- a. **Mail:** Inmates in Restrictive Housing can write and receive letters on the same basis as inmates in the general population.
  - i. *Source: American Correctional Association (ACA) Performance-Based Standards for Adult Correctional Institutions, 5th ed., March 2021, 4B Restrictive Housing, 5-ACI-4B-20, p. 128.*
- b. **Access to Legal and Reading Materials:** Inmates in Restrictive Housing have access to reading materials.

- i. *Source: American Correctional Association (ACA) Performance-Based Standards for Adult Correctional Institutions, 5th ed., March 2021, 4B Restrictive Housing, 5-ACI-4B-23, p. 129.*
- c. **Exercise Out of Cell:** Inmates in Restrictive Housing receive a minimum of one hour of exercise outside their cells, five days per week, unless security or safety considerations dictate otherwise."
  - i. *Source: American Correctional Association (ACA) Performance-Based Standards for Adult Correctional Institutions, 5th ed., March 2021, 4B Restrictive Housing, 5-ACI-4B-24, p. 129.*
- d. **Telephone Privileges:** Inmates in Restrictive Housing are allowed at minimum telephone privileges to access the judicial process and family emergencies as determined by the facility administrator or designee unless security or safety considerations dictate otherwise.
  - i. *Source: American Correctional Association (ACA) Performance-Based Standards for Adult Correctional Institutions, 5th ed., March 2021, 4B Restrictive Housing, 5-ACI-4B-25, p. 129.*
- e. **Access to Programs:** Inmates in Extended Restrictive Housing have access to programs and services that include but are not limited to the following: educational services, commissary services, library services, social services, behavioral health and treatment services, religious guidance, and recreational programs.
  - i. *Source: American Correctional Association (ACA) Performance-Based Standards for Adult Correctional Institutions, 5th ed., March 2021, 4B Restrictive Housing, 5-ACI-4B-26, p. 130.*

**Justice System-Wide Recommendation:**

**1) Reduce Pretrial Time for Felony Cases**

As of July 2024, there were 220 pretrial detainees who had been in custody at OCCC for more than six months. OCCC, similar to other jails in Hawaii and jail in general, are not meant for long-term holds, resulting in little to no programming, too much idle time, and little out-of-cell time for extended periods. The Commission asks the Judiciary, Prosecutor, Public Defender, and criminal defense attorneys to consider establishing a circuit-wide goal to reduce timelines for felony cases—expediting proceedings and minimizing the time people spend pretrial to six months.

**WCCC Facility Conditions & Recommendations**

*Report released on September 26, 2024*

On Thursday, August 15, 2024, directly following the HCSOC public meeting, the Commission toured the Women’s Community Correctional Center (WCCC) collectively as a group. After the tour, the Commission compiled their notes encompassing their impressions and offered the following recommendations to the Department of Corrections and Rehabilitation:



- 1) **Review new construction plans for Building A (secure housing) and implement as many therapeutic and rehabilitative spaces as possible.**

The Commission is pleased to report that the facility leadership prioritized repainting of Building A to better support rehabilitative and therapeutic spaces. Additionally, the facility has a new mural that was funded by the Women's Prison Project. The facility is currently reviewing other spaces where murals can be added and considering additional outdoor spaces for in-person visitation.

- 2) **Secure desperately needed funding for facility updates.**

The Commission is pleased to report that the medical spaces, infirmary, and kitchen have been upgraded. The bathrooms in Ahiki Cottage are still in need of renovation as the paint has peeled off the walls and floor, but the Commission was informed by people in custody that a janitor cleans the showers and shower drain daily.

- 3) **Ensure appropriate access to the Law Library, and ease of access to defense attorney information.**

The Commission did not note any concerns with access to the law library since the last visit nor has the Commission received complaints regarding access.

- 4) **As the Department of Corrections and Rehabilitation plans new facilities or housing units, the design should be consistent with the rebuilt and reimagined Ho'okipa Cottage.** This covers statewide facilities and housing units. This will be monitored as an ongoing recommendation.

- 5) **Continue and further the current trajectory of leaders at WCCC.**

WCCC has done an impressive job with prioritizing leaders who are focused on rehabilitative and therapeutic practices. Because of this effort, WCCC has an honor dorm, which the Commission believes is the only facility in the State to have this. Additionally, the facility has incorporated kickball and volleyball competitions, and there is a space that is currently being renovated into a gym. Much of the funding for these projects was supported by the Women's Prison Project.

- 6) **Immediately Prioritize Hiring a Psychologist for WCCC**

Immediately prioritize hiring a psych doctor for WCCC and have other facilities assist with assessing individuals on suicide watch at WCCC in the interim. Psychologists from other facilities can rely not only on the patient and previous mental health records, but on the nurses who spend significant time with those individuals as suicide watch is in the medical unit.

Additionally, the facility should consider limiting or eliminating the requirement for disciplinary segregation time for those on suicide watch who have already spent extended periods of time (2 weeks or more) in an isolated environment with limitations to their families.

# KCF Facility Conditions & Recommendations

*Report released on November 21, 2024*

On Thursday, October 17, 2024, directly following the HCSOC public meeting, the Commission toured the Kulani Correctional Facility (KCF). After the tour, the Commissioners compiled their notes and chose to focus on the five recommendations that stemmed from the December 2023 report in addition to updated findings based on the October 2024 site observations.

## 1) Begin Offering In-Person Visitation and Expand Access to Phone Calls

The Commission is pleased to report that KCF has begun offering in-person contact visitation. The following is KCF’s current visitation schedule for weekends and holidays:

Visiting Hours: Weekends and Holidays

8:00 - 9:00am

9:00 - 10:00am

12:00 - 1:00pm

1:00 - 2:00pm

It should be noted that the Department is currently working on updating their website to reflect accurate visiting hours.

## 2) Increase the Population at Kulani as Kulani is One of the Most Rehabilitative Facilities in Hawaii

The DCR has not completed this recommendation, and in fact, the population numbers at KCF and WCF (both minimum custody) are worse in 2024 than they were in 2023.

Kulani is one of the most rehabilitative facilities in Hawaii and sits around 50% capacity. As of November 2023, there were around 240 people in custody at Halawa Correctional Facility (HCF) and Saguaro Correctional Facility in Arizona (AZSC) with a custody status of minimum or below. In October 2024, there were around 260.

	2023 Hawaii Male Prison Security Classifications						
Male Prison	Community	Minimum	Medium	Close	Maximum	Unclassified	Total Population
AZSC	--	53	455	369	--	--	877
HCF	4	183	435	187	2	11	822
WCF	27	154	--	--	--	--	181
KCF	24	61	--	--	--	--	85

*Source: Hawaii Department of Corrections and Rehabilitation Roster, Dated Nov. 13, 2023*

	2024 Hawaii Male Prison Security Classifications						
Male Prison	Community	Minimum	Medium	Close	Maximum	Unclassified	Total Population
AZSC	--	77	506	411	--	--	994
HCF	6	179	306	204	6	5	706
WCF	23	113	--	--	--	--	136 - <b>DECREASE FROM 2023</b>
KCF	13	65	--	--	--	--	78 - <b>DECREASE FROM 2023</b>

*Source: Hawaii Department of Corrections and Rehabilitation Roster, Dated Oct. 14, 2024*

The Commission, again, recommends that the Department transfer eligible individuals at Halawa and Saguaro, with minimum custody or below, to Kulani and Waiawa Correctional Facilities. Due to the rehabilitative and therapeutic nature of the Kulani, this facility could be better utilized at a consistent capacity close to 100% and certainly over 90%.

**3) Remove the Monetary Eligibility Requirement for Furlough Participation at all Furlough Sites**

The Commission is pleased to report that the Department has fulfilled this recommendation, and no individuals are required to have any specific amount in their account in order to participate in their respective work furlough programs.

**4) Improve System-wide Movement Through the Correctional System**

The DCR has not completed this recommendation, and in fact, the population numbers at KCF and WCF (both minimum custody) and furlough sites across all jails are worse in 2024 than they were in 2023. All of the Hawaii male furlough sites are well below capacity—see the *Furlough* chart below.

The Commission understands that the furlough sites currently have different eligibility requirements regarding funds and length of time until the parole eligibility date. To improve system movement and opportunity for successful reentry, the Commission again recommends that the Department increase furlough participation. This will mean a corresponding policy shift including eliminating any type of financial requirement to participate in furlough.

<i>Facility</i>	<i>Furlough Location</i>	<i>2023 Population</i>	<i>2024 Population</i>	<i>Rated Capacity</i>	<i>2023 Occupancy Rate</i>	<i>2024 Occupancy Rate</i>
<i>HCCC</i>	Onsite	32	21	100	32.00%	21.00%
<i>MCCC</i>	Onsite	14	12	32	43.75%	37.5%
<i>OCCC</i>	Onsite	120	102	176	68.18%	57.95%
	Extended Furlough	15	1	--	--	--
	<i>Total</i>	135	103	176	76.70%	58.25%
<i>KCCC</i>	Onsite	8	~11	0*	--	--
	Extended Furlough	9	11	--	--	--
	<i>Total</i>	14	~22	0*	--	--

*Source: Hawaii Department of Corrections and Rehabilitation Roster, Dated Nov. 13, 2023  
Hawaii Department of Corrections and Rehabilitation Roster, Date Oct. 14, 2024*

**Note:** KCCC furlough housing does not have an official capacity, therefore, the occupancy rate cannot be calculated.

**5) Reinstate Transportation Shuttle for Staff**

This recommendation has not been completed.

As noted above, the Department has fulfilled two recommendations of the five submitted last year. The Commission is deeply concerned as two of the recommendations (recommendations 2 and 4) are specific to creating a more rehabilitative and therapeutic environment, and ensuring individuals move through the system to be released in a timely manner. It is concerning that not only have the numbers not improved but have instead gotten worse. The Commission hopes the Department will take action on all recommendations and appreciate the Department’s time and commitment to improving Hawaii’s correctional system.

**WCF Facility Conditions & Recommendations**

*Report released on December 19, 2024*

On Thursday, November 21, 2024, directly following the HCSOC public meeting, the Commission toured the Waiawa Correctional Facility (WCF). After the tour, the Commissioners compiled their notes and chose to focus on the previous recommendations that stemmed from the December 2023 report in addition to updated findings based on the November 2024 site observations.

**1) Increase the Population at Waiawa as Waiawa is One of the Most Rehabilitative Facilities in Hawaii**

The DCR has not fulfilled this recommendation, and in fact, the population numbers at KCF and WCF (both minimum custody) are worse in 2024 than they were in 2023. The same chart below was utilized in the Commission’s November 2024 report regarding the Kulani Correctional Facility tour, but it seems worth repeating for the purpose of highlighting the lack of rehabilitative beds utilized in both KCF and WCF.

Waiawa is one of the most rehabilitative facilities in Hawaii and sits around 50% capacity. As of November 2023, there were around 240 people in custody at Halawa Correctional Facility (HCF) and Saguaro Correctional Facility in Arizona (AZSC) with a custody status of minimum or below. In October 2024, there were around 260.

2023 Hawaii Male Prison Security Classifications							
Male Prison	Community	Minimum	Medium	Close	Maximum	Unclassified	Total Population
AZSC	--	53	455	369	--	--	877
HCF	4	183	435	187	2	11	822
WCF	27	154	--	--	--	--	181
KCF	24	61	--	--	--	--	85

*Source: Hawaii Department of Corrections and Rehabilitation Roster, Dated Nov. 13, 2023*

2024 Hawaii Male Prison Security Classifications							
Male Prison	Community	Minimum	Medium	Close	Maximum	Unclassified	Total Population
AZSC	--	77	506	411	--	--	994
HCF	6	179	306	204	6	5	706
WCF	23	113	--	--	--	--	136 - DECREASE FROM 2023
KCF	13	65	--	--	--	--	78 - DECREASE FROM 2023

*Source: Hawaii Department of Corrections and Rehabilitation Roster, Dated Oct. 14, 2024*

**2) Expand the Opportunity to be Housed at a Minimum-Security Facility to Those who are Medically Frail**

In general, those with medical conditions that impact their ability to work should not be deprived of living in less restrictive environments and stepping down in preparation for release. However, this recommendation has not been fulfilled.

**3) Identify a Vessel to Donate Excess Produce to the Community**

One factor limiting farm production at WCF is the facility's inability to donate excess produce, therefore, the Commission recommended that DCR leadership work with WCF to find an avenue for produce donation in a timely manner (like Correctional Industries, for example). This recommendation has not been fulfilled.

**HCF Facility Conditions & Recommendations**

*Report released on December 19, 2024*

On Thursday, December 5, 2024, directly following the HCSOC public meeting, the Commission toured the Halawa Correctional Facility (HCF). After the tour, the Commissioners compiled their notes and chose to focus on the previous recommendations that stemmed from the November 2023 report in addition to updated findings based on the November 2024 site observations.

**1) Increasing non-security staffing must be a priority for transitioning to a rehabilitative and therapeutic system.**

Last year, the two main staffing shortages that the Commission learned about were in the Learning Center and social work. At the time, education was down three full-time teachers, one secretary, and two workline positions leaving one full time employee to run all educational programs. Additionally, the facility had eight (8) social work vacancies which resulted in high caseloads (80+ people per social worker) for the existing social workers.

During the Commissions visit, it was confirmed that there are no social work vacancies, and that education vacancies had gone down from four vacancies to two (education supervisor and office assistant). The Commission congratulates the Department on their success with aggressive recruitment tactics for filling these imperative positions.

**2) Permanently close the Special Needs Facility.**

Although the Special Needs Facility is closed now, it is unclear if that is a permanent decision.

**3) Prioritize and expedite Capital Improvement Projects to repair electricity and the perimeter fence.**

Both projects have been funded and are currently being executed.

**4) Expand the Correctional Industries worklines to include specific training in skilled trades that would lead to gainful employment after incarceration.**

This recommendation has not been fulfilled.

At some point, there used to be an electrical and plumbing workline that helped keep the facility maintained. The electrician union previously came to the facility and trained people in custody, and then people leaving prison would have an income-generating trade and connections to the unions and jobs in high demand. However, that program has not existed for some time. It would benefit the Department to work with skilled trade unions to train individuals in plumbing, electrical, welding, HVAC, etc. This would not only create opportunities for individuals to earn gainful employment upon release, but also help the facility with desperately needed maintenance concerns. Correctional Industry worklines can assist in upkeeping the facilities while learning skills that are at the core of the Hawaii Correctional Industry work.

**5) Increase training and support for uniformed staff.**

This recommendation has not been fulfilled.

To expedite and stay current on uniformed staff training, consider placing or training certified instructors to be onsite full-time at Halawa. This would allow the facility to train staff more efficiently in a way that corresponds to the facility's schedule and specific needs. Also, consider updating the training academy curriculum to better prepare staff for their actual roles onsite at facilities.

**6) Increase training and support for case/unit managers to better meet the population's needs upon release.**

This recommendation has not been fulfilled.

Related to recommendation one above, the role of social workers and unit managers is vital to successful rehabilitation and reentry for people in custody. The Commission is aware that many people in custody are released to the community from Halawa. Here, it would be helpful to identify and offer additional training to support the critical role these staff members assume. Staff should stay current on local and national best practices in their field. The crucial role of these staff members and the importance of a mindset dedicated to supporting people in custody and their success should be included in the training.

**7) The Department should support legislative efforts toward Compassionate Release or transfer to a more appropriate medical setting for the severely ill.**

The DCR has refused to support or stay neutral on compassionate release. Instead, the DCR has testified against compassionate release legislation.

People housed in the infirmary need intensive medical and/or psychiatric services and would be better served in a different setting other than a prison. Most individuals on the medical side are not in a physical state to potentially cause harm to another and do not appear to cause a risk to public safety. Additionally, the care for these individuals is particularly expensive for the Department, staff-intensive, and causes strain on the facility overall.

# CONFERENCES

## Local

Consistent with the Commission's mandate to facilitate a correctional system transition to a rehabilitative and therapeutic model of corrections, the Commission and staff attended various local conferences, trainings, and events to further connect with community and government stakeholders and learn more about the reentry system in the state. The Commission and staff attended the following 10 local conferences in 2024:

### ❖ Justice Innovations Summit

On February 16 through 19, 2024, Commission Chair Mark Patterson, Commissioner Martha Torney, Commissioner Mike Town, and Reentry and Diversion Oversight Specialist Cara Compani, along with a diverse cohort of 300 participants along with 100 presenters from around the globe, attended the Justice Innovation Summit hosted by the Hawai'i Friends of Restorative Justice at the University of Hawai'i at Manoa. Over three days, attendees engaged in workshops and discussions led by international experts and innovative justice practitioners.

Topics explored during the Summit included restorative justice, transformative justice, transitional justice, therapeutic jurisprudence, victimology, and indigenous peacemaking, each applied to various disciplines such as environmental protection and justice, education, corrections, child and family services, domestic violence, gender violence, and fostering peaceful communities.

Commission Chair Mark Patterson presented and contributed to several summit discussions and workshops, including: *sharing and transferring innovations in justice across different sectors*; *Exploring Community-Powered Solutions in youth systems focusing on Healing, Love, and Justice*; *Developing Programming that Accepts Referrals from Justice System Officials to foster Bridges and Trust*, and moderating a roundtable discussion with currently and formerly incarcerated individuals. Additionally, Commissioner Mike Town, alongside judges from across the globe, facilitated the workshop *Healing instead of Punishing*.

### ❖ Reckoning with Restorative Justice

On February 29, 2024, the Oversight Coordinator and Reentry and Diversion Oversight Specialist traveled to the University of Hawai'i at Hilo for an engaging discussion with Professor Leanne Trapedo Sims about her book, *Reckoning with Restorative Justice: Hawai'i Women's Prison Writing*. The book delves into the experiences of women incarcerated at the Women's Community Correctional Center and their writings.

Ohana Ho'opakele and the University of Hawai'i at Hilo Research Office sponsored this event. The Commission Staff extends sincere appreciation to Ohana Ho'opakele for hosting this discussion and for their continued support of the Commission.



## ❖ Breaking Cycles Events

Throughout 2023 and 2024, the University of Hawai'i Community Design Center (UHCDC) worked with the Department of Corrections and Rehabilitation to engage stakeholders and community members in developing alternative proof of concept visions for a proposed new jail on Oahu, focusing on rehabilitation and reducing incarceration. They hosted the following events:

### ➤ Breaking Cycles Symposium Update

On March 6, 2024, Chair Patterson, the Oversight Coordinator, and the Reentry and Diversion Oversight Specialist attended the Breaking Cycles Symposium Update at the Hawai'i State Capitol, which served as a follow-up to the original Breaking Cycles Symposium: Re-envisioning a Health, Housing, and Corrections Continuum held on October 10 & 11, 2023.

The Breaking Cycles Symposium Update aimed to share outcomes from recent University of Hawai'i Community Design Center workshops and provide updates from the Department of Corrections and Rehabilitation, Department of Health, Department of Human Services, Judiciary, Governor's Office, and community partners. The Commission appreciates the efforts presented during the Breaking Cycles Symposium Update and looks forward to collaborating with partners and stakeholders to implement additional recommendations from the original Breaking Cycles Symposium.

### ➤ Breaking Cycles Virtual Roundtable: OCCC Programming & Design Case Studies

On April 12, 2024, the University of Hawaii Community Design Center (UHCDC) hosted a [Breaking Cycles virtual roundtable](#), focused on two unique systems relating to programming and facility design.

Lucy Easley, Facility Director of the Davidson County Sheriff's Office (DCSO), presented on the Behavioral Care Center (BCC). The BCC is a state licensed adult supportive treatment facility providing gender responsive trauma-informed care to residents in a short-term residential setting as an alternative to jail. Residents who successfully complete the program will not face criminal charges and will be provided resources for continuation of care. The BCC is a 60-bed facility that can house 30 males and 30 females. At maximum capacity, it is estimated that the facility will impact 1,500-2,000 individuals annually. DCSO's facility is designed to be a treatment setting rather than a correctional one.

James Krueger, Director of Design at the HMC Architects, presented his team's design of the Los Colinas Detention and Reentry Facility. In the design of the Los Colinas Detention and Reentry Facility, the HMC Architects created a campus community in a light color palette, soft and varied materials (including wood and glass), better acoustics, and ample natural light—all of which have been shown to

reduce anger, stress, anxiety, sadness and depression. Unlike traditional prisons, where most services are housed centrally in enclosed environments with little natural light or outdoor space, this campus is divided into zones—administrative, communal, programmatic and housing—connected by a central quad or village green intended for recreation, akin to a typical university. Outdoor space encourages supervised interaction and the cafeteria exterior opens up to an outdoor pedestrian promenade and walking path. And just like in a higher education environment, the program activities and the spaces they occur in are designed to promote educational, vocational, personal and spiritual growth.

Previously, the Oversight Coordinator and Reentry and Diversion Oversight Specialist had the opportunity to tour the Los Colinas Detention and Reentry Facility which was presented in the October 2023 Oversight Coordinator report found [here](#). The PowerPoint regarding the tour can be found [here](#).

After both presentations, there was a brief round table conversation with the following panelists:

- Hayley Cheng, First Deputy Public Defender, Office of the Public Defender
- Dennis Dunn, Board Member, Hawai'i State Coalition Against Domestic Violence
- Keoki Dudoit, Director of Operations, Makana O Ke Akua
- Christin Johnson, Oversight Coordinator, Hawai'i Correctional System Oversight Commission
- Lois Kim, Case Management Program Manager, Care Hawai'i
- Bob Merce, Chair, Correctional Reform Working Group
- Eugenie Naone, Director of Programs, Ke Ola Mamo

➤ **Community of Practice Meeting**

On June 5, 2024, Commissioner Mike Town and HCSOC staff attended UHCDC's first Community of Practice meeting. During this initial meeting, discussions centered around reviewing and discussing the feedback gathered through the UHCDC research process and Breaking Cycles events. This interactive Community of Practice meeting focused on setting the direction for the new facility to replace OCCC, emphasizing its mission, purpose, and exploring appropriate programming and population scenarios.

➤ **Community of Practice Meeting**

On July 19, 2024, the UHCDC reviewed and discussed a preliminary set of design considerations and options developed through UHCDC's research and engagement process.

➤ **Virtual Share-Out**

On August 2, 2024, UHCDC hosted a virtual event that represented UHCDC's research, site analysis, design considerations, and preliminary proof-of-concept design approaches for the new facility and community support system, which is

intended to replace the existing OCCC model. The event also featured a panel discussion with:

- Kat Brady, Coordinator of Community Alliance on Prisons
- John Dudoit, Founding Director of Makana O Ke Akua
- John Schell, Warden of Oahu Community Correction Center
- Patrick Uchigakiuchi, Member of Prison Reform Hui

➤ **Breaking Cycles Roundtable: OCCC Programming & Design Case Studies**

On September 11, 2024, the UHCDC hosted a third Community of Practice meeting, focused on planning for the new jail. The meeting focused on updates from DCR and Department of Accounting and General Services (DAGS) regarding the overall project timeline, consultant scopes, procurement approaches, an outline of UHCDC's final report, and a brainstorm to envision continued engagement. Speakers included John Schell, Warden at Oahu Community Correctional Center, Chris Kinimaka, Department of Accounting and General Services.

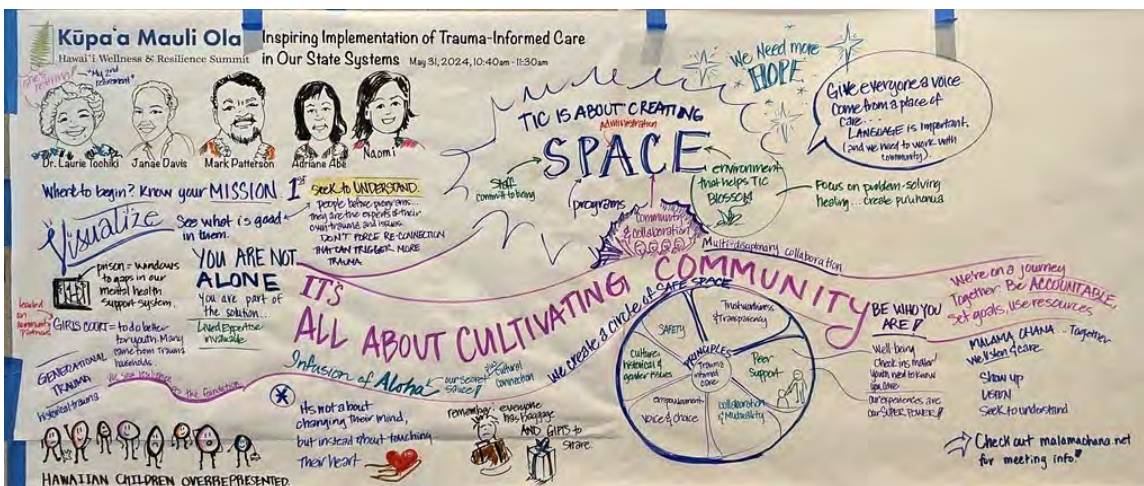
The UHCDC and DAGS presentations can be found here: <https://www.breaking-cycles-symposium.org/>.

❖ **Kūpa‘a Maui Ola: Hawai‘i Wellness and Resilience Summit**

On May 31, 2024, the Hawaii Wellness and Resilience Summit, sponsored by the Governor's Office of Wellness and Resilience, was held. HCSOC Chair, Mark Patterson, and HCSOC staff were in attendance, along with representatives from the Governor's Office, the Department of Corrections and Rehabilitation, the Judiciary, and many more.

The summit commenced with a welcome address from Governor Josh Green, followed by a keynote offered by Dr. Kalei Kanuha. There were two panels discussing the history of trauma-informed care in Hawaii and successful models of implementation. HCSOC Chair Mark Patterson was on the second panel, sharing valuable insights into effective strategies for adopting trauma-informed care practices. The event also included wellness-based activities.

The summit provided an excellent opportunity to exchange ideas and best practices and served as an example of wellness and resilience in our state. The HCSOC is grateful to the Wellness and Resilience team for this summit and all their efforts in supporting the State of Hawaii.



❖ **Hawaii Island Sequential Intercept (SIM) Report**

On August 23, 2024, HCSOC Commissioner Ron Ibarra and the Reentry and Diversion Oversight Specialist attended the Hawaii Island Sequential Intercept (SIM) event organized by Going Home Hawaii in Hilo.

The SIM framework informs community responses to individuals involved in the criminal justice system. It provides a comprehensive picture of how individuals with mental health and substance use disorders move through the criminal justice system across six distinct intercept points: (0) Community Services, (1) Law Enforcement, (2) Initial Detention and Initial Court Hearings, (3) Jails and Courts, (4) Reentry, and (5) Community Corrections. The SIM process aims to identify gaps, resources, and opportunities at each intercept and to develop actionable priorities to improve responses.

*The SIM Report aims to systematically provide a detailed analysis across various intercept points in the criminal justice system—from initial encounters to reentry—ensuring a holistic approach to address the needs of our community and improve outcomes for persons with mental health and substance use disorders. The insights derived from this report will be pivotal in shaping policies, enhancing*

*strategies with deflection, diversion, treatment, and reintegration, ultimately reducing recidivism with an increased focus on healthcare approaches and public safety.*

The Hilo SIM event included representatives from Going Home Hawaii, the Department of Correction and Rehabilitation (DCR), the Judiciary, the Governor's Office, health care and service providers, the Hawaii Paroling Authority, Unite Us—a coordinated care network linking health and social care services—and many other stakeholders and community members. During the event, participants worked collaboratively to outline current practices, identify service gaps, and provide recommendations.

A report will be produced from this event, providing a detailed analysis of the intercepts on Hawaii Island and a strategic roadmap to guide legislative priorities. The Commission wishes to thank Going Home Hawaii for organizing and facilitating this vital event and their ongoing work.

## National

Consistent with the Commission's mandate to facilitate a correctional system transition to a rehabilitative and therapeutic model of corrections and to continue its education and best practices throughout the country, the Commission and staff attended two national conferences and trainings. The Commission and staff attended the following national conferences/trainings in 2024:

- ❖ **Designed for Dignity: Transforming Prison**

On May 1, 2024, HCSOC staff participated in a [Vera Institute](#) webinar, which presented and discussed a new initiative and opportunity, *Designed for Dignity*. Information from the Vera Institute on the Initiative is below:

Corrections agencies are grappling with how to create safe and humane environments for people who work, visit, and are incarcerated in prison; to recruit and retain staff; and to sustain efforts that promote incarcerated people's successful transition out of prison.

Vera, with funding from the Bureau of Justice Assistance (BJA), will partner with state corrections agencies to participate in training and technical assistance focused on developing, implementing, and enhancing strategies to foster safer, more humane prison cultures, climates, and spaces for both correctional staff and those who are incarcerated.

Designed for Dignity is an evolution of Restoring Promise, building on Vera's groundbreaking work with corrections agencies and evidence that the Restoring Promise approach to young adult housing units can make facilities safer for both staff and people who are incarcerated. Using Vera's Dignity Principles for conditions of confinement as a guide, Vera will partner with corrections agencies



to implement strategies to better align with a focus on human dignity and to achieve their mission-critical goals.

HCSOC staff are excited about this opportunity because the project's goals and outcomes align closely with Hawaii's intention and commitment to transition to a rehabilitative and therapeutic model of corrections. More information is available here: [Designed for Dignity: Creating Safer and More Humane Prisons | Vera Institute](#).

❖ **2024 Annual Conference of the National Association for Civilian Oversight of Law Enforcement (NACOLE)**

From October 13-17, 2024, Chair Patterson attended the 2024 Annual Conference of the National Association for Civilian Oversight of Law Enforcement (NACOLE) in Tucson, Arizona. The conference offered opportunities to explore the progress, preservation, and perseverance of oversight across its 30-year history. For three decades, NACOLE has fostered the growth of civilian oversight of law enforcement, jails, and prisons while supporting the development and sustainability of oversight agencies across the United States and globally.

The conference highlighted NACOLE's dedication to principles of accountability and transparency, emphasizing the importance of aligning law enforcement agencies with the values of the communities they serve. While civilian oversight has expanded to approximately 250 agencies nationwide since 1994, the conference addressed ongoing challenges. These discussions reinforced the need for robust and sustainable oversight mechanisms.

The event featured sessions designed to enhance skills for effective oversight, engage stakeholders, explore jail and prison oversight, and examine innovative approaches to maintaining and expanding oversight's impact. Featured topics included jail and prison oversight in Arizona, strategies for reducing prison violence, leveraging data for effective oversight, implementing trauma-informed cultures within civilian oversight, monitoring health care provided to people in custody, assessing and communicating the impact of correctional oversight, and transparency as a bridge to trust and collaboration.

❖ **Deaths in Custody -- Prison Jail Innovation Lab (PJIL) Conference**

From November 14-16, 2024, Chair Patterson and Oversight Coordinator Christin Johnson attended the Jail and Prison Innovation Lab (PJIL) symposium on "Deaths in Custody" held at the University of Texas in Austin. The convening offered an opportunity for collective reflection by the country's leading experts on prison and jail conditions on one of the most critical, challenging, and urgent issues in the field of oversight.



There were six main sessions:

- 1) “Data Transparency about Deaths in Confinement,” examined how we can ensure accuracy and completeness in the reporting of deaths in custody.
- 2) “Why are People Dying in Prisons and Jails?” offered some in-depth analyses of the available data.
- 3) “Media Reporting on Deaths in Custody” provided lightning talks by investigative journalists about their reporting on deaths in custody, drawing from a wide range of media outlets all over the country.
- 4) “Investigating Deaths in Custody,” asked who should conduct these investigations and what kinds of questions need to be examined.
- 5) “The Ripple Effects of Deaths in Custody and Secondary Trauma,” highlighted the impact these deaths have on family members, fellow incarcerated people, and correctional staff.
- 6) “Prevention Through Operational Changes and Policy Reform,” included short- and long-term strategies for reducing the numbers of deaths in prisons and jails.

There were also several breakout discussion groups where participants could choose to join colleagues for more in-depth conversations to address these issues. Oversight Coordinator Christin Johnson led the breakout discussion on “The Role of Oversight Bodies in Investigating, Tracking, and Preventing Deaths in Custody.”

The speakers and participants included oversight practitioners; medical professionals; researchers; people with lived experience; journalists; advocates; corrections officials; academics; litigators; and more. The Commission would like to thank Michele Deitch and all PJIL staff for putting on such an incredible and important conference.

# STRATEGIC PRIORITIES

The Oversight Coordinator developed and adopted a strategic plan to guide operations, time, and financial investments. The plan is intended to be a living document as more opportunities to reimagine public safety, and increase transparency and accountability become available. The full plan can be found in the appendix of this document.

Per the 353L mandate, the Commission has 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 Corrections and Rehabilitation in monitoring and reviewing the comprehensive offender reentry program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii paroling authority's oversight of parolees. The commission may make recommendations to the Department of Corrections and Rehabilitation, 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 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 Corrections and Rehabilitation in addition to the history, culture, and concerns of the



communities served by the Department of Corrections and Rehabilitation.

- 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 Corrections and Rehabilitation 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 Corrections and Rehabilitation 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, policies, 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 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 Corrections and Rehabilitation 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 Corrections and Rehabilitation 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 Corrections and Rehabilitation in monitoring and reviewing the comprehensive offender reentry program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii paroling authority's oversight*

*of parolees. The commission may make recommendations to the Department of Corrections and Rehabilitation, 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 Corrections and Rehabilitation 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 Corrections and Rehabilitation.
- 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 programing or housing needs before being released.

The implementation of this strategic plan is the initial step to ensure greater accountability and transparency within the Department of Corrections and Rehabilitation.

# LEGISLATIVE PRIORITIES

## Funding

After the FY23 Legislative Session, the Commission was notified that there was an error in the budget worksheets in that it should read, "Legislature Does Not Concur." This meant there was no agreement in conference, and the HCSOC was not funded.

Monday, May 15, 2023

3:36 pm

LEGISLATIVE BUDGET SYSTEM  
BUDGET COMPARISON WORKSHEET

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

SEQ #	HB300 CD1						HB300 GM					
	FY24		Amt	FY25		Amt	FY24		Amt	FY25		Amt
Perm	Temp	Perm		Temp	Perm		Temp	Perm		Temp	Perm	
104-001								4.00		534,388	4.00	534,388
EXECUTIVE REQUEST: ADD POSITIONS AND FUNDS FOR LEGAL SERVICES (ATG100/EB). ..... <b>LEGISLATURE CONCURS.</b>						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 was \$413,388 which included staff salaries, intra-state travel, membership and dues, telephones, and office supplies.

During FY24 legislative session, it was the Commission's top priority to be funded by the legislature, and with the help and support of immense advocacy efforts from the community and other stakeholders, the Commission was successful. The HCSOC was funded \$416,134, and more importantly, is a permanent line item in the state's budget. This means that each year, the Commission will only need to request increases to the budget.

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

SEQ #	CD						GM					
	FY 2024		Amt	FY 2025		Amt	FY 2024		Amt	FY 2025		Amt
Perm	Temp	Perm		Temp	Perm		Temp	Perm		Temp	Perm	
102-001								4.00		462,134	4.00	462,134
SUPPLEMENTAL REQUEST: ADD POSITIONS AND FUNDS FOR LEGAL SERVICES (ATG100/EC). ..... LEGISLATURE CONCURS.						SUPPLEMENTAL REQUEST: ADD POSITIONS AND FUNDS FOR LEGAL SERVICES (ATG100/EC). ..... DETAIL OF GOVERNOR'S REQUEST: (1) PERM OVERSIGHT COORDINATOR (#124094; FY25: 1.00; 179,436) (1) PERM SPECIAL ASSISTANT TO OVERSIGHT COORDINATOR (#124096; FY25: 1.00; 74,880) (1) PERM REENTRY AND DIVERSION OVERSIGHT SPECIALIST (#124095; FY25: 1.00; 86,072) (1) PERM PRISON OVERSIGHT SPECIALIST (#999305; FY25: 1.00; 86,376) INTER-ISLAND CORRECTIONAL FACILITY TRAVEL (FY25: 12,500) MAINLAND CORRECTIONAL FACILITY TRAVEL (FY25: 10,480) MEMBERSHIPS & CONFERENCES (FY25: 7,100) GENERAL OFFICE SUPPLIES (FY25: 500) LAPTOP (FY25: 2,280) LAPTOP BAG (FY25: 30) DOCKING STATION (FY25: 342) KEYBOARD + MOUSE COMBO (FY25: 68) WIDESCREEN MONITOR (FY25: 748) COMPUTER SPEAKERS (FY25: 45) CELL PHONE (FY25: 1,277)  \$4,790 NON-RECURRING.						
\$4,790 NON-RECURRING.						\$4,790 NON-RECURRING.						

## House Concurrent Resolution 23 Task Force

House Concurrent Resolution No. 23 ([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, is chairing this task force.

The Commission has dedicated a page on its website to the HCR23 Task Force: <https://hcsoc.hawaii.gov/hcr23-task-force/>. This webpage has information on the expectations of the task force, members, expected outcomes, partnerships, and meeting information. Meetings will be live streamed and can be viewed on the Commission's [Facebook](#) page or [YouTube](#) channel.

The [Council of State Governments](#) (CSG) agreed to work in partnership with the Hawaii Correctional System Oversight Commission on House Concurrent Resolution 23. The CSG's 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 Agreed to 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.

The first task force meeting took place on September 12, 2023, and the final task force meeting took place on September 12, 2024, after having research findings presented from the CSG and the Criminal Justice Research Institute (CJRI). Recordings from all task force meetings are available on the HCR23 website, and the Commission's YouTube Channel. More information regarding this task force can be found here: [HCR 23 Task Force](#).

# PROPOSED LEGISLATION

## Revisions to Chapter 353L: Hawaii Correctional System Oversight Commission

Chapter 353L is the mandate that created and empowers the Hawaii Correctional Oversight Commission. The Commission has found two areas of the law that should be amended to further support the Commission's mission and duties. This potential legislation includes edits to the Oversight Coordinator's term limit (changing from two years to four years) and ensures the Oversight Coordinator can enter facilities unannounced.

The Commission found that the Oversight Coordinator should have a longer term as two years is an extremely limited timeframe to supervise and administer the operation of the commission in accordance with 353L.

### **[§353L-2] Oversight coordinator; appointment; term.**

"(a) The governor shall appoint an oversight coordinator from a list of three nominees submitted by the commission. The oversight coordinator shall be a person qualified by training and experience to administer the Hawaii correctional system oversight commission and shall be well-versed in criminal justice reform and maintain a firm commitment to the correctional system's transition to a rehabilitative and therapeutic model. **The oversight coordinator shall serve a [two-year] four-year term.**"

The last edit ensures that the Oversight Coordinator can enter facilities, unannounced, as the Coordinator sees fit. The Department of Corrections and Rehabilitation has interpreted the current language to mean that the Coordinator can complete an unannounced tour only if it's during an investigation. However, nationally recognized best oversight practices must encompass unfettered access to facilities at all times.

### **[§353L-7] Studies and investigations; procedures.**

"(c) **[In an investigation, the]** **The** oversight coordinator may make inquiries and obtain information as the oversight coordinator thinks fit, enter without notice to inspect the premises of an agency or correctional facility, and **in an investigation** hold private hearings in accordance with chapter.



# PROJECT UPDATES

## Case Management System

Consistent with the Commission's mandate to investigate complaints at correctional facilities, the Coordinator had been working diligently with [Thoughtworks](#) to custom design a case management system to intake, organize, and respond to complaints received by the Commission. Thoughtworks is a leading technology consultancy of more than 11,500 staff across 51 offices in 18 countries. Their cross-functional teams of strategists, developers, data engineers and designers bring over two decades of global experience to every partnership.

The case management system was intended to allow staff to organize complaints received, but it also autogenerates demographic information from those in custody. It would support the Coordinator in prioritizing projects based on specific complaint types at each facility. Additionally, the system would enable staff to identify the complaint types and send a response letter with information related to the specific complaint type. The system was being finalized and planned to launch in early 2024, however with little notice, Thoughtworks ended the project due to new leadership taking on the company.

Instead, the Commission submitted a funding request for the FY2026 legislative session to contract a company to build a case management system.

## Staff-Focused Survey and Report

Consistent with the Commission's mandate to investigate complaints at correctional facilities, the HCSOC staff are focusing on an all-encompassing staff survey to better understand the corrections environment; enhance data collection capacities to promote transparency and accountability; and recommend evidence-based programs and policies to improve conditions for those working in our jails and prisons.

The survey being utilized was created under the Urban Institute's Prison Research and Innovation Initiative (PRII), supported by Arnold Ventures. The survey has been distributed in facilities throughout five states and was developed using participatory research methods, elevating the voices and perspectives of correctional staff. For the paper surveys, Commission staff successfully distributed and collected paper surveys, post by post, at every facility. Electronic surveys were also available for greater reach. After the surveys were collected and counted, talk stories were hosted at every facility to gain staff insight on recommendations.

The Commission is fortunate to have support for this project from the Department of Corrections and Rehabilitation, the United Public Workers (UPW) Hawaii, the Hawaii Government Employees Association (HGEA), and the cooperation of facility leadership. The HCSOC looks forward to working closely with UPW, HGEA, the Department of Corrections and Rehabilitation, facility leadership, and staff on solutions.

## Reentry Report

HCSOC staff are currently working on an all-encompassing reentry report in accordance with the reentry segment of the Commission's mandate:

- Work with the Department of Corrections and Rehabilitation in monitoring and reviewing the Comprehensive Offender Reentry Program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii Paroling Authority's oversight of parolees. HRS §353L-3(b)(3)
- 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. HRS §353L-3(b)(4)

Commission staff submitted a data and information request to the Department of Corrections and Rehabilitation (DCR), specifically pertaining to HRS §353H and the Comprehensive Offender Reentry Program. DCR leadership and the Reentry Office have been responding to this request, and Commission staff reviewed the responses as they are received. The Commission compiled and is now finalizing the HCSOC's first reentry report, outlining findings, highlighting best practices, and offering recommendations.

# SUMMARY

The 2024 Hawaii Correctional System Oversight Commission Annual Report highlights the critical strides made toward achieving a more rehabilitative and therapeutic correctional system. Through dedicated public meetings, comprehensive facility tours, and strategic collaborations, the Commission has amplified transparency and accountability while addressing systemic challenges across Hawaii's correctional facilities.

This year's achievements, including extensive recommendations for facility improvements, strategic priorities for population management, and a renewed focus on reentry programs, reflect the Commission's unwavering commitment to transformational change. However, challenges such as overcrowding, resource limitations, and systemic inefficiencies persist, requiring continued collective efforts from all stakeholders.

Looking ahead, the Commission is determined to deepen its engagement with justice partners and community organizations, ensuring that the pathways for meaningful reform are fully realized. With the momentum gained in 2024, the HCSOC reaffirms its commitment to fostering a humane and effective correctional system that prioritizes rehabilitation and reintegration, benefitting both individuals in custody and the broader community of Hawaii.

# APPENDIX

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  - DCR’s response to KCCC March 2024 Commission Tour Report
- Hawaii Community Correctional Center
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- Women’s Community Correctional Center
- Kulani Correctional Facility
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## 2024 Letters and News Releases from the Commission ..... 264

- Memo re: Oversight Coordinator’s Temporary Family Leave and Interim Oversight Coordinator Announcement
- Letter re: Oversight Coordinator Nominees for Appointment to Governor Green

- Letter re: Support to UHCDC on Breaking Cycles
- 2024-01 Media Release: Passing of Commissioner Ted Sakai
- 2024-02 Media Release: Commission Welcomes Honorable R. Mark Browning as Newest Commissioner
- 2024-03 Media Release: Christin M. Johnson Reappointed as Oversight Coordinator



# Hawaii Correctional System Oversight Commission

Monthly Oversight Coordinator Report – January 18 2023

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## Introduction

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 publicly posts 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.

## Death in Custody

On Thursday, January 4, 2024, a person in custody, male, 56 years old, was found unresponsive in his cell at the Hawaii Community Correctional Center (HCCC) around 12:50pm. Staff immediately called for backup and onsite nursing staff in addition to 911 Emergency Services. Staff utilized chest compressions, AED, and Narcan before the EMS transported the individual to the Hilo Medical Center. The individual was declared deceased around 1:34pm. This appeared to be a death caused due to a drug overdose, however, an autopsy is being completed which will confirm the cause of death. Additionally, investigations by the Hilo Police Department and both the Departments of Law Enforcement and Corrections and Rehabilitation are underway.

## Correctional Facility Tours

### *Waiawa Correctional Facility (WCF) Tour*

In accordance with the Commission's mandate to oversee the State's correctional system, on Thursday, December 21, 2023, directly following the HCSOC public meeting, the Commissioners and staff toured the Waiawa Correctional Facility (WCF). After the tour, the Commissioners compiled their notes encompassing their impressions and offered recommendations including:

- 1) Increase the Population at Waiawa as Waiawa is One of the Most Rehabilitative Facilities in Hawaii
- 2) Expand the Opportunity to be Housed at a Minimum-Security Facility to Those who are Medically Frail
- 3) Identify a Vessel to Donate Excess Produce to the Community

These recommendations will be discussed during the January 18, 2023, public meeting. The full WCF Site Visit Observation report can be found on the Commission's website at: <https://hcsoc.hawaii.gov/facility-specific-reports/>.



## **Tour of Going Home Hawaii Reentry Housing**

On Thursday, December 28, 2023, Commissioner Ron Ibarra, and Cara Compani, Reentry and Diversion Oversight Specialist toured Going Home Hawaii's reentry and recovery housing, services, and offices in Hilo and Kona on Hawai'i Island.

Going Home Hawai'i's (GHH) mission is to assist justice-involved men, women, and youth on Hawai'i Island with reintegration into community life through employment, education, housing, and appropriate services. GHH fulfills this mission by providing reentry and recovery housing with wraparound supportive services, including one-on-one care coordination, community-based volunteer mentors with similar lived experiences, programs in cultural and personal development, and support for justice-involved pregnant women who are struggling with or at risk for alcohol and illicit substance use.

Embracing the culture of E Ho'okanaka, persons of worth, GHH Hawai'i furthers the principle of equity and inclusion for all who are justice-involved through pathways of health, healing, and aloha.

GHH also works with stakeholders across the reentry continuum, including the judicial system, law enforcement, and organizations specializing in health, housing, employment, and education through its Hawai'i Island Going Home Consortium, Justice-Involved Homeless Intergovernmental Work Group, and Second Chance Summit.

GHH serves Hawai'i Island men and women who are justice-involved, both pre-and post-incarceration, and facing unstable housing or homelessness. When considering GHH's Reentry and Recovery Housing participants:

- 75% have a history of homelessness before incarceration;
- Many have mental and physical health issues, struggle with substance use disorders, and lack employment and access to reliable transportation;
- 22% are female; and
- 59% identify as Native Hawaiian or Part Hawaiian.

The Commission toured the GHH Kona Residence, a complex of two-bedroom apartments known as the Mahina Townhomes, including over 60 beds for reentry housing and permanent supportive housing. The Commission also toured three residences in Hilo serving as transitional housing for about 25 men and women.

GHH is seeking to expand permanent supportive housing on Hawai'i Island immediately, scale up community and crisis services, shift to health driven diversion programs, and increase deflection programs.

The Commission wishes to thank the entire GHH team—especially Les Estrella, CEO, and Desmon Haumea, Native Hawaiian Cultural Practitioner—and the GHH participants for the informative tour, opening their homes to the Commission, and the warm aloha. The Commission is impressed with the impactful and vital work of GHH and all of the services and support they offer to Hawai'i Island and Hawai'i overall.

## Release of 2023 Annual Report

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 Commission's 2023 Annual Report includes a full and complete statement of actions taken by the Commission for the preceding year and recommendations, including proposed legislation, that the Commission deems necessary or desirable. To briefly highlight some of the accomplishments in the past year, the Commission has:

- ✓ Hosted 16 public meetings, including monthly meetings, facility-specific follow-up meetings, and community talk stories,
- ✓ Posted 23 public reports, including monthly reports, facility-specific reports, and a year-in-review since gaining staff,
- ✓ Became the first entity in the state to report on deaths in custody and the only entity in the state to report on the date, time, location, demographics of the individual, and initial cause of death,
- ✓ Sent five public correspondence and posted one media release,
- ✓ Been cited in at least 33 media articles,
- ✓ Completed 35 facility visits and 7 specialty site visits with judges, legislators, prosecutors, or other stakeholders,
- ✓ Submitted over 50 recommendations to the Department of Public Safety for their consideration,
- ✓ Established a new focus and strategy towards reentry,
- ✓ Attended 6 state or national conferences,
- ✓ Developed and released two strategic plans,
- ✓ Set and followed through with over 35 legislative priorities, and
- ✓ Convened and led a statewide task force on sentencing reform.

## Corrections Staff Survey and Report

Consistent with the Commission's mandate to investigate complaints at correctional facilities, the HCSOC staff are focusing on an all-encompassing staff survey to better understand the corrections environment; enhance data collection capacities to promote transparency and accountability; and recommend evidence-based programs and policies to improve conditions for those working in our jails and prisons.

The survey being utilized was created under the Urban Institute's Prison Research and Innovation Initiative (PRII), supported by Arnold Ventures. The survey has been distributed in facilities throughout five states and was developed using participatory research methods, elevating the voices and perspectives of correctional staff. Vermont had a particularly successful survey launch with a response rate of 70% at the Southern State Correctional Facility. It is the Commission's goal to gather as much, if not more, participation.

The survey, available electronically or on paper, is anonymous and confidential. After collecting results, the Commission will hold talk stories with staff to create recommendations for improving health, safety, the work environment, and concerns most important to staff. For the paper surveys, Commission staff have distributed and collected paper surveys on the following dates:

- Wednesday, January 3 – OCCC
- Thursday, January 4 – WCF
- Friday, January 5 – OCCC
- Monday, January 8 – KCF
- Tuesday, January 9 – WCCC
- Wednesday, January 10 – MCCC
- Friday, January 12 – KCCC
- ~~Monday, January 15 – HCCC – TBD due to rescheduling.~~
- Tuesday, January 16 – HCF

The Commission is fortunate to have support for this project from the Department of Public Safety, the United Public Workers (UPW) Hawaii, the Hawaii Government Employees Association (HGEA), and the cooperation of facility leadership. Although this will be an independent project to distribute and gain perspectives from staff, the HCSOC looks forward to working closely with UPW, HGEA, the Department of Public Safety, facility leadership, and staff on solutions.

## House Concurrent Resolution 23 Task Force

### *Overview*

House Concurrent Resolution No. 23 ([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, is chairing this task force.

### *Upcoming Meetings 2024*

- ~~— January 11, 9am-12pm – Cancelled due to power outage.~~
- March 15, 9am-12pm
- June 6, 9am-12pm
- September 12, 9am-12pm

The Commission has dedicated a page on its website to the HCR23 Task Force: <https://hcsoc.hawaii.gov/hcr23-task-force/>. This webpage has information on the expectations of the task force, members, expected outcomes, partnerships, and meeting information. Meetings will be live streamed and can be viewed on the Commission's [Facebook](#) page or [YouTube](#) channel.

## Expenses for the Preceding Month – December

	Cost	Qty	Total	Notes
<b>Office Equipment and Supplies</b>			<b>\$0</b>	
Office Furniture			\$0	
General Office Supplies			\$0	
Staff and Commission Badges			\$0	
Staff and Commission Badge Holders			\$0	
Cell Phone			\$0	
Cell Phone Monthly Plan			\$0	
Wifi Hotspot			\$0	
Heroku Monthly Plan - Complaint Management			\$0	
Elastic Cloud Monthly Plan - Complaint Management			\$0	
<b>Inter-Island Correctional Facility Travel</b>			<b>\$0.00</b>	
Airfare			\$0	
Car Rental			\$0	
Daily Per Diem			\$0	
Lodging+Tax			\$0	
Ground Transportation			\$0	
Airport Parking			\$0	
<b>Mainland Correctional Facility Travel</b>			<b>\$0.00</b>	
Airfare			\$0	
Car Rental			\$0	
Daily Per Diem			\$0	
Lodging+Tax			\$0	
Ground Transportation			\$0	
Airport Parking			\$0	
<b>Memberships + Conferences</b>			<b>\$6,834.65</b>	
NACOLE (National Assoc. for Civilian Oversight of Law Enforcement)			\$0	
National Association of Sentencing Commissions			\$0	
Going Home Hawaii Reentry Summit			\$0	
Airfare	\$1,717	1.00	\$1,717	\$758+\$959
Car Rental			\$0	
Daily Per Diem	\$2,298	1.00	\$2,298	\$563+\$63+\$493+\$679
Lodging+Tax	\$2,189	1.00	\$2,189	\$583.23+\$583.23+\$245.20+\$777.64
Ground Transportation	\$525	1.00	\$525	\$49.75+\$46.25+\$293.88+\$135.47
Airport Parking			\$0	
Baggage Fee	\$105	1.00	\$105	\$70+\$35
<b>TOTAL</b>			<b>\$6,835</b>	

\* Expenses reflect posted transactions

## General Office Information

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

Website: <https://hcsoc.hawaii.gov>

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

Email: [hcsoc@hawaii.gov](mailto:hcsoc@hawaii.gov)

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

## Monthly Meetings

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting held on January 18, 2024. The next monthly meeting is scheduled to occur on February 15, 2024, at the Leiopapa A Kamehameha Building aka State Office Tower, 235 S Beretania Street, Room 204, Honolulu, Hawai'i 96813 and online via Zoom. More information can be found on the Commission's webpage here: <https://hcsoc.hawaii.gov/information/>.





# Hawaii Correctional System Oversight Commission

Monthly Oversight Coordinator Report – February 15 2024

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## Introduction

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 publicly posts 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.

## Death in Custody

There have been no deaths in custody since the last Oversight Coordinator report (January 18, 2024).

## Legislative Updates

On January 24, 2024, Senate Bill 3283 was introduced with the sole purpose of lowering the Oversight Coordinator's salary. Specifically, the bill "lowers the salary of the Hawai'i Correctional System Oversight Coordinator to be 100% of the salary of the Deputy Director of Human Resources Development, rather than 100% of the salary of the Director of Human Resources Development, effective 12/1/2024."

The bill was assigned to two legislative committees – the Senate Committee on Public Safety and Intergovernmental and Military Affairs and the Senate Committee on Ways and Means. The first hearing for the bill was held on February 9, 2024, in front of the Senate Committee on Public Safety and Intergovernmental Affairs at 3:01pm. The hearing can be viewed here: <https://www.youtube.com/watch?v=flbtMiQM7zg> and it begins at 26:07.

The Senate Committee received 52 submissions of written testimony from various individuals and organizations in addition to 12 individuals speaking in person, all **opposing** the bill. Due to the unwavering support shown to the Commission and the Oversight Coordinator, the Senate Committee on Public Safety and Intergovernmental and Military Affairs deferred the bill indefinitely.

The Commission is thrilled with the results from the hearing, and wishes to send a massive mahalo to those who submitted written testimony or testified in person/zoom to support the Oversight Coordinator. *Senate Bill 3283 and the Commission's testimony are included in the following pages and the written submissions of testimony are attached.*



JAN 24 2024

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## A BILL FOR AN ACT

RELATING TO THE HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Section 353L-2, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3 "(b) Effective December 1, [~~2019~~] 2024, the oversight  
4 coordinator of the commission shall be paid a salary set at  
5 one hundred per cent of the salary of the deputy director of  
6 human resources development. The oversight coordinator shall be  
7 exempt from chapters 76 and 89, but shall be a member of the  
8 state employees' retirement system and shall be eligible to  
9 receive benefits of any state employee benefits program  
10 generally applicable to officers and employees of the State,  
11 including those under chapter 87A."

12 SECTION 2. This Act does not affect rights and duties that  
13 matured, penalties that were incurred, and proceedings that were  
14 begun before its effective date.

15 SECTION 3. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

Page 2

S.B. NO. 3283

1 SECTION 4. This Act shall take effect on July 1, 2024.

2

INTRODUCED BY: 

The Commission submitted written testimony staunchly opposing the bill:

JOSH GREEN, M.D.  
GOVERNOR



MARK PATTERSON  
CHAIR

CHRISTIN M. JOHNSON  
OVERSIGHT COORDINATOR

COMMISSIONERS  
HON. MICHAEL A. TOWN  
(ret.)  
HON. RONALD IBARRA  
(ret.)  
MARTHA TORNEY

STATE OF HAWAII  
HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION  
E HUIKALA A MA'EMA'E NŌ  
235 S. Beretania Street, 16-Floor  
HONOLULU, HAWAII 96813  
(808) 587-4160

TO: The Honorable Glenn Wakai, Chair  
The Honorable Brandon J.C. Elefante, Vice Chair  
Senate Committee on Public Safety and Intergovernmental and Military Affairs

FROM: Mark Patterson, Chair  
Hawaii Correctional System Oversight Commission

SUBJECT: Senate Bill 3283, Relating to the Hawaii Correctional System Oversight Commission  
Hearing: Friday, February 9, 2024; 3:01 p.m.  
State Capitol, Room 225

Chair Wakai, Vice Chair Elefante, and Members of the Committee:

The Hawaii Correctional System Oversight Commission (HCSOC, the Commission) **staunchly opposes** Senate Bill 3283 relating to the Hawaii Correctional Oversight Commission and the bill's sole purpose of lowering the Oversight Coordinator salary.

In 2019, the Hawaii legislature found that, "independent oversight of the State's correctional system ensures transparency, supports safe conditions for employees, inmates, and detainees, and provides positive reform towards a rehabilitative and therapeutic correctional system." Therefore, Act 179 of 2019 was passed and Chapter 353L of the Hawaii Revised Statute was created. Unfortunately, since that time, the Commission has been forced to work through numerous barriers including waiting years to have designated funding released to hire staff, attempting to successfully retain funding for the office and staff, and now retaining the salary for the Oversight Coordinator, who is statutorily required to administer the Hawaii Correctional System Oversight Commission.

HRS 353L-2 (b) specifies that, "the Oversight Coordinator of the Commission shall be paid a salary set at one hundred percent of the salary of the Director of Human Resources Development." This legislation is intentional to ensure that the Oversight Coordinator is not only treated with the dignity and respect of a cabinet-level-position, but also to ensure a candidate of sufficient experience and subject matter expertise holds the position. It is important to note that the Oversight Coordinator, similar to all Cabinet positions, is appointed by the Governor.

Therefore, for the following reasons, the Commission urges the Senate Committee on Public Safety and Intergovernmental and Military Affairs to vote NO on Senate Bill 3283:

- 1) The salary designation and the requirement of gubernatorial appointment outlined in HRS 353L-2 for the Oversight Coordinator reflects a deliberate effort by the State to underscore the gravity of

Senate Bill 3283  
Senate Committee on Public Safety and Intergovernmental and Military Affairs  
February 9, 2024  
Page 2

the position, positioning it on par with that of a Director. This measure is crucial to maintaining the Oversight Coordinator's independence, particularly in their distinct role outside the Governor's cabinet, thereby preserving the integrity of oversight mechanisms. This is consistent with the precedent set by the State in its treatment of the only other independent investigative entity, the Office of the Ombudsman. In accordance with HRS 96-2, the Ombudsman receives compensation equivalent to that of a Director which "shall not be diminished during the Ombudsman's term of office, unless by general law applying to all salaried officers of the State."

- 2) Maintaining the current salary as stipulated in HRS 353L-2 is vital for both recruitment and retention purposes. With over 20 states nationwide having correctional oversight offices, it is crucial to note that the Oversight Coordinator's salary is well within reason compared to oversight agencies in comparable jurisdictions,<sup>1</sup> especially when considering that the HCSOC has one of the broadest correctional oversight mandates in the country. Furthermore, according to HRS 353L-2, the Oversight Coordinator is mandated to possess extensive qualifications, including expertise in criminal justice reform and a steadfast dedication to transitioning the correctional system towards a rehabilitative and therapeutic model. Such specialized knowledge demands commensurate compensation.
- 3) When evaluating the state of corrections and the allocation of funds towards correctional, reentry, and rehabilitative initiatives in Hawaii, the Oversight Coordinator role stands as a pivotal investment for driving systemic transformation. Any reduction in salary undermines the critical nature of this role and the impact it can have on fostering positive change. Additionally, the Oversight Coordinator plays a crucial role in ensuring accountability and transparency within correctional systems, directly contributing to the protection of human rights and dignity for incarcerated individuals and staff. Maintaining adequate compensation for the Oversight Coordinator is paramount to safeguarding the integrity and effectiveness of correctional oversight mechanisms, thereby upholding public trust and confidence in the justice system.
- 4) Given the pivotal role the Oversight Coordinator has in ensuring compliance with state regulations and preventing the imposition of costly federal intervention, such as consent decrees mandating the allocation of millions of dollars for a federal monitor, any reduction in compensation could severely compromise the state's ability to maintain accountability within its correctional system. This position, as stated above, requires one with oversight expertise and an independent eye separate from the Department. The consequences of lowering the Oversight Coordinator's salary extend beyond mere budgetary concerns, risking the integrity of oversight mechanisms vital to safeguarding the rights and well-being of incarcerated individuals, staff members who work in the facilities, and the broader community.

The gravity of the Oversight Coordinator position cannot be overstated given the statutory powers and duties of the Oversight Coordinator, the current state of Hawaii's correctional system, the desperate need for systemic change pushed by an independent entity, and the importance of recruitment and retention for such an important position.

Thank you for the opportunity to testify.

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<sup>1</sup> US oversight director salaries range from \$179,000 to \$430,000. Examples available upon request.



## Corrections Staff Survey and Report

Consistent with the Commission's mandate to investigate complaints at correctional facilities, the HCSOC staff are focusing on an all-encompassing staff survey to better understand the corrections environment; enhance data collection capacities to promote transparency and accountability; and recommend evidence-based programs and policies to improve conditions for those working in our jails and prisons.

The survey being utilized was created under the Urban Institute's Prison Research and Innovation Initiative (PRII), supported by Arnold Ventures. The survey has been distributed in facilities throughout five states and was developed using participatory research methods, elevating the voices and perspectives of correctional staff. Vermont had a particularly successful survey launch with a response rate of 70% at the Southern State Correctional Facility. It is the Commission's goal to gather as much, if not more, participation.

The survey, available electronically or on paper, is anonymous and confidential. Now that all surveys have been completed and collected, the Commission is scheduling talk stories with each facility to create recommendations for improving health, safety, the work environment, and concerns most important to staff. For the paper surveys, Commission staff successfully distributed and collected paper surveys on the following dates:

- Wednesday, January 3 – OCCC
- Thursday, January 4 – WCF
- Friday, January 5 – OCCC & WCF
- Monday, January 8 – KCF
- Tuesday, January 9 – WCCC
- Wednesday, January 10 – MCCC
- Friday, January 12 – KCCC
- Tuesday, January 16 – HCF
- Tuesday, January 23 – OCCC
- Thursday, January 25 – HCCC
- Thursday, January 25 – HCCC & KCF
- Friday, January 26 – HCCC
- Monday, January 29 – WCCC
- Tuesday, January 30 – KCCC
- Wednesday, January 31 – MCCC
- Thursday, February 1 – HCF
- Friday, February 1 – HCF

The Commission is fortunate to have support for this project from the Department of Corrections and Rehabilitation, the United Public Workers (UPW) Hawaii, the Hawaii Government Employees Association (HGEA), and the cooperation of facility leadership. Although this will be an independent project to distribute and gain perspectives from staff,

the HCSOC looks forward to working closely with UPW, HGEA, the Department of Public Safety, facility leadership, and staff on solutions.

## House Concurrent Resolution 23 Task Force

### *Overview*

House Concurrent Resolution No. 23 ([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, is chairing this task force.

### *Upcoming Meetings 2024*

- March 15, 9am-12pm
- June 6, 9am-12pm
- September 12, 9am-12pm

The Commission has dedicated a page on its website to the HCR23 Task Force: <https://hcsoc.hawaii.gov/hcr23-task-force/>. This webpage has information on the expectations of the task force, members, expected outcomes, partnerships, and meeting information. Meetings will be live streamed and can be viewed on the Commission's [Facebook](#) page or [YouTube](#) channel.

## Expenses for the Preceding Month – January

	Cost	Qty	Total	Notes
<b>Office Equipment and Supplies</b>			<b>\$256</b>	
Office Furniture			\$0	
General Office Supplies			\$0	
Staff and Commission Badges			\$0	
Staff and Commission Badge Holders			\$0	
Cell Phone			\$0	
Cell Phone Monthly Plan	\$173	1.00	\$173	
Wifi Hotspot			\$0	
Heroku Monthly Plan - Complaint Management	\$65	1.00	\$65	
Elastic Cloud Monthly Plan - Complaint Management	\$18	1.00	\$18	
Other Current Expenditures	\$220	1.00	\$220	
<b>Inter-Island Correctional Facility Travel</b>			<b>\$1,530.90</b>	
Airfare	\$1,300	1.00	\$1,300	
Car Rental	\$123	1.00	\$123	
Daily Per Diem	\$20	3.00	\$60	
Lodging+Tax			\$0	
Ground Transportation			\$0	
Airport Parking	\$24	2.00	\$48	
<b>Mainland Correctional Facility Travel</b>			<b>\$0.00</b>	
Airfare			\$0	
Car Rental			\$0	
Daily Per Diem			\$0	
Lodging+Tax			\$0	
Ground Transportation			\$0	
Airport Parking			\$0	
<b>Memberships + Conferences</b>			<b>\$220.00</b>	
NACOLE (National Assoc. for Civilian Oversight of Law Enforcement)			\$0	
National Association of Sentencing Commissions			\$0	
NACOLE Virtual Training	\$110	2.00	\$220	12/5 & 12/6
Going Home Hawaii Reentry Summit			\$0	
Airfare			\$0	
Car Rental			\$0	
Daily Per Diem			\$0	
Lodging+Tax			\$0	
Ground Transportation			\$0	
Airport Parking			\$0	
Baggage Fee			\$0	
<b>TOTAL</b>			<b>\$2,006</b>	

\* Expenses reflect posted transactions

## General Office Information

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

Website: <https://hcsoc.hawaii.gov>

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

Email: [hcsoc@hawaii.gov](mailto:hcsoc@hawaii.gov)

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

## Monthly Meetings

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting held on February 15, 2024. The next monthly meeting is scheduled to occur on March 21, 2024, at the Kaua'i Community College, 3-1901 Kaunuali'i Hwy, Room TBD, Lihue, Hawai'i 96766 and online via Zoom. More information can be found on the Commission's webpage here: <https://hcsoc.hawaii.gov/information/>.

JON N. IKENAGA  
STATE PUBLIC DEFENDER

**DEFENDER COUNCIL**  
1130 NORTH NIMITZ HIGHWAY  
SUITE A-254  
HONOLULU, HAWAII 96817

**HONOLULU OFFICE**  
1130 NORTH NIMITZ HIGHWAY  
SUITE A-254  
HONOLULU, HAWAII 96817

**APPELLATE DIVISION**  
TEL. NO. (808) 586-2080

**DISTRICT COURT DIVISION**  
TEL. NO. (808) 586-2100

**FAMILY COURT DIVISION**  
TEL. NO. (808) 586-2300

**FELONY DIVISION**  
TEL. NO. (808) 586-2200

**FACSIMILE**  
(808) 586-2222



HAYLEY Y.C. CHENG  
ASSISTANT PUBLIC DEFENDER

**HILO OFFICE**  
275 PONAHAHAWAI STREET  
SUITE 201  
HILO, HAWAII 96720  
TEL. NO. (808) 974-4571  
FAX NO. (808) 974-4574

**KONA OFFICE**  
75-1000 HENRY STREET  
SUITE #209  
KAILUA-KONA HI 96740  
TEL. NO. (808) 327-4650  
FAX NO. (808) 327-4651

**KAUA'I OFFICE**  
3060 EIIWA STREET  
SUITE 206  
LIHUE, HAWAII 96766  
TEL. NO. (808) 241-7128  
FAX NO. (808) 274-3422

**MAU'I OFFICE**  
81 N. MARKET STREET  
WAILUKU, HAWAII 96793  
TEL. NO. (808) 984-5018  
FAX NO. (808) 984-5022

**STATE OF HAWAII**  
**OFFICE OF THE PUBLIC DEFENDER**

February 8, 2024

**S.B. 3283: RELATING TO THE HAWAII CORRECTIONAL SYSTEM  
OVERSIGHT COMMISSION**

Chair Wakai, Vice-Chair Elefante, and Members of the Committee:

The Office of the Public Defender strongly OPPOSES S.B. 3283:

The Hawaii Correctional System Oversight Commission (HCSOC), under the direction of Oversight Coordinator Christin Johnston, has filled a critical void in our state's correctional system. There have been decades-long concerns regarding the conditions of Hawaii's correctional facilities and the treatment of incarcerated individuals. Ms. Johnson has been invaluable in exposing these issues and has tirelessly advocated for meaningful change.

The statutorily articulated duties of the HCSOC are exhaustive, including but not limited to: overseeing the State's correctional system, investigating complaints, facilitating a transition to a rehabilitative and therapeutic model, establishing inmate population limits to avoid overcrowding, and working with the Department of Corrections and Rehabilitation to review and monitor offender reentry programs.

The importance of Ms. Johnson's work cannot be overstated. In addition to her HCSOC duties, Ms. Johnson has been vital in providing insight on the current state of our correctional system. She has facilitated tours of correctional facilities



for public defenders, prosecutors, judges and other community stakeholders. She has made herself available to other agencies, committees, and working groups who have requested information and education on critical correctional issues. Ms. Johnson's work extends far beyond her required job duties, and she has established herself as an irreplaceable community resource.

A qualified Oversight Coordinator is necessary to continue this invaluable work. Ms. Johnson's qualifications and experience are not only impressive, but vital to the successful functioning of the HCSOC. Efforts to reduce her salary, without explanation, undermines the mission of the HCSOC and sends a damaging message to our community that correctional oversight can be compromised.

Thank you for the opportunity to comment on this measure.



**STATE OF HAWAII**  
**HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**  
**E HUIKALA A MA'EMA'E NŌ**  
235 S. Beretania Street, 16<sup>th</sup> Floor  
HONOLULU, HAWAII 96813  
(808) 587-4160

TO: The Honorable Glenn Wakai, Chair  
The Honorable Brandon J.C. Elefante, Vice Chair  
Senate Committee on Public Safety and Intergovernmental and Military Affairs

FROM: Mark Patterson, Chair  
Hawaii Correctional System Oversight Commission

SUBJECT: Senate Bill 3283, Relating to the Hawaii Correctional System Oversight Commission  
Hearing: Friday, February 9, 2024; 3:01 p.m.  
State Capitol, Room 225

Chair Wakai, Vice Chair Elefante, and Members of the Committee:

The Hawaii Correctional System Oversight Commission (HCSOC, the Commission) **staunchly opposes** Senate Bill 3283 relating to the Hawaii Correctional Oversight Commission and the bill's sole purpose of lowering the Oversight Coordinator salary.

In 2019, the Hawaii legislature found that, "independent oversight of the State's correctional system ensures transparency, supports safe conditions for employees, inmates, and detainees, and provides positive reform towards a rehabilitative and therapeutic correctional system." Therefore, Act 179 of 2019 was passed and Chapter 353L of the Hawaii Revised Statute was created. Unfortunately, since that time, the Commission has been forced to work through numerous barriers including waiting years to have designated funding released to hire staff, attempting to successfully retain funding for the office and staff, and now retaining the salary for the Oversight Coordinator, who is statutorily required to administer the Hawaii Correctional System Oversight Commission.

HRS 353L-2 (b) specifies that, "the Oversight Coordinator of the Commission shall be paid a salary set at one hundred percent of the salary of the Director of Human Resources Development." This legislation is intentional to ensure that the Oversight Coordinator is not only treated with the dignity and respect of a cabinet-level-position, but also to ensure a candidate of sufficient experience and subject matter expertise holds the position. It is important to note that the Oversight Coordinator, similar to all Cabinet positions, is appointed by the Governor.

Therefore, for the following reasons, the Commission urges the Senate Committee on Public Safety and Intergovernmental and Military Affairs to vote NO on Senate Bill 3283:

- 1) The salary designation and the requirement of gubernatorial appointment outlined in HRS 353L-2 for the Oversight Coordinator reflects a deliberate effort by the State to underscore the gravity of

the position, positioning it on par with that of a Director. This measure is crucial to maintaining the Oversight Coordinator's independence, particularly in their distinct role outside the Governor's cabinet, thereby preserving the integrity of oversight mechanisms. This is consistent with the precedent set by the State in its treatment of the only other independent investigative entity, the Office of the Ombudsman. In accordance with HRS 96-2, the Ombudsman receives compensation equivalent to that of a Director which "shall not be diminished during the Ombudsman's term of office, unless by general law applying to all salaried officers of the State."

- 2) Maintaining the current salary as stipulated in HRS 353L-2 is vital for both recruitment and retention purposes. With over 20 states nationwide having correctional oversight offices, it is crucial to note that the Oversight Coordinator's salary is well within reason compared to oversight agencies in comparable jurisdictions,<sup>1</sup> especially when considering that the HCSOC has one of the broadest correctional oversight mandates in the country. Furthermore, according to HRS 353L-2, the Oversight Coordinator is mandated to possess extensive qualifications, including expertise in criminal justice reform and a steadfast dedication to transitioning the correctional system towards a rehabilitative and therapeutic model. Such specialized knowledge demands commensurate compensation.
- 3) When evaluating the state of corrections and the allocation of funds towards correctional, reentry, and rehabilitative initiatives in Hawaii, the Oversight Coordinator role stands as a pivotal investment for driving systemic transformation. Any reduction in salary undermines the critical nature of this role and the impact it can have on fostering positive change. Additionally, the Oversight Coordinator plays a crucial role in ensuring accountability and transparency within correctional systems, directly contributing to the protection of human rights and dignity for incarcerated individuals and staff. Maintaining adequate compensation for the Oversight Coordinator is paramount to safeguarding the integrity and effectiveness of correctional oversight mechanisms, thereby upholding public trust and confidence in the justice system.
- 4) Given the pivotal role the Oversight Coordinator has in ensuring compliance with state regulations and preventing the imposition of costly federal intervention, such as consent decrees mandating the allocation of millions of dollars for a federal monitor, any reduction in compensation could severely compromise the state's ability to maintain accountability within its correctional system. This position, as stated above, requires one with oversight expertise and an independent eye separate from the Department. The consequences of lowering the Oversight Coordinator's salary extend beyond mere budgetary concerns, risking the integrity of oversight mechanisms vital to safeguarding the rights and well-being of incarcerated individuals, staff members who work in the facilities, and the broader community.

The gravity of the Oversight Coordinator position cannot be overstated given the statutory powers and duties of the Oversight Coordinator, the current state of Hawaii's correctional system, the desperate need for systemic change pushed by an independent entity, and the importance of recruitment and retention for such an important position.

Thank you for the opportunity to testify.

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<sup>1</sup> US oversight director salaries range from \$179,000 to \$430,000. Examples available upon request.

**Rebecca V. Like**  
Prosecuting Attorney



**Keola Siu**  
First Deputy  
Prosecuting Attorney

**OFFICE OF THE PROSECUTING ATTORNEY**

**County of Kaua'i, State of Hawai'i**

3990 Ka'ana Street, Suite 210, Līhu'e, Hawai'i 96766  
808-241-1888 ~ FAX 808-241-1758  
Victim/Witness Program 808-241-1898 or 800-668-5734

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The Honorable Glenn Wakai, Chair  
Senate Committee on Public Safety and Intergovernmental Affairs  
Thirty-third State Legislature  
Regular session of 2024  
State of Hawai'i  
February 7, 2024

**RE: SB 3283 Relating to the Hawaii Correctional System Oversight  
Commission**

Dear Chair Wakai:

Our Office vehemently opposes this bill and respectfully requests that there be light shed on the motivation behind this unusual legislative request.

My first contact with the Hawaii Correctional System Oversight Commission was through my appointment to the Women's Correctional Implementation Commission. This Commission was mandated by House Bill 2312 and became law upon the Governor's signature of Act 244 in July of 2022. The WCIC met with the Director of the HCSOC prior to our in person visit to the Women's Prison on Oahu. Her insight into conditions within the facility for both those incarcerated and those working there was invaluable.

Following that meeting, I personally reached out to Christin Johnson when I scheduled a trip for our Deputy Prosecutors and staff to our local jail, the Kauai Community Correctional Center. Again, Ms. Johnson's insight was invaluable. She was able to point out things to pay attention to, both assets and liabilities within the correctional center.

I had the opportunity to speak at the Breaking Cycles Symposium hosted by the Hawaii Community Design Center at her invitation. I spoke on a panel about diversion and deflection programs in our Office on Kauai.

Most recently, our Office secured a \$1 million federal grant through the Bureau of Justice Administration through the Second Chance Act Pay for Success. This grant will fund a 5-year program to do re-entry work. Specifically, individuals getting released from incarceration will be paired with a case worker to assist them in accessing resources. Again, Ms. Johnson was an integral part of the planning and strategizing to make this project a success.

The work of the HCSOC is vitally important to public safety in the State of Hawaii. This Commission was created by the Legislature to be independent. The Coordinator's salary, specified in Hawaii Revised Statutes 353L-2, at its current level assures that the Coordinator is qualified. Hawaii is not the first state to implement an oversight commission. Throughout the continent, more than twenty states have similar commissions. The salary of the HCSOC coordinator is on par with the salary of those analogous agencies. Further, the Hawaii Revised Statutes states in Section 353L-2, the Oversight Coordinator shall, "be a person qualified by training and experience to administer the Hawaii Correctional System Oversight Commission and shall be well-versed in criminal justice reform and maintain a firm commitment to the correctional system's transition to a rehabilitative and therapeutic model." This level of subject matter expertise requires an appropriate salary.

Yesterday, on February 6, 2024, I watched testimony about the difficulty the State of Hawaii is having in hiring. Our Office also struggles with finding and retaining qualified staff due to the high cost of living in Hawaii.

Why would the legislature support cutting the salary of the Director of a commission they created in half? Are there any other bills this session reducing salaries? What is the motivation behind this bill?

The work of the Oversight Coordinator has been critical to our Office accomplishing our goals of advocating for public safety using evidence-based models. Further, the Coordinator has been instrumental in helping our Office navigate connections between State agencies and community-based organizations to reduce recidivism for individuals being released from incarceration. The value the coordinator brings is much more than her current salary. For these reasons, the County of Kauai Office of the Prosecuting Attorney strongly OPPOSES SB 3283. Please do not pass this measure.

Thank you very much for the opportunity to testify.

/s/Rebecca Like



COMMITTEE ON SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS  
Hearing February 9, 2024 • 3:01 PM • Conference Room 225

**RE: S.B. No. 3283: RELATING TO THE HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**

Dear Chair Wakai, Vice Chair Elefante, and Members of the Committee:

Mahalo for your work. Hawai'i Friends of Restorative Justice (HFRJ) is strongly opposed to this measure. HFRJ is a 40+ year old non-profit dedicated to improving our justice system. We have worked with people harmed by serious crime and injustice, with people who've caused harm, with the judiciary, other government agencies, non-profits, individuals, families, and communities. Numerous [peer reviewed articles about our work](#) have been published. We are frequently contacted by others nationally and internationally for assistance with evidence based reentry programs and policies.

This bill would harm the potential for more positive changes that the director of the Correctional Oversight Commission has advanced in making public and offering solutions to serious problems with Hawai'i's jails and prisons. We need this position to remain a cabinet level, and not deputy director, position. A high level of expertise and knowledge is required to improve our decades old crumbling corrections system. Additionally, Hawai'i suffers from government corruption as evidenced by the number of people in federal prison today from various governmental levels. [Higher paid government employees](#) can help reduce government corruption. The corrections department has a budget close to \$300 million a year, yet most of our prisons and jails, which house about 4000 people, are in disarray, and they are harmful for staff, the incarcerated and our community. Hawai'i corrections department needs the best caliber of oversight possible. Please vote to kill this bill and continue the good work of the coordinator of the Correctional Oversight Commission.

Mahalo for your public service. Please contact me at (808) 218-3712 and [lorenn@hawaiifriends.org](mailto:lorenn@hawaiifriends.org) for any questions about our testimony and our work.

Aloha, Lorenn Walker, JD, MPH  
Director, HFRJ

**Board of Directors:**

Leela B. Goldstein, PhD, Chair • Ian Crabbe, Vice Chair • Madonna Castro Perez, JD, Secretary • Roger Epstein, Esq, Treasurer

Rich Turbin, Esq. • Thomas Haia, Esq. • Joelle Kane, Esq.

P.O. Box 3654 • Honolulu • Hawai'i • 96811

[www.hawaiifriends.org](http://www.hawaiifriends.org)

**SB-3283**

Submitted on: 2/7/2024 2:23:48 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marshall Baji, Jr.	Testifying for Ohana Ho'opakele	Oppose	Written Testimony Only

Comments:

Aloha, Senators Wakai, Elefante, Fukunaga, Rhoads and Awa.

My name is Marshall Baji, Jr.

I speak clearly in opposition to SB3283.

This bill attempts to cut the salary of the Oversight Coordinator.

I am a member of Ohana Ho'opakele. The first ever Oversight Coordinator for the Hawaii Correctional System Oversight Commission, Christin M. Johnson, gladly accepted our invitation to have lunch together in Hilo. We were favorably impressed with her. Since then, we have attended in person and by Zoom the hearings of the Oversight Commission and our respect for her has grown. She is competent and works extremely hard. She is well deserving of her current salary and much more. Please do not cut her pay. She definitely has the work ethics and drive to accomplish the goals of her position. Again, please do not cut her current salary.

Mahalo for the opportunity to testify in opposition of SB3283.

**SB-3283**

Submitted on: 2/7/2024 5:05:06 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Steven Costa	Testifying for Episcopal Diocese of Hawaii	Oppose	Written Testimony Only

Comments:

Please oppose this measure



**SB-3283**

Submitted on: 2/7/2024 9:30:19 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tadia Rice	Testifying for Tahirih Association	Oppose	Written Testimony Only

Comments:

Aloha Members of the Hawai'i State Legislature,

The Oversight Coordinator's salary, specified in HRS 353L-2, was written to ensure that the Oversight Coordinator's position is taken seriously, and at the same level of a Director, without the Oversight Coordinator losing independence by being in the Governor's cabinet as a Director.

The current salary listed in HRS 353-2 is vital important to keep as is, especially for recruitment and retention purposes. Over 20 states across the country have correctional oversight, and the Commission has found that the Oversight Coordinator's salary is in alignment with other oversight agencies. Additionally, per HRS 353L-2, the Oversight Coordinator shall, "be a person qualified by training and experience to administer the Hawaii Correctional System Oversight Commission and shall be well-versed in criminal justice reform and maintain a firm commitment to the correctional system's transition to a rehabilitative and therapeutic model." This level of subject matter expertise requires an appropriate salary.

The Oversight Coordinator position is an important investment for systemic change, especially considering the state of corrections and the funding for corrections, reentry, and rehabilitative efforts. Lowering the salary diminishes the importance of their work, therefore for these reasons **I STRONGLY OPPOSE SB3283.**

# COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/E-Mail: [\(808\) 927-1214](tel:(808)927-1214) / [kat.caphi@gmail.com](mailto:kat.caphi@gmail.com)



## COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS

Senator Glenn Wakai, Chair

Senator Brandon Elefante, Vice Chair

Friday, February 9, 2024

Room 225

3:01 PM

### **STRONG OPPOSITION TO SB 3283 - HCSOC COORDINATOR SALARY**

Aloha Chair Wakai, Vice Chair Elefante and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai`i for more than two decades. This testimony is respectfully offered on behalf of the 3,844 Hawai`i individuals living behind bars<sup>1</sup> and under the “care and custody” of the Department of Corrections and Rehabilitation on January 29, 2024. We are always mindful that 857 - 25% of the male imprisoned population - are serving their sentences abroad -- thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

Community Alliance on Prisons is in **STRONG OPPOSITION to SB 3283**. We have never seen such a mean-spirited measure attacking a member of the Executive Branch or anyone else, for that matter, in all our years at the legislature. This is puzzling and disappointing, especially at a time when the state is wrestling with so many vacant positions.

A 2022 article<sup>2</sup> from the Brennan Center notes the importance of oversight in closed facilities:

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<sup>1</sup> **DPS/DCR Weekly Population Report**, January 29, 2024.

<https://dcr.hawaii.gov/wp-content/uploads/2024/01/Pop-Reports-Weekly-2024-01-29.pdf>

<sup>2</sup> **The Landscape of Recent State and County Correctional Oversight Efforts**, by Lauren-Brooke Eisen and Alia Nahra, March 15, 2022.

<https://www.brennancenter.org/our-work/research-reports/landscape-recent-state-and-county-correctional-oversight-efforts>

<sup>3</sup> **82% of Americans support prison oversight, according to first-ever national poll**, Families Against Mandatory Minimums, August 16, 2022.

<https://famm.org/82-of-americans-support-prison-oversight-according-to-first-ever-national-poll/>

*...Correctional institutions — prisons and jails — are considered closed facilities. Few visitors gain access to these institutions, even though they house people for months, years, decades, and, sometimes, entire lifetimes. As Justice Kennedy wrote in his 2015 concurrence to the Court’s opinion in **Davis v. Ayala**, “Prisoners are shut away—out of sight, out of mind,” while their conditions of confinement are “too easily ignored” by the public and the legal academy.*

*These institutions are also coercive environments with marked power differentials between corrections staff and incarcerated people that make facilities ripe for abuse. Because jails and prisons exert total authority over individuals’ bodies and liberty, transparency and accountability are necessary to ensure that facilities uphold their duty of care to respect the dignity of people who are imprisoned and ensure that prisons are safe and secure.*

***One way to achieve the goals of transparency and accountability, while ensuring safe and humane conditions of confinement, is a formal and independent system of oversight of jail and prison operations. As the Brennan Center has noted before, although the U.S. has more people behind bars than any other country on the planet, “it lacks a cohesive or integrated system of oversight for its vast network of prisons and jails.” ...***

As Hawai`i transitions from a punitive correctional system to a rehabilitative and therapeutic model, our aim should always be focused on best practices. Correctional oversight is considered a national best practice and essential in preventing abuse, neglect, and unconstitutional treatment of individuals in custody. It also helps identify and share best practices and provides accurate, unbiased information to government leaders for policymaking and funding decisions. This information is crucial to lawmakers to help inform their decisionmaking for the development of better social and public policies.

**At least 20 states have correctional oversight offices. They are: Arizona, California, Connecticut, District of Columbia, Florida, Hawai`i, Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, New Jersey, New York, Ohio, Oregon, Pennsylvania, Vermont, Virginia, Washington.<sup>3</sup>**

The first-ever national poll shows that 82% of Americans support prison oversight.<sup>3</sup> In addition to showing widespread support for independent oversight, the FAMM poll revealed:

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<sup>4</sup> NATIONAL SURVEY (July 29 – August 3, 20220), Public Opinion Strategies, Robert Blizzard, Partner. <https://famm.org/wp-content/uploads/FAMM-National-Survey-Key-Findings.pdf>

- 73% of respondents believe that prisons should be inspected by professionals who are independent of the prison system they are inspecting.
- 68% said they do not trust government agencies to investigate their own problems and honestly report on them to lawmakers and the public.
- **Respondents overwhelmingly believe that it is very important for independent oversight bodies to be fully staffed (91%), have authority to investigate complaints from prison staff and prisoners (91%), and have full access to the prison system's facilities and documents (90%).**

Families Against Mandatory Minimums (FAMM) released this National Survey<sup>4</sup> (23 pages) and it is attached for your information.

Jails and prisons are closed environments and their problems have been long hidden behind those walls. Sadly, these institutions continue to be the dark and expensive secret for which the community pays – in many ways other than economically.. Oversight is crucial to identify problems in these institutions *before* they turn into crisis situations. For example, when the Coordinator was in HCCC, she saw that people were locked in their cells with padlocks! If there were a fire or other need to evacuate the jail, this could have been a huge tragedy. This is the value that the Coordinator brings to Hawai`i. Ms. Johnson has already saved lives that could have been lost.

Community Alliance on Prisons has worked on justice issues for decades and we can assert that the Hawai`i Correctional System Oversight Commission is the first entity that has invited the community to raise the concerns we all bring about our friends and family in custody. Hawai`i has been lucky to attract someone of Ms. Johnson's caliber to help transition a very broken correctional system to one that focuses on rehabilitation and reentry.

Since her arrival less than 20 months ago, Ms. Johnson has done so much to bring resources to Hawai`i through her connections and her ability to find people who care as deeply as she does about this work. She loves Hawai`i and wants to help in any and every way in creating a more rehabilitative and restorative system in Hawai`i that practices the values of our host culture: Aloha, Ha`aha`a, Ho`omau, `Ike Pono, Kokua, and Kuleana.

One only has to look at the Hawai`i Correctional System Oversight Commission website <https://hcsoc.hawaii.gov/> to see the volume of work that has been added since the Coordinator was hired in July 2022.

The disinformation being promoted by some is rather ironic against this entity that is a model for transparency and accountability. The Coordinator's salary is set in statute because the legislature voted for the bill setting it in HRS 353L-2. This was written as such to ensure that the Oversight Coordinator's position is taken seriously at the same level of a

Director without the Oversight Coordinator losing independence by being in the Governor's cabinet as a Director.

Lastly, Community Alliance on Prisons has looked at the salaries of Oversight Coordinators in the Los Angeles Office of the Inspector General, Los Angeles Police Commission, the California Office of the Inspector General, the Hawai'i Ombudsman, the Correctional Association of New York, and the New York City Board of Correction that ranged from \$430,679 - \$179,436. Our Coordinator's compensation is less than all the salaries we found of these oversight bodies.

Hawai'i is getting a great deal when you look at the volume of work that the Coordinator initiated and performed in less than 20 months, AND the money she saved the state by identifying potential violations, thereby avoiding costly lawsuits.

Please practice Aloha and defer this bill indefinitely! Mahalo.

**SB-3283**

Submitted on: 2/8/2024 1:06:26 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Josh Frost	Testifying for ACLU of Hawaii	Oppose	Written Testimony Only

Comments:

The ACLU of Hawai'i **OPPOSES SB3283**, which lowers the salary of the Hawaii Correctional System Oversight Coordinator to be 100% of the salary of the Deputy Director of Human Resources Development, rather than 100% of the salary of the Director of Human Resources Development.

We will be submitting more substantial testimony.



February 7, 2024

The Honorable Glenn Wakai  
Chair  
Senate Committee on Public Safety and Intergovernmental and Military Affairs  
415 South Beretania St.  
Honolulu, HI 96813

Dear Senator Wakai,

I am reaching out today on behalf the National Association for Civilian Oversight of Law Enforcement (NACOLE), to oppose SB3283. NACOLE is a not-for-profit 501(c)(3) association of oversight practitioners, law enforcement officials, and supporters of civilian oversight that works to enhance accountability and transparency in policing and build community trust through civilian oversight. We remain the preeminent organization dedicated to the support of civilian oversight of law enforcement, jails, and prisons.

Specifically, we are concerned at the effort to take aim at the Oversight Coordinator's salary and, hence, the overall effectiveness and sustainability of the Hawaii Correctional System Oversight Commission. Several years ago, NACOLE published the document *Civilian Oversight of Law Enforcement: Report on the State of the Field and Effective Practices in Oversight*. Within this document we outlined the thirteen principles of effective oversight – one of which seems particularly important given what has been put forth in SB3283.

The second principle of utmost importance here is the need for adequate budget and staffing. Ensuring that an oversight agency has adequate resources to carry out its mandate is crucial to its effectiveness. Inadequate budgetary levels interfere with the ability to have the number of skilled staff needed to conduct the work in a timely and thorough manner. Beyond allowing for the agency to carry out its mandate, appropriate funding levels signals a commitment to the community that its government supports civilian oversight of law enforcement and the accountability and transparency it brings.

The original salary specified for the Oversight Coordinator in HRS 353L-2 helped to ensure that the position would be filled by someone with the necessary skills and background. By allowing the position to sit outside of the Governor's cabinet while maintaining the salary level at that of a director, it ensured that the position would be taken seriously and maintain the independence necessary to bring legitimacy to the work. In addition, this salary level originally set assists with recruitment and retention efforts of persons "qualified by training and experience to administer the Hawaii Correctional System Oversight Commission and shall be well in criminal justice reform and maintain a firm commitment to the

**P.O. Box 20851 ♦ Indianapolis, Indiana 46220 ♦ (317)721-8133**

**E-mail: [info@nacole.org](mailto:info@nacole.org) ♦ Website: [www.nacole.org](http://www.nacole.org)**



correctional system's transition to a rehabilitative and therapeutic model.” This level of subject matter expertise requires the appropriate salary – and investment for systemic change and a signal to the importance of the work being done by the Oversight Coordinator and the Oversight Commission.

A lack of independence, adequate funding, and the staff needed to support effective oversight can send a message that initiatives like the one that brought the current oversight mechanism into existence are no longer being supported. Because of this, NACOLE stands by the need for jurisdictions to make sure the thirteen principles are being adhered to and is here to act as a resource . We are happy to answer any questions you might regarding effective, sustainable oversight moving forward.

Sincerely,

Anthony Finnell  
President  
NACOLE

Cameron McElhiney  
Executive Director  
NACOLE

**P.O. Box 20851 ♦ Indianapolis, Indiana 46220 ♦ (317)721-8133**

**E-mail: [info@nacole.org](mailto:info@nacole.org) ♦ Website: [www.nacole.org](http://www.nacole.org)**



**SB-3283**

Submitted on: 2/6/2024 1:35:03 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sharleen Kahumoku	Individual	Oppose	Written Testimony Only

Comments:

I Sharleen Kahumoku opposed this Bill SB3283.

**SB-3283**

Submitted on: 2/6/2024 10:30:41 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Colleen Rost-Banik	Individual	Oppose	Written Testimony Only

Comments:

Dear Senators,

My name is Colleen Rost-Banik and I am a Sociology instructor at University of Hawaii Manoa. I have also worked within the Women's Community Correctional Center through Windward Community College's Pu'uhonua Program and now facilitate a Creative Writing Project at WCCC.

I strongly oppose SB3283 which would lower the salary of the Hawaii Prison Oversight Commission Coordinator. It is a disgrace and embarrassment on behalf of the State of Hawaii to hire a person into such an important role to then lower the salary of the person actually doing the job. Bringing accountability to the Department of Corrections and Rehabilitation, formerly the Department of Public Safety—which has made many, many missteps over the years—is vital to bringing justice to all residents that call Hawaii home, and even more importantly to all the people behind bars who have had their rights and humanity violated due to the inadequacies of our correctional facilities.

I respectfully ask that you reject SB3283.

Sincerely,

Colleen Rost-Banik, PhD

**SB-3283**

Submitted on: 2/7/2024 7:15:30 AM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Zoe Ryan	Individual	Oppose	Remotely Via Zoom

Comments:

To Whom it may Concern,

I am writing to OPPOSE bill SB3283. No public serving entity should be without oversight, particularly one involving the caging of humans. Our goal here is to provide inmates with direction, guidance, programs to encourage community involvement and education, examples of how to be a good neighbor and learning how to problem solve. Without oversight, we are reduced to "The Stanford Prison Experiment". The psychological effects of assuming a position of power in a prison environment, not to mention the physical state of a prison, are inately prone to abuse. If we are to reach our goals of releasing productive, healthy men and women back into our communities, it is CRITICAL to maintain oversight. The salary of an Oversight Coordinator should be commesurate to the role, we have a long way to go to become an effective "penal system" and this is one of THE MOST IMPORTANT ROLES in the current state of affairs. Change is unarguably necessary, agreed upon by all branches of government, and the oversight will help operations continue to move in the desired direction.

There is no question that incarceration is not intended to be comfortable, but it is also not constitutionally allowed to be torture, cruel and inhumane. Currently, it is torture, it is inhumane, it is a cruel, hate filled environment with no hope for an appropriate future without heavily involved oversight. The seriousness of this role should trump any other role in corrections government, and should be presented as such providing a salary that attracts and retains those qualified to effect change. The future of corrections depends on a government that encourages candidates to put in the time and commit to the education and research necessary to qualify for the position. It is past time to forge the way towards a productive future of rehabilitation that is a huge benefit to society. If anything, the salary and budget should increase.

Respectfully,

Zoe Ryan

**SB-3283**

Submitted on: 2/7/2024 8:31:30 AM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Bridget G Sheerin	Individual	Oppose	Written Testimony Only

Comments:

There are number of reasons why I personally appose this.

The Oversight Coordinator’s salary, specified in HRS 353L-2, was written as such to ensure that the Oversight Coordinator’s position is taken seriously at the same level of a Director without the Oversight Coordinator losing independence by being in the Governor’s cabinet as a Director.

The current salary as listed in HRS 353-2 is imperative to keep for recruitment and retention. Over 20 states across the country has correctional oversight and the Commission has found that the Oversight Coordinator’s salary is in alignment with other oversight agencies. Additionally, per HRS 353L-2, the Oversight Coordinator shall, “be a person qualified by training and experience to administer the Hawaii Correctional System Oversight Commission and shall be well-versed in criminal justice reform and maintain a firm commitment to the correctional system's transition to a rehabilitative and therapeutic model.” This level of subject matter expertise requires an appropriate salary.

When considering the state of corrections and the funding for corrections, reentry, and rehabilitative efforts, the Oversight Coordinator position is an important investment for systemic change. Lowering the salary diminishes the importance of their work.

Finally, I have been personally inspired by the Oversight Commission's work, vision, collaboration, their sense of duty, and innovation. This commission trule wants to work towards systemic improvements in the system and the live of people incarcerated. And I believe to do this you should actually be EXPANDING funding to the commission not lowering it.

Thank you

**SB-3283**

Submitted on: 2/7/2024 9:22:32 AM

Testimony for PSM on 2/9/2024 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Shannon Matson	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee Members,

I am strongly opposed to SB3283, which has the *sole purpose* of cutting the Oversight Coordinator salary. Why mess with something that is working? This office has provided incredible insight and transparency for our community and we want MORE of this, not less.

1. The Oversight Coordinator’s salary, specified in HRS 353L-2, was written as such to ensure that the Oversight Coordinator’s position is taken seriously at the same level of a Director without the Oversight Coordinator losing independence by being in the Governor’s cabinet as a Director.
2. The current salary as listed in HRS 353-2 is imperative to keep for recruitment and retention. Over 20 states across the country have correctional oversight and the Commission has found that the Oversight Coordinator’s salary is in alignment with other oversight agencies. Additionally, per HRS 353L-2, the Oversight Coordinator shall, “be a person qualified by training and experience to administer the Hawaii Correctional System Oversight Commission and shall be well-versed in criminal justice reform and maintain a firm commitment to the correctional system's transition to a rehabilitative and therapeutic model.” This level of subject matter expertise requires an appropriate salary.
3. When considering the state of corrections and the funding for corrections, reentry, and rehabilitative efforts, the Oversight Coordinator position is an important investment for systemic change. Lowering the salary diminishes the importance of their work.

Please reject this bill.

Mahalo,

Shannon Matson

Hawai'i Island Resident

Aloha Chair Glenn Wakai, Vice Chair Brandon Elefante, and Senate Committee on Public Safety and Intergovernmental and Military Affairs,

I am the Pastor of Wahiawa United Church of Christ as well as a volunteer chaplain with the Native Hawaiian Church at Halawa Correctional Facility. I **oppose** SB 3283 because it risks the accountability and transparency within the Department of Corrections and Rehabilitation.

I regularly attend the monthly Correctional Oversight meetings on Zoom and have been very impressed with Christin Johnson, the Oversight Coordinator, as well as the Commission. Christin is extremely efficient, knowledgeable, and detailed in her evaluations of the Department of Corrections and Rehabilitation. She takes into consideration the condition of those incarcerated, the staff, the facilities, and all surrounding operations. She has earned the much needed trust of the community.

The Oversight Coordinator's salary, specified in HRS 353L-2, was written as such to ensure that the Oversight Coordinator's position is taken seriously at the same level of a Director without the Oversight Coordinator losing independence by being in the Governor's cabinet as a Director.

The current salary as listed in HRS 353-2 is imperative to keep for recruitment and retention. Over 20 states across the country has correctional oversight and the Commission has found that the Oversight Coordinator's salary is in alignment with other oversight agencies. Additionally, per HRS 353L-2, the Oversight Coordinator shall, "be a person qualified by training and experience to administer the Hawaii Correctional System Oversight Commission and shall be well-versed in criminal justice reform and maintain a firm commitment to the correctional system's transition to a rehabilitative and therapeutic model." This level of subject matter expertise requires an appropriate salary.

When considering the state of corrections and the funding for corrections, reentry, and rehabilitative efforts, the Oversight Coordinator position is an important investment for systemic change. Lowering the salary diminishes the importance of this work.

Please oppose SB3283 to preserve community started efforts for accountability and addressing issues of safety and health within our prisons.

Mahalo,

Cassandra Chee  
Honolulu, 96817

February 7, 2024

Senate Committee on Public Safety and Intergovernmental and Military Affairs

RE: SB3283

Dear Chair Wakai and Vice-Chair Elefante:

I am writing in strong opposition to **SB3283**, which has the sole purpose of reducing the salary of the Oversight Coordinator for the Hawaii Correctional System Oversight Commission (“Oversight Commission”). This ill-conceived bill appears designed to constrain the critically important work of the Hawaii Correctional System Oversight Commission, which is comprised of unpaid public servants.

There is no question that Hawaii’s correctional system is in crisis. Despite the fact that Hawaii has a relatively robust framework of statutes, regulations, and rules that potentially provide the foundation for a correctional system with a rehabilitative and therapeutic focus, these laws and regulations have been largely ignored, allowing an antiquated and punitive correctional system to persist. The ground began to shift, however, with the foundational work of the House Concurrent Resolution 85 Task Force on Prison Reform, which in turn led to the creation of the Oversight Commission. The Oversight Commission’s broad statutory mandate (HRS § 353L-3) covers most aspects of meaningful correctional system reform:

(b) The commission shall:

- (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 Hawai'i paroling authority's oversight of parolees. The commission may make recommendations to the department of public safety, the Hawai'i 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 minimum terms have been served instead of delaying the release for lack of programs and services.

Importantly, the statutes establishing the Oversight Commission include provisions ensuring that the unpaid members of the Oversight Commission have the support and assistance of an Oversight Coordinator who is “qualified by training and experience to administer the Commission, and ... [who is] well-versed in criminal justice reform and ... commit[ed] to the correctional system's transition to a

rehabilitative and therapeutic model.” HRS § 353L-2(a). Indeed, these statutes (HRS § 353L-4) empower and require the Oversight Coordinator to:

- (1) Supervise and administer the operation of the Commission in accordance with this chapter and the rules adopted under this chapter, subject to the continuous duty to take into account the particularly sensitive and responsible nature of the Commission's functions;
- (2) Enforce this chapter and the rules adopted under this chapter. The Oversight Coordinator shall receive allegations of any violations of the laws of this State or rules pertaining to the correctional system or conduct of the Commission;
- (3) Be authorized to hire staff necessary to accomplish the purpose of this chapter, including a minimum of two researchers and one clerical assistant. Employees of the Oversight Coordinator's office shall be exempt from chapter 76 and shall not be considered civil service employees but shall be entitled to any employee benefit plans normally inuring to civil service employees;
- (4) Act as secretary and executive officer of the Commission;
- (5) Confer regularly as necessary or desirable and not less than once every quarter with the Commission on the operation and administration of the Commission;
- (6) Make available for inspection by the Commission, upon request, all books, records, files, and other information and documents of the Commission; and
- (7) Advise the Commission and recommend matters as are necessary and advisable to improve the operation and administration of the Commission.

It is hardly surprising, given the Oversight Coordinator's broad statutory mandate, that the Legislature specifically provided that the Oversight Coordinator “be paid a salary set at one hundred per cent of the salary of the director of human resources development,” and that the position be “exempt from Chapters 76 and 89.” HRS § 353L-2(b). Not only is such a salary commensurate with the duties and responsibilities of the position, it also reflects the Legislature's intention to seriously and meaningfully address a correctional system that everyone knows is badly broken.

During its brief existence, the Oversight Commission has struggled to bring transparency to Hawaii's correctional system. These efforts only gained significant traction and needed attention after a well-qualified Oversight Coordinator was finally brought on board. Working closely with the Oversight Commission, the Oversight Coordinator has shone a bright light into a dark system that has been ignored for decades. The Oversight Commission's findings, based largely on the work of the Oversight Coordinator, have documented “horrendous conditions” that reflect a “system failure.” And now, with strong support from Governor Green and the leadership of the Oversight Commission, meaningful change may finally be possible.

I would add that the meager savings that would be realized from cutting the salary of the Oversight Coordinator pales in comparison to the potential savings that will come from fundamental systemic change. In the past 44 years, Hawaii's prison population increased 479% while the general population increased 55%. Hawaii's incarceration rate – i.e. the number of prisoners per 100,000 population – is 292, which is higher than 85% of the countries in the world, including every Western European country. Despite spending hundreds of millions of dollars on corrections, Hawaii has an unacceptably high recidivism rate that is substantially in excess of 50%. In other words, more than half of the prisoners who are released from Hawaii's prisons will be rearrested, have their parole revoked, or be found in criminal contempt of court within 36 months of release. The costs associated with this broken



correctional system are staggering, both in terms of public funds and human suffering. A well-funded and supported Oversight Commission, supervised and administered by a highly qualified Oversight Coordinator, can lead the way towards real systemic change that will save untold millions while making our correctional system more humane and effective and our communities safer.

Simply put, this is the time to provide additional support for the Oversight Commission and the Oversight Coordinator. In my opinion, it would be a monumental mistake to reduce the salary of the person who has been mandated by law to “oversee” and “coordinate” the transition from an archaic and punitive system of corrections to a system focused on therapy and rehabilitation. If Hawaii is serious about correctional reform, we must support the Oversight Commission and the Oversight Coordinator. I urge you to reject this misguided effort to undercut the Oversight Commission and the Oversight Coordinator.

Thank you,

Michael Livingston

**SB-3283**

Submitted on: 2/7/2024 3:15:32 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gregory A. Herbst	Individual	Oppose	Written Testimony Only

Comments:

Aloha, Senators Wakai, Elefante, Fukunage, Rhoads and Awa!

My name is Gregory A. Herbst.

I speak clearly in opposition to SB3283.

This bill attempts to cut the salary of the Oversight Coordinator.

I am a member of Ohana Ho`opakele. The first ever Oversight Coordinator for the Hawaii Correctional System Oversight Commission Christin M. Johnson gladly accepted our invitation to have lunch together in Hilo. We were farovable impressed with her. Since then, we have attended in person a hearing of the Oversight Commission and some of us by Zoom and our respect for Christin has grown. She is competent, works extremely hard and has done excellent work. Please don't cut her pay; she definitely deserves it.

Mahalo for the opportunity to testify!

**SB-3283**

Submitted on: 2/7/2024 9:22:11 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Barbara Polk	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB 3283 that seeks to reduce the salary of the Coordinator of the Hawaii Correctional Systems Oversight Commission. I do not understand the reason for this move to undermine this position!

The legislature established the position with a salary equivalent to a Director to give it authority and make it independent of any political influence. The current occupant has performed exceedingly well, so why this bill, which seems to punish her?

The Department of Public Safety has been changed to the Department of Corrections and Rehabilitation in order to focus on the fact that almost all persons held in jails or prisons will re-enter society at some point. There needs to be outside help from someone who is familiar with what has happened elsewhere to refocus correctional systems, We are very fortunate to have such a person, so efforts to undermine her works against the future of DCR.

I urge you to defer SB3283. It is not appropriate and does not serve the State of Hawaii well.

**SB-3283**

Submitted on: 2/7/2024 10:00:07 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lois Torikawa	Individual	Oppose	Written Testimony Only

Comments:

To the Senate Public Safety Committee,

As a 38 year employee of the Hawai‘i Dept of Public Safety who retired in Dec 2022, I oppose this bill. The Hawai‘i Correctional System Oversight Commission's Oversight Coordinator position was created with an annual salary on par with other national oversight coordinators. This is meant to secure an Oversight Coordinator of exceptional quality, extensive national and international knowledge, and the fortitude to strategically implement positive change within the newly named Dept of Corrections and Rehabilitation.

Based on my many years of experience and observations within PSD (now DCR), it is essential for inmates and staff to have a independent voice without fear of being retaliated against or silenced. This is just one part of what the Oversight Coordinator provides.

The Oversight Coordinator agreed to take the job at the current Director position level and current annual salary to help the new DCR towards a therapeutic and rehabilitative model. To now essentially demote the Oversight Coordinator, who has done nothing wrong to warrant this, will result in undermining and decreasing the power of that position to create long term positive change for DCR. A demotion will also decrease the efficacy of the Commission as a whole. To demote the Oversight Coordinator position from the independent, autonomous Director level to a subordinate deputy level position sends a clear message that the improvement of inmates' care, treatment, services, their families, and the treatment of DCR staff is not important.

I urge you to vote against SB 3283.

Thank you, Lois Torikawa

**SB-3283**

Submitted on: 2/7/2024 10:28:35 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alice Kahaleua	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha, my name is Alice Kahaleua. I am a mother of a son who has been incarcerated and I oppose SB3283. My son put himself in harms way when he decided to make public the conditions at HCCC. Meaning there could be back lash towards him as a result of that information getting out to the public. Along with the photos of what it looked like in the "Fish Bowl" during an active Covid breakout was a message and in that message he stated "Mom, the community deserves to know the truth." He stood up for many, including the HCCC Staff. I think he did the right thing and by doing so, he probably saved many lives. Don't you agree.? I am really grateful that what he did was used for change.

As a direct result of the lawsuit that was bought forth by Attorney, Erik Seitz, Christen Johnson was hired as the Coordinator for the Oversight Commission. I am very pleased with the work that Christen is doing and I appreciate the transparency that she brings forth. Trying to lower her salary undermines her position and sends a message that the work she does have no importance and contradicts the reason for adding "Rehabilitation" to Department of Corrections.

It's a good thing that we know there are problems that exist because now we can look for solutions. Solutions that can work to ease the overcrowding, and reduce residivism. I trust Christin Johnson and if I ever have a concern about our jail and prison system I would most likely go to her before I go to any other individual that oversees our jail and prisons. Maybe lawmakers would like to pay millions on millions for lawsuits instead of paying her what she deserves. The community already had a peek-a-boo of what takes place inside those walls. Without Christen and the Oversight Commission standing in the gap, per se, everything will be questioned. Like how I am questioning your motives for wanting to lower Ms. Johnson's salary because in my opinion, seems like a power trip.

It is because of the work that is done, all the documented reports, the visits, open communication with the public communities, etc. that is sparing you money and giving people like me and our loved ones hope and faith in our Department of Corrections and Rehabilitation.

I look forward to communicating with you in our near future.

Mahalo Nui Loa for your time and attention. Thank you for hearing my voice. There are many like me.

Alice Kahaleua , Concerned Community Member (With Lived Experience)

**SB-3283**

Submitted on: 2/8/2024 12:59:08 AM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Wendy Gibson-Viviani	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair Wakai, Vice-Chair Elefante and Members of the Committee,

My name is Wendy Gibson-Viviani. I am an RN who served as an organizer with the Drug Policy Forum of Hawaii for 7 years. I am writing in opposition to SB3283 as it would cut the Oversight coordinator's salary to a level that is NOT appropriate for an employee who has attained such a high level of training, skills and expertise. Anything less than what is currently specified in HRS353L-2 should not be considered. The current Oversight Coordinator has done an amazing job and brought many gifts to the table including reports and strategic plans which will help better our system(s), (if implemented).

Thank you for this opportunity to express my views.

Wendy Gibson-Viviani RN/BSN

Kailua

**SB-3283**

Submitted on: 2/8/2024 3:23:51 AM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Virginia Hinshaw	Individual	Oppose	Written Testimony Only

Comments:

This position is important and requires a competitive salary, so reducing the salary is ill advised and should not be approved.

**ROBERT K. MERCÉ**  
2467 Aha Aina Place  
Honolulu, Hawai'i 96821  
(808) 398-9594

February 7, 2024

TO: Committee on Public Safety and Intergovernmental and Military Affairs  
RE: SB 3283  
HEARING: Friday, February 9, 2024  
TIME: 3:01 p.m.  
ROOM: Conf. Rm. 225 and video conference  
POSITION: Strongly Oppose

Chair Wakai, Vice Chair Elefante, and members of the committee:

My name is Bob Merce. I am a retired lawyer and served as Vice-Chair of the HCR 85 Task Force on Prison Reform which, among other things, recommended that the State of Hawaii create an "independent commission" to oversee the Department of Public Safety.<sup>1</sup> Independent oversight is a correctional best practice and is an essential element of a safe and healthy correctional system. As the Task Force pointed out:

Prisons and jails are closed institutions, both literally and symbolically, and they operate far away from public view. In such closed environments, abuse is more likely to occur and less likely to be discovered. Staff members and inmates with malicious intent often find they can act with impunity, while those with more benign objectives may find their plans thwarted by a lack of resources or an institutional culture that is unsupportive of their efforts or content with the status quo. Insular environments tend to put prisoners at risk of abuse, neglect, and poor conditions, and the lack of outside scrutiny provides no challenge to this treatment.<sup>2</sup>

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<sup>1</sup> "Creating Better Outcomes, Safer Communities, Final Report of the House Concurrent Resolution 85 Task Force on Prison Reform to the Hawaii Legislature, 2019 Regular Session", p. 37

<sup>2</sup> "Creating Better Outcomes," supra, quoting Michael Mushlin and Michele Deitch, "Opening Up a Closed World: What Constitutes Effective Prison Oversight?" 30 Pace L. Rev. 1383 (2010): 1384.  
<https://digitalcommons.pace.edu/plr/vol30/iss5/>.



Soon after the HCR 85 Task Force issued its final report, Representative Gregg Takayama, who was then the chair of the House Committee on Public Safety, called a meeting to discuss a bill to create an independent oversight commission. I attended that meeting, along with Hawaii Supreme Court Justice Michael Wilson, (who chaired the HCR 85 Task Force), and Senator Clarence Nishihara, who was then the chair of the Senate Committee on Public Safety. We discussed the appointment and make-up of the proposed Oversight Commission, its duties and responsibilities, the scope of its authority, its staff, and the salary of the Oversight Coordinator. It is my recollection that we immediately agreed that given the broad duties and immense responsibility of the Oversight Coordinator, he or she should be paid at the level of a cabinet-level appointee, and that is what H.B. 1552 (Thirteenth Legislature, 2019), provided for. I do not recall any objections to the Oversight Coordinator's salary as H.B. 1552 moved through the House and Senate and was signed into law by Governor Ige on July 2, 2019 as Act 179 (2019). **Everyone agreed that the salary was appropriate.**

The salary of the Oversight Coordinator as established by Act 179 is commensurate with the duties and responsibilities of the position. The Oversight Coordinator oversees a statewide correctional system with an annual budget of \$274 million. The complex system is responsible for the health and welfare of more than 4,000 incarcerated men and women housed in old, and in some cases badly overcrowded, jails and prisons on four islands—Oahu, Kauai, Maui and Hawaii, and a private prison in Arizona. Hawaii's correctional system faces enormous challenges which make oversight challenging including severe staff shortages that have taken a serious toll on virtually every part of the system, as well as the physical and mental health of both prisoners and staff.

In addition to its general oversight responsibilities, Hawaii's Oversight Coordinator must work with the five Commissioners to:

- (1) Investigate complaints from prisoners, staff, and the public;
- (2) Facilitate the correctional system's transition to a rehabilitative and therapeutic model;
- (3) Establish maximum inmate population limits for each correctional facility;
- (4) Formulate policies and procedures to prevent the inmate population from exceeding the capacity of each correctional facility;
- (5) Work with the Department to monitor and review the comprehensive offender reentry program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii paroling authority's oversight of parolees; and

- (6) Ensure that the comprehensive offender reentry system under HRS §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.

The salary of the Oversight Coordinator is in line with, or slightly below, the salary of comparable positions in other jurisdictions, *most of which do not have statewide responsibilities*. To cite a few examples:

1. Los Angeles County Inspector General  
Duties: Independent oversight and monitoring of Sheriff's Department and Probation Department. Serves as the investigative arm of the Los Angeles Sheriff's Office Oversight and Probation Commission.  
**Salary: \$430,679 (2020)**
2. Los Angeles Police Commission Inspector General  
Duties: Independent information and analysis of the conduct and performance of the LAPD.  
**Salary: \$326,147 (2020)**
3. California Office of the Inspector General  
Duties: Safeguard the integrity of the State's correctional system by providing oversight and transparency regarding policies and practices of the California Department Correction and Rehabilitation.  
**Salary: \$198,153 (2023)**
4. Inspector General, Sheriff's Office, City and County of San Francisco  
Duties: Responsible for establishing the operations of the Department of Inspector General, conducting investigations of complaints, and overseeing compliance with internal policies and procedures and ensuring that they align with research-based best practices and relevant laws, particularly those related to constitutional policing and custodial practices.  
**Salary: \$151,918-\$224,484**
5. Commissioner, New York City Board of Corrections  
Duties: Nine-person, non-judicial board that regulates, monitors, and inspects jails in the City of New York.  
**Salary: \$200,000**
6. Hawaii State Ombudsman

Independently investigates complaints against state and county agencies  
Salary: **\$179,436**

The State of Hawaii is fortunate to have Christin Johnson as our Oversight Coordinator, and she deserves the salary specified in Act 179. Ms. Johnson has outstanding academic credentials, including a Bachelor of Science degree from Central Michigan University with a concentration in criminal justice, and a Master of Science degree from the University of Cincinnati in Criminal Justice and Corrections.<sup>3</sup> She received certification as an Oversight Practitioner from the National Association for Civilian Oversight of Law Enforcement (NACOLE) in 2020, and has been a national co-chair of NACOLE's Jail and Prison Oversight Workgroup since 2017.

Before coming to Hawaii Ms. Johnson worked as an Analyst for the Michigan Legislative Corrections Ombudsman, a Standards Specialist for the New York Board of Corrections at Rikers Island jail in New York City, and as the Lead Oversight Specialist for the Office of Oversight and Accountability in the state of Michigan.

Ms. Johnson hit the ground running when she arrived in Hawaii. She set-up the coordinator's office, arranged for everything from furniture, telephone service, copiers and computers to bookkeeping, reporting and confidentiality protocols. She visited all of the State's jails and prisons, and she established relationships with community and government stakeholders. In the short time Ms. Johnson has been in Hawaii **she has earned the unwavering trust and respect of the community.**

I have worked closely with Ms. Johnson on numerous correctional issues. She is extremely knowledgeable, smart, hard-working, creative, accessible, and deeply committed to improving Hawaii's correctional system. Her monthly reports are a model factual reporting and efficiency, and she has worked collaboratively with the community, including the non-profit Correctional Reform Working Group (which I chair), and the Community Design Center at the University of Hawaii at Mānoa School of Architecture on alternative models for the new jail to replace OCCC.

In the short time Ms. Johnson has been the Oversight Coordinator she has:

- Submitted 50+ recommendations to the Department of Public Safety and the Department of Corrections and Rehabilitation;

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<sup>3</sup> The School of Criminal Justice at the University of Cincinnati is widely regarded as one of the best in the country.

- Made 35 facility visits
- Written 23 public reports, including
  - 12 monthly reports;
  - 8 facility-specific reports;
  - 2 strategic plans;
  - 1 year in review; and
  - 16 public meeting reports

Although the law only requires the Oversight Coordinator to meet with the Commissioners on a quarterly basis, Ms. Johnson has continued the Commission’s practice of having public meetings once a month, on both Oahu and the neighbor islands, and ensuring that families of prisoners and the public are heard at each meeting.

In her brief tenure as Coordinator, Ms. Johnson has recruited an incredibly experienced, bright, and hard-working staff, to assist her and Commissionm. This includes Cara Compiani who previously led the work of the District of Columbia Corrections Information Council which inspects and monitors correctional facilities in the DC area. Ms. Compiani also worked for the Vera Institute of Justice in New York City on its Reimagining Prison Project which put forward a new vision for the future of corrections. Ms. Compiani has a Doctor of Law (J.D.) degree from the Elisabeth Haub School of Law at Pace University, and a Master of Law Degree (LL.M) from the George Washington University School of Law.

Oversight Coordinators and Commissioners must sometimes be the bearers of bad news. Such was the case last August when Ms. Johnson and Commissioner Ted Sakai, a former Director of the Department of Public safety, issued a special report on conditions at the Hilo Jail.<sup>4</sup> The report documented that nearly every cell designed for one person had three or four occupants. The Punahale building, which has a capacity of 16, housed 83 prisoners, more

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<sup>4</sup> Christin Johnson and Ted Sakai, “August 2022 HCCC Observations,” September 2, 2022. The full report can be found at <https://ag.hawaii.gov/hawaii-correctional-system-oversight-commission/2022-meeting-agendas/attachment/hcsoc-august-2022-hccc-observations/>. See also the Correctional Reform Working Groups summary and highlights of the report at: <https://hcsoc.hawaii.gov/wp-content/uploads/2022/10/Getting-It-Right-Recommendations-and-Action-Plan-for-a-Better-Jail-with-Appendix.pdf>

than five times its capacity. The Waiianuenue building was operating at nearly double its capacity. Four cells that housed women had no toilets or running water, yet five women were crammed into one of the cells, and some cells were secured with padlocks, a dangerous practice because it creates delay in reaching prisoners if there is an emergency such as a fire.

The report also pointed out that during the pandemic, inmates who were exposed to COVID or who had a positive COVID test were housed in a shipping container that had “little circulation, no food slot, and a small window with low visibility for officers to see inside.” The lights were not working in two of the cells leaving the prisoners in complete darkness and forcing the correctional staff to use their flashlights to check on the prisoners.

It's easy to blame the messenger for bad news, but that is irrational. Bringing unconstitutional or dangerous conditions to light is the job of oversight officials, and the proper response to the bad news is to address the problems, not punish the messenger.

The Oversight Coordinator's salary, as established by Act 179, is reasonable, and in my view, the minimum needed to attract and retain a fully qualified and experienced Oversight Coordinator.

Reducing the Coordinator's salary would jeopardize effective correctional oversight in Hawaii, and could be used to support Federal intervention to address the clearly unconstitutional conditions at several correctional facilities, including the Hilo Jail and OCCC. It would also expose the State to more costly judgments and settlements like the \$1.375 million awarded to the family of Joseph O'Malley who committed suicide at the Halawa Correctional Center *while on safety watch*,<sup>5</sup> and the \$500,000 settlement over the death of 26-year-old Daisy Kasitati who hanged herself in her cell at the Maui Community Correctional Center *after her request to be put on suicide was refused*.<sup>6</sup>

Thank you for allowing me to testify on this bill.

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<sup>5</sup> *Michael J. O'Malley v. State of Hawaii*, Civil No. 19-1-1021, Findings of Fact, Conclusions of Law and Order dated March 29, 2022, First Circuit Court, State of Hawai'i.

<sup>6</sup> Kevin Dayton, “State Agrees to Pay \$550,000 to Settle Lawsuit Over Suicide at Maui Jail,” Honolulu Civil Beat, February 23, 2022. See also SB 3041, SD 2, HD 1, CD 1 (2022 Haw. Sess. Laws Act 280), p. 3.



**SB-3283**

Submitted on: 2/8/2024 9:09:35 AM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mary Tam	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am an O'ahu resident, born and raised here. I'm writing to express my opposition to this bill. From what I understand, over 20 states in the U.S. have correctional oversight and the Commission has found that the Oversight Coordinator's salary is in alignment with other oversight agencies.

Appropriate compensation is critical to retain someone who is well-versed in criminal justice reform and has a strong commitment to the correctional system's transition to a rehabilitative and therapeutic model.

Please do not minimize the importance of this position by decreasing the salary.

Mahalo,

Mary Tam

**SB-3283**

Submitted on: 2/8/2024 11:22:57 AM

Testimony for PSM on 2/9/2024 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Toni Floerke	Individual	Oppose	Written Testimony Only

Comments:

February 8, 2024

Via email through the Hawaii State Legislature Website

RE: OPPOSITION TO [SB3283](#).

Dear Sirs,

I would like to go on record in opposition to SB3283 and ask for your support to vote NO on this bill. I strongly support the HI Oversight Committee and its Oversight Coordinator, Christin Johnson, having participated in and followed the success of the commission's meetings/goals for the past year and a half. Tremendous progress has taken place, and myriad issues have been brought to light regarding situations and conditions within the jails and prisons on all islands in Hawaii. Their due diligence and taking initiative to visit each facility, conduct inspections and interview both staff and inmates at these locations shows incredible dedication and a desire to find solutions to the problems we face with the correctional system. This entity should remain fully funded and the Coordinator's salary should not be reduced.

Several points that I believe are worth considering are noted below:



1. The Oversight Coordinator's salary, specified in HRS 353L-2, was written as such to ensure that the Oversight Coordinator's position is taken seriously, at the same level of a Director without the Oversight Coordinator losing independence by being in the Governor's cabinet as a Director.
1. The current salary as listed in HRS 353-2 is imperative to keep for recruitment and retention. Over 20 states across the country have correctional oversight and the Commission has found that the Oversight Coordinator's salary is in alignment with other oversight agencies. Additionally, per HRS 353L-2, the Oversight Coordinator shall, "be a person qualified by training and experience to administer the Hawaii Correctional System Oversight Commission and shall be well-versed in criminal justice reform and maintain a firm commitment to the correctional system's transition to a rehabilitative and therapeutic model." This level of subject matter expertise requires an appropriate salary.
1. When considering the state of corrections and the funding for corrections, reentry, and rehabilitative efforts, the Oversight Coordinator position is an ABSOLUTELY IMPORTANT investment for systemic change. Lowering the salary diminishes the importance of their work.
1. let the committee and its Coordinator continue their fine efforts and fund them with salaries showing the value they bring to the table. Great effort has begun toward progress for deferral and reentry programs from incarceration. Please support continued improvement in the justice systems interaction with offenders.

Me ke aloha nui,



Toni Floerke, BA, WLPN, CPO, CPS, MSW(c)

TO: The Honorable Glenn Wakai, Chair  
The Honorable Brandon J.C. Elefante, Vice Chair  
Senate Committee on Public Safety and Intergovernmental  
and Military Affairs

FROM: Martha Torney, Commissioner  
Hawaii Correctional System Oversight Commission

SUBJECT: Senate Bill 3283, Relating to the Hawaii Correctional System  
Oversight Commission

Hearing: Friday, February 9, 2024; 3:01 PM  
Conference Room 225, State Capitol

Chair Wakai, Vice Chair Elefante, and Members of the Committee:

**I do not support** Senate Bill 3283, Relating to the Hawaii Correctional System Oversight Commission, which reduces the salary of the Oversight Coordinator. As a member of the Commission, I am well aware of the value this position provides to achieving the mandates of Chapter 353L, Hawaii Revised Statutes. Independent oversight is essential for a safe and healthy correctional system and requires staff that are experienced in its function and well-versed on issues and trends in corrections today. The current salary of the Oversight Coordinator was established by Act 179, SLH 2019 to reflect the importance of this role.

I do not understand why the Legislature is considering a reduction in the Oversight Coordinator salary as the incumbent, Ms. Christin Johnson, has done an exception job since first hired in July 2022. Many members of this body and their staff have had the advantage of working with Ms. Johnson and accompanying her on tours of local and Mainland facilities. During her tenure, I have heard nothing but the highest praise of her knowledge, work ethic and commitment to improving Hawaii's correctional system. This is evident in the support of Ms. Johnson you will hear today.

I ask that you hold this measure and do not consider a salary reduction for the Oversight Coordinator. Thank you for the opportunity to testify.

**SB-3283**

Submitted on: 2/8/2024 11:39:48 AM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Diane DiMaria	Individual	Comments	Written Testimony Only

Comments:

To whom it may come concern: Hello Hawai'i Senators and staff. I am not one of your constituent. I have unfortunately been dragged along thru your system of "justice" for over 30 years with my only child. I have seen, up close and personally, how things work/do not work, and are often covered up, with disasterous effects, from HCCC, HSNF, HCF, and several CCA/CoreCivic facilities located in Mississippi, and Arizona. Suffice it to say, Senator Donovan Dela Cruz's Pro-PSD SB3283 is not at all helpful to the people of Hawai'i, it will crush the spirits of our incarcerated loved ones, it will make life inside more dangerous for our sons, daughters, mothers, fathers, sisters, brothers, nieces, nephews, cousins, loved ones, friends, neighbors, future employees, and God willing, future voter. By diminishing the valuable contributions of our Hawaii Correctional Systems Oversight Commission, and it's Coordinator, Christin M. Johnson, attempting to silence the Commission, Investigators, our people, and employees, who need help desperately, is disgraceful. It is so obvious what is going on with PSD and certain legislators. This is why many of us have been attending the Commission meetings, to shed light on the Hawaii prison system, and on those who enable harmful practices in the medical units and throughout all of the facilities. There are so many concerned citizens and families, we need for the powers that be to join us, for starters, by paying Ms. Johnson and her staff properly. Life inside PSD facilities is harsh, dangerous, and counterproductive to rehabilitation. Thank you for NOT PASSING SB3283, it is mean spirited, and harmful.

**SB-3283**

Submitted on: 2/8/2024 2:14:18 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
George Choe	Individual	Oppose	Written Testimony Only

Comments:

I **STRONGLY** oppose Seante Bill 3283, Relating to the Hawaii Correctional System Oversight Commission, which reduces the salary of the Oversight Coordinator. What is the basis or reasoning behind this bill? There are more important issues that should be addressed such as addressing the concerns of our correctional facilities which the Hawaii Correctional System Oversight Commission is doing. There seems to be more behind this bill than just a reduction to a person's salary...and that is **NOT RIGHT!**

**SB-3283**

Submitted on: 2/8/2024 3:00:50 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kristine Crawford	Individual	Oppose	Written Testimony Only

Comments:

Oversight is essential. The Oversight Coordinator should be fairly compensated. Please do not pass this bill.



**SB-3283**

Submitted on: 2/8/2024 3:12:04 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Kimi Palacio	Individual	Oppose	Written Testimony Only

Comments:

I am testifying in **STRONG OPPOSITION** to SB3283.

Christin Johnson is an amazing Coordinator. In less than two years (she started on July 1, 2022) she has produced strategic plans, two annual reports -- the 2023 Annual Report is an amazing document full of information, and reports on every meeting and facility tour the Commission has conducted.

In addition, here are a few points to support my opposition to this measure:

1. The Oversight Coordinator’s salary, specified in HRS 353L-2, was written as such to ensure that the Oversight Coordinator’s position is taken seriously at the same level of a Director without the Oversight Coordinator losing independence by being in the Governor’s cabinet as a Director.
2. The current salary as listed in HRS 353-2 is imperative to keep for recruitment and retention. Over 20 states across the country has correctional oversight and the Commission has found that the Oversight Coordinator’s salary is in alignment with other oversight agencies. Additionally, per HRS 353L-2, the Oversight Coordinator shall, “be a person qualified by training and experience to administer the Hawaii Correctional System Oversight Commission and shall be well-versed in criminal justice reform and maintain a firm commitment to the correctional system's transition to a rehabilitative and therapeutic model.” This level of subject matter expertise requires an appropriate salary.
3. When considering the state of corrections and the funding for corrections, reentry, and rehabilitative efforts, the Oversight Coordinator position is an important investment for systemic change. Lowering the salary diminishes the importance of their work.

**LATE**

**SB-3283**

Submitted on: 2/8/2024 3:16:02 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jennifer Brown	Testifying for Hawai'i Innocence Project	Oppose	In Person

Comments:

The Hawai'i Innocence Project opposes this bill and would like the opportunity to submit testimony via Zoom videoconference at the hearing scheduled for Feb. 9, 2024 at 3pm.

Thank you,

Jennifer Brown, Associate Director

**LATE**

**SB-3283**

Submitted on: 2/8/2024 3:49:23 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Diana Bethel	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Wakai, Vice Chair Elefante, and Members of the Committee,

I am writing to express my strong opposition to SB3283, which would lower the salary of the Coordinator of the Hawaii Correctional System Oversight. Commission. The Coordinator has, in the short period of time that she has been in her position, uncovered many shocking violations in the Hawaii correctional system. One aspect of her role is to save the state of Hawaii from violating federal law. Also, in such a short span of time, she has created the entire infrastructure of a new office that is functioning efficiently and developing important relationships with other departments, all in the interest of fulfilling the mandate created by HRS 353L.

The mandate dictated by HRS 353L is that the Coordinator should be a person well-qualified "by training and experience" and "be well-versed in criminal justice reform." This begs the question of why no one in the Department of Public Safety (as it was called in the past) was apparently oblivious or uninformed of the requirements of federal law that apply to correctional institutions. It's clear that Hawaii needs to retain this Coordinator who has been so effective that specific legislators have seemed determined to defund and undermine the Coordinator's position and the Oversight Commission in general.

HRS 353L further mandates that the Coordinator must be well-versed in criminal justice reform as well as capable and committed to helping Hawaii's correctional system make a successful transition to a rehabilitative and therapeutic model. The current Coordinator has shown by her indefatigable work ethic and the evidence of her work product that she is supremely capable of guiding Hawaii toward this goal.

In contrast, even though the Department of Public Safety is now called the Department of Corrections and Rehabilitation, a name change is no guarantee that this transition to a rehabilitative and therapeutic model will become reality. It is too early to tell if all the talk about rehabilitation is simply lip service or not. In any case, the Legislature must reject SB3283 and deny those who want to maintain the status quo their wish.

Mahalo for this opportunity to express my view on this important topic.

Diana Bethel, Honolulu



**LATE**

**SB-3283**

Submitted on: 2/8/2024 4:28:27 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeanne Ohta	Individual	Oppose	Written Testimony Only

Comments:

I am OPPOSED to SB3283 which meaningfully reduces the salary of the Executive Director of the Hawaii Correctional System Oversight Commission without a stated reason. This position requires “a person qualified by training and experience to administer the Hawaii Correctional System Oversight Commission and shall be well-versed in criminal justice reform and maintain a firm commitment to the correctional system's transition to a rehabilitative and therapeutic model.” This level of subject matter expertise justifies at least the current salary. Further, the Commission has found that the Oversight Coordinator's salary aligns with other oversight agencies in over 20 other states.

In addition to those requirements, this position serves a very short two-year term and "The oversight coordinator shall devote the oversight coordinator's entire time and attention to the administration of the Hawaii correctional system oversight commission and shall not be engaged in any other professional or occupation." (HRS 353-L-2(c)) Both of these limitations justify the current salary as necessary to recruit and retain qualified individuals.

Individuals in this position must also possess the ability to demonstrate, by their actions and statements "commitment to the correctional system's transition to a rehabilitative and therapeutic model;" which is not only difficult in the current environment, but also difficult because of the long-standing systemic issues.

If the Committe is envisioning changes to our current system, then the current salary of the Oversight Coordinator is an important investment that should be maintained.

I urge the Committee to defer this measure.

**LATE**

**SB-3283**

Submitted on: 2/8/2024 7:14:59 PM  
Testimony for PSM on 2/9/2024 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Van Kahumoku	Testifying for Ohana E' Ho'opakele	Oppose	Written Testimony Only

Comments:

Aloha!

My name is Van Kahumoku and I am a member of Ohana Ho'opakele, an organization formed in 1999 to advocate for the disproportionate number of Kanaka Maoli incarcerated in the prison system.

I am writing to request that you support the budget request from the Hawai'i Correctional System Oversight Commission. The Commission is requesting \$462,134 for FY25 which includes four full time positions, travel costs to visit each correctional facility, holding public hearings in person, attending national conferences, and equipment.

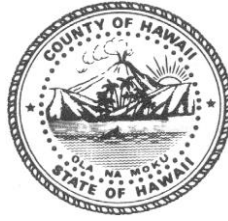
From the experience of Ohana Ho'opakele, this commission is helpful in changing the prison system from one based upon punishment to one based on rehabilitation. Without funding for their staff the commission is limited in what it can do. Our members were able to meet with the commission and staff when they held a hearing in Hilo. Without funding, the visits to the neighbor islands and holding of hearings where the public can participate in person will be eliminated. Only a select few have the means and know-how to get on Zoom meetings.

Please restore the full budget request for this important commission.

Mahalo,  
Van Kahumoku

**KELDEN B.A. WALTJEN**  
PROSECUTING ATTORNEY

**STEPHEN L. FRYE**  
FIRST DEPUTY  
PROSECUTING ATTORNEY



655 KILAUEA AVENUE  
HILO, HAWAII 96720  
PH: (808) 961-0466  
FAX: (808) 961-8908

74-675 KEALAKEHE PARKWAY  
KAILUA-KONA, HAWAII 96740  
PH: (808) 322-2552  
FAX: (808) 322-6584

64-1067 MAMALAHOA HIGHWAY, C-3  
KAMUELA, HAWAII 96743  
PH: (808) 887-3017  
FAX: (808) 887-3016

**OFFICE OF THE PROSECUTING ATTORNEY**

**TESTIMONY IN OPPOSITION TO SENATE BILL NO. 3283**

A BILL FOR AN ACT  
RELATING TO HAWAII CORRECTIONAL  
OVERSIGHT COMMISSION

**LATE**

COMMITTEE ON PUBLIC SAFETY AND  
INTERGOVERNMENTAL AND MILITARY AFFAIRS  
Senator Glenn Wakai, Chair  
Senator Brandon J.C. Elefante, Vice Chair

Friday, February 9, 2024 at 3:01 p.m.  
State Capitol Conference Room 225  
Via Videoconference  
415 South Beretania Street

Honorable Chairs Wakai, Vice-Chairs Elefante, and Members of the Committee on Public Safety and Intergovernmental and Military Affairs; The County of Hawai'i, Office of the Prosecuting Attorney submits the following testimony in opposition of Senate Bill No. SB 3283.

This bill was drafted to lower the salary of the Oversight Coordinator of the Hawai'i Correctional System Oversight Commission ("HCSOC") to be 100% of the salary of the Deputy Director of Human Resources Development, rather than 100% of the salary of the Director of Human Resources Development.

Our Office has worked collaboratively with HCSOC to address overcrowding concerns at the Hawai'i Community Correctional Center and its impact on public safety. Hawai'i Island is in dire need of new and improved correctional facilities with the infrastructure to both house serious offenders and accommodate rehabilitative care and treatment, social services, cultural education, and reintegration assistance for incarcerated individuals to reduce recidivism and promote public safety.

Hawaii Revised Statutes Section 353L-2 provides in relevant part, "The oversight coordinator shall be a person qualified by training and experience to administer the Hawai'i correctional system oversight commission and shall be well-versed in criminal justice reform and maintain a firm commitment to the correctional system's transition to a rehabilitative and therapeutic model." That being said, it is imperative that the oversight coordinator's salary be commensurate with the necessary experience and qualifications to properly supervise and administer the operation of HCSOC.

For the foregoing reasons, the Office of the Prosecuting Attorney, County of Hawai'i, opposes Senate Bill No. 3283. Thank you for the opportunity to testify on this matter.

**LATE**

**SB-3283**

Submitted on: 2/8/2024 9:05:13 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Jess Heaney	Individual	Oppose	Written Testimony Only

Comments:

My name is Jess Heaney and I am a member of Ohana Ho’opakele.

I am submitting testimony in opposition to SB 3283. This bill attempts to cut the salary of the Oversight Coordinator. The Oversight Coordinator is an essential role in the functioning, let alone the success, of the Hawaii Correctional Oversight Commission. The legislature created this Commission because of the urgent needs to look at the bloated and punitive functioning of the state’s prison and jail systems.

Fund the proper scope of the position and its work- keep the salary as is! The Oversight Coordinator’s salary, specified in HRS 353L-2, was written as such to ensure that the Oversight Coordinator’s position is taken seriously at the same level of a Director without the Oversight Coordinator losing independence by being in the Governor’s cabinet as a Director.

Do not cut funds or you will create potential for disruption and disfunction of a position which has been working excellently since hiring. The coordinator position is designed to do the job effectively, down to salary and recognition of skill and work burden. The current salary as listed in HRS 353-2 is imperative to keep for recruitment and retention. Over 20 states across the country has correctional oversight and the Commission has found that the Oversight Coordinator’s salary is in alignment with other oversight agencies. Additionally, per HRS 353L-2, the Oversight Coordinator shall, “be a person qualified by training and experience to administer the Hawaii Correctional System Oversight Commission and shall be well-versed in criminal justice reform and maintain a firm commitment to the correctional system's transition to a rehabilitative and therapeutic model.” This level of subject matter expertise requires an appropriate salary.

The salary is an investment in the future of Hawai’i! We call upon you to properly resource this position at this critical time. Do not shortcut the years of work it took to get here, and the years of concern and burden experienced by ohana and all Hawaiians impacted by the documented harms of Hawaii’s prisons, jails and cycles of imprisonment.

When considering the state of corrections and the funding for corrections, reentry, and rehabilitative efforts, the Oversight Coordinator position is an important investment for systemic change. Lowering the salary diminishes the importance of the this work.

We urge you to oppose this bill and stand with ohana impacted by Hawaii's overreliance on imprisonment, with all keiki whose communities are destabilized and shortchanged by cycles of imprisonment, and in the future of generations to come. We need the Oversight Commission to run effectively and successfully for its duration. Oppose the salary cuts.

Mahalo for the opportunity to testify!

**LATE**

**SB-3283**

Submitted on: 2/9/2024 12:42:20 AM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Graham Chelius	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I have been volunteering and working as a doctor at KCCC on Kauai for 5 years. I have been actively working to improve care for the inmates to control mental illness and substance use disorders before they are released so they do not come back after they are released.

I have had to work against such resistance in the Correctional system. It is like the system wants the inmates to fail after release and return. We need a strong leader of the Correctional Oversight Commission to hold the system accountable for the many areas that need improvement so that we can make easy and cost effective changes to reduce the rate that inmates return to the correctional system.

Reducing the salary of an experienced and effective leader is completely unhelpful in this environment where the correctional system is so out of date and troubled.



Committee: Public Safety and Intergovernmental and Military Affairs  
Hearing Date/Time: Friday, February 9, 2024 at 3:01pm  
Place: Conference Room 225 & Via Videoconference  
Re: Testimony of the ACLU of Hawai'i in OPPOSITION to SB3283 Relating to the Hawaii Correctional System Oversight Commission

Dear Chair Wakai, Vice Chair Elefante, and Members of the Committee:

The ACLU of Hawai'i **OPPOSES SB3283** which lowers the salary of the Hawaii Correctional System Oversight Coordinator to be 100% of the salary of the Deputy Director of Human Resources Development, rather than 100% of the salary of the Director of Human Resources Development.

### **Historical Timeline that Led to the Creation of the Oversight Commission**

**Sept. 1984** – ACLU of Hawaii filed suit against the State of Hawai'i, citing overcrowding and conditions at OCCC and WCCC that were inhumane and violated minimal constitutional standards.

**June 1985** - state officials entered a consent decree, agreeing to set prison population limits and make sweeping facility and program improvements at OCCC and the Women's Community Correctional Center.<sup>1</sup>

**1999** – Conditions at Oahu Community Correctional Center improved sufficiently to end 14 years of mandated monitoring by national experts.<sup>2</sup>

**2016** - through **House Concurrent Resolution 85**, the House of Representatives requested the establishment of a taskforce to study effective incarceration policies to improve Hawaii's correctional system. The H.C.R. 85 Task Force's Final Report, released in December 2018, included many recommendations, including the creation of

**January 2017** -The American Civil Liberties Union of Hawai'i (ACLU) filed a 28-page complaint with the United States Department of Justice alleging unconstitutional conditions at Hawai'i's prisons. The complaint documented unsafe and unsanitary living

<sup>1</sup> <https://www.prisonlegalnews.org/news/1993/oct/15/aclu-reaches-accord-with-hawaii-in-prison-case/>

<sup>2</sup> <https://www.aclu.org/press-releases/14-years-later-state-prison-monitoring-hawaii-end>

conditions, overcrowding, “woefully inadequate” medical and psychiatric care, understaffing, and other clearly unconstitutional conditions.<sup>3</sup>

**2019** - The Hawai’i Legislature found that, “independent oversight of the State’s correctional system ensures transparency, supports safe conditions for employees, inmates, and detainees, and provides positive reform towards a rehabilitative and therapeutic correctional system.” Thereafter, Act 179 of 2019 was passed. Chapter 353L of the Hawai’i Revised Statute is the enabling legislation for the creation of the Hawai’i Correctional System Oversight Commission.

### **Oversight Coordinator’s Salary Codified in Statute**

H.R.S. 353L-2 (b) specifies that, “the Oversight Coordinator of the Commission shall be paid a salary set at one hundred percent of the salary of the Director of Human Resources Development.”

Currently, the Director of the Human Resources Development, appointed by the Governor earns a salary range of \$170,784.<sup>4</sup>

The Legislature established the Oversight Coordinator’s salary on par with the salary of the Director of the Human Resources Development to ensure the recruitment of candidates with expertise in correctional oversight.<sup>5</sup> Additionally, this salary reflects the broad job duties of the Oversight Coordinator in providing oversight to our jails and prisons, and Saguaro prison in Arizona.

The Oversight Coordinator is required to undergo a vigorous selection process. The Oversight Commission conducted interviews with candidates from a national pool and forwarded the names of three applicants to the Governor. Thereafter, the Governor met with the three candidates and selected Ms. Christin Johnson to serve as our first Oversight Coordinator.

Hawai’i is one of over 20 states across the U.S. that has correctional oversight. **Of note, the Oversight Coordinator’s salary is in alignment with other oversight agencies.** This salary is not only reasonable given the Coordinator’s broad duties, it is also necessary to ensure the independence of the Oversight Commission and to insulate the Oversight Coordinate from political winds.

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<sup>3</sup> <https://acluhawaii.files.wordpress.com/2017/01/acluhidojcomplaintprisonovercrowding.pdf>

<sup>4</sup> <https://www.civilbeat.org/data/hawaii-state-salaries/>

<sup>5</sup> Per HRS 353L-2, the Oversight Coordinator shall, “be a person qualified by training and experience to administer the Hawaii Correctional System Oversight Commission and shall be well-versed in criminal justice reform and maintain a firm commitment to the correctional system’s transition to a rehabilitative and therapeutic model.”



Moreover, the Oversight Coordinator's salary is similar to the salaries of the Ombudsman and the State Auditor, who also have oversight responsibilities.<sup>6</sup>

### ***High Work Performance***

The Oversight Coordinator's work performance has not gone unnoticed by the ACLU of Hawai'i, and our larger community. Ms. Johnson brings a level of oversight experience to Hawaii's correctional system that is unmatched. The Commission's body of work is reflected in its monthly meeting reports, Site Visit Reports, Annual Report to the Legislature, Strategic Planning Report and website.

By all objective measures, Ms. Johnson has been successfully fulfilling her oversight responsibilities with transparency, accountability, and integrity. Ms. Johnson is contributing to charting a new course for corrections in Hawai'i – for incarcerated individuals and their families, for correctional staff and our entire community.

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

In closing, the Oversight Coordinator position is an important and necessary investment to advance systemic changes to our overcrowded and inhumane carceral system. Please defer S.B. 3283.

Sincerely,

### **Carrie Ann Shirota**

Carrie Ann Shirota  
Policy Director  
ACLU of Hawai'i  
[cshirota@acluhawaii.org](mailto:cshirota@acluhawaii.org)

*The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving Hawai'i for over 50 years.*

American Civil Liberties Union of Hawai'i  
P.O. Box 3410  
Honolulu, Hawai'i 96801  
T: 808.522.5900  
F: 808.522.5909  
E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
[www.acluhawaii.org](http://www.acluhawaii.org)

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<sup>6</sup> <https://www.civilbeat.org/data/hawaii-state-salaries/>

**LATE**

**SB-3283**

Submitted on: 2/9/2024 7:48:42 AM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Olivia Chang	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill

**LATE**

**SB-3283**

Submitted on: 2/9/2024 7:52:57 AM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cathy Tilley	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. We as a state are finally making progress in correcting all the things that have been wrong in or corrections system and there is still so much to do we must fund the committee and chair. they are doing so much to right the wrongs and make our corrections jsafer and actually make it corrections rather than just punative. We must continue on this path.

Sincerely Cathy Tilley

621 Pauku st Kailua HI

**LATE**

**SB-3283**

Submitted on: 2/9/2024 8:28:50 AM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jordan Smith	Individual	Oppose	Written Testimony Only

Comments:

Legislators should be focused on addressing the 55 issues identified by the Commission plaguing our citizens involved in the correctional system and robbing them of their rights as US citizens to reside in a safe place free from harm to serve their sentences rather than docking the pay of the people bringing the states failures to light. Similar work should receive similar pay. The commission leader has similar oversight responsibilities to the ombudsman who receives the higher range of pay. Keep the pay the same and do not pass this bill.

please support fixing our carceral system. Mahalo

**LATE**

**SB-3283**

Submitted on: 2/9/2024 8:37:59 AM

Testimony for PSM on 2/9/2024 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Luanna Peterson	Individual	Oppose	Written Testimony Only

Comments:

Dear Honorable Members of the Legislative Committee,

I am writing to express my deep concern and opposition to the proposed measure of lowering the salary of the Hawaii Correctional System Oversight Coordinator to be 100% of the salary of the Deputy Director of Human Resources Development, rather than 100% of the salary of the Director of Human Resources Development, effective 12/1/2024. As a resident of Hawai‘i, I strongly believe that maintaining fair and competitive compensation for this important role is crucial for the effective oversight and administration of our correctional system.

Hawaii prides itself on its commitment to aloha, fairness, and the well-being of all its residents. By lowering the salary of the Hawaii Correctional System Oversight Coordinator, we risk diminishing the quality and effectiveness of the oversight process, ultimately jeopardizing the principles that make our Hawai‘i so unique and respected.

The role of the Correctional System Oversight Coordinator is of paramount importance in ensuring the transparency, accountability, and proper functioning of our correctional institutions. This position requires a high level of expertise, experience, and dedication to oversee the treatment of incarcerated individuals, evaluate the conditions within our prisons, and address any concerns or violations that may arise. It is imperative that we attract and retain highly qualified professionals for this role, and lowering the salary would greatly hinder this objective.

By reducing the salary of the Oversight Coordinator to be 100% of the salary of the Deputy Director of Human Resources Development, we risk devaluing the importance of this role and potentially discouraging competent individuals from pursuing or continuing in this crucial position. This could have severe consequences for the oversight process, as it may result in a lack of qualified candidates and a diminished ability to effectively monitor and address issues within our correctional system.

Moreover, lowering the salary may undermine the independence and impartiality of the Oversight Coordinator. It is crucial that this position remains free from any potential conflicts of interest or undue influence. By aligning the salary with a different position, we risk compromising the integrity of the oversight process and the public's trust in its outcomes.

I urge you to reconsider the proposed measure.

Mahalo,

Luanna Peterson

**LATE**

**SB-3283**

Submitted on: 2/9/2024 8:38:03 AM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Daphne Barbee-Wooten	Individual	Oppose	Written Testimony Only

Comments:

I am concerned about this bill which cuts funding for the Hawaii Correctional Oversight Commission. This reduction of salary appears to be retaliatory due to the progress and transparency the Oversight Commission had made the past year to ensure the prison system is reporting deaths, injuries, meeting Constitutional standards and improving the facilities. Instead of decreasing funding, there should be an increase of funding for the good job they are doing making the prison system in Hawaii accountable. Please do not pass this bill.

**LATE**

**SB-3283**

Submitted on: 2/9/2024 9:01:12 AM  
Testimony for PSM on 2/9/2024 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristen Young	Individual	Oppose	Written Testimony Only

Comments:

Aloha, please vote NO on SB3283. According to Prison Policy Initiative, "Hawaii has an incarceration rate of [439 per 100,000 people](#) (including prisons, jails, immigration detention, and juvenile justice facilities), meaning that it locks up a higher percentage of its people than almost any democratic country on earth." Not only are we incarcerating people at an alarming rate, we are subjecting them to horrendous conditions inside. This kind of punishment does not promote safety.

The work of the Correctional System Oversight Commission has been extremely important in revealing the harsh conditions of our prisons, offering accountability and transparency to the public and opportunity for improvement. The coordinator has an important job and should be compensated fairly.

In a recent article by Civil Beat, Commission Chairman Mark Patterson was quoted saying, "You've got millions of dollars in overtime, millions of dollars in lawsuits, you've got justice involved individuals dying in your prisons, not to mention suicides by staff and all of those issues, and you're focusing on a salary." "It's just mind boggling that their focus is on her salary."

Please vote NO on SB3283 so the commission can effectively continue its work.





**SB-3283**

Submitted on: 2/9/2024 9:27:14 AM

Testimony for PSM on 2/9/2024 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Greg Misakian	Individual	Oppose	Written Testimony Only

Comments:

My name is Greg Misakian and I oppose SB3283.

Our legislators who introduced this may want to consider having their pay reduced, for wasting the legislature's time on this bill.

An excerpt from today's Civil Beat story "Senators Move To Cut The Pay Of The Top Staffer On Hawaii's Prison Oversight Commission" says it all:

*'This Is Unusual'*

*State Rep. Gregg Takayama, who was chairman of the House Public Safety Committee when the commission was created, said the oversight coordinator's salary was deliberately set at the same level as the state ombudsman, who performs a somewhat similar oversight function.*

*Both positions receive the same pay as many state department heads. "It is an important job, a lot of responsibility, and we were looking for someone with the experience and the ability to do this tough job," Takayama said.*

*Daniel Foley, a retired Intermediate Court of Appeals judge, said he understands that legislators and Department of Corrections and Rehabilitation officials may not be comfortable with an outspoken commission and a vocal oversight coordinator, "but it serves a purpose."*

*Foley was legal director with the American Civil Liberties Union of Hawaii in 1984, and sued the state over unconstitutional conditions at the women's prison and the old Oahu Prison. That lawsuit resulted in the state being placed under a federal consent decree for 15 years.*

*"You really need someone to have access," Foley said. "The prisons are closed to the public, and Christin Johnson's role has been to enter the facilities to scrutinize conditions."*

*"I would hope no one has any retaliatory motive in mind or undermining the commission," Foley said. "This is unusual. I haven't seen one like this before."*

**SB-3283**

Submitted on: 2/9/2024 10:26:34 AM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alan B Burdick	Individual	Oppose	Written Testimony Only

Comments:

This bill is intended to send a message that criticism of the State's woefully inadequate "correctional" facilities is not acceptable. This attempt to shut down free speech is itself not acceptable in the Aloha State.

We must be open to good faith criticism, which is what Christin Johnson has provided us. Let's recognize the inadequacies of the system. Yes, it's true that prisoners don't have a large body of constituents who want to spend money on their rehabilitation, but most of them are going to be back out on the streets someday, and it is in our long-term best interests to work on rehabilitating those who can benefit from drug treatment, mental health treatment, and vocational education.

**LATE**

**SB-3283**

Submitted on: 2/9/2024 11:17:48 AM  
Testimony for PSM on 2/9/2024 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristen Alice	Individual	Oppose	Written Testimony Only

Comments:

Christin Johnson has brought attention to the urgency of addressing human rights violations and the need for accountability in our our prisons. She's done an exceptional job in her role at the Correctional Oversight Commission.

**This bill looks like an attempt to bully her into silence.**

We can do better than **targeting a woman who speaks out and holds a male dominated system accountable.**

**LATE**

**SB-3283**

Submitted on: 2/9/2024 12:29:23 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Rev Kyle Lovett	Individual	Oppose	Written Testimony Only

Comments:

Honorable Senators,

I write in opposition to SB3283. The State of Hawai'i and its citizens have been well served by the remarkable good fortune we had to secure someone as knowledgeable and as determined to fact-find as Christin Johnson. While I am sure it is uncomfortable for some to learn about what exactly is going on in the jails and prisons that house Hawaii's people, learning the truth is required to set things right.

Targeting an individual for reduced pay is especially egregious.

I urge you to keep Hawaii on the path toward transparency and education about what's true in our state. Do not return us to the conditions that brought about the 15-year federal oversight consent decree. Let's take care of our own situation.

I urge your support of the Hawaii Correctional System Oversight Commission and its top staff person.

Mahalo for your kind attention to this concern.

~Kyle

Rev. Kyle Lovett

HI Senate District 13

**LATE**

**SB-3283**

Submitted on: 2/9/2024 12:44:55 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Christine Weger	Individual	Oppose	Written Testimony Only

Comments:

Please do not take any action that will weaken the Oversight Commission--our State has been engaged in much needed prison reform for many years. We all realize the Commission recommendations may present challenges and often make administrators uncomfortable-- this is the very reason that a separate well-funded commission is so necessary.

Our prison system has had a checkered history and we need reforms if we are to hold our heads high in comparison to other states.

Mahalo,

Christine Weger

Diehl & Weger Attorneys at Law, ALC

**LATE**

**SB-3283**

Submitted on: 2/9/2024 1:47:01 PM

Testimony for PSM on 2/9/2024 3:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Ron Fujiyoshi	Testifying for Ohana Ho'opakele	Oppose	Written Testimony Only

Comments:

TO: Senator Glenn Wakai, Chair, Senate Committee on Public Safety and Intergovernmental and Military Affairs (PSM)

Dear Senators Glenn Wakai, Brandon J.C. Elefante, Carol Fukunaga, Karl Rhoads and Brenton Awa

Mahalo for allowing me to send testimony to you on behalf of Ohana Ho`opakele.

My name is Ronald Fujiyoshi. I have served as the treasurer of Ohana Ho`opakele since May 2000. I want to write in opposition to SB3283.

The Hawaii Correctional System Oversight Commission (HCSOC) was created by the Hawaii State Legislature in 2019 with commissioners appointed by the Office of Hawaiian Affairs, the Speaker of the House of Representatives, the Chief Justice of the Supreme Court, the Senate President, and the Governor. Until Christin M. Johnson was appointed by Governor Ige in July 2022 as the first Oversight Coordinator the commission functioned without staff. According to the commission, since the hiring of the Oversight Coordinator, the commission has completed:

- 50+ recommendations to PSD/DCR
- 35 facility visits
- 23 public reports
  - o 12 monthly reports
  - o 8 facility-specific reports
  - o 2 strategic plans
  - o 1 year in review
  - o 16 public meetings.

A large part of these accomplishments are due to the hard work and initiative of the Oversight Coordinator.

Our organization, Ohana Ho`opakele has had the privilege of meeting Christen Johnson over lunch in Hilo on March 22, 2023. We learned, not only of her credentials that qualified her for the position of Oversight Coordinator, but was impressed with her openness and willingness to hear from our members, some of whom have spent time as pa`ahao in the Hawaii prison system. On November 16, 2023 the Hawaii Correctional System Oversight Commission held a hearing at the University of Hawaii at Hilo where our members and about twenty other members of the public were able to meet the commission members in person. Some of us testified at the hearing. At another luncheon on August 22, 2023 both Christin Johnson and Cara Compani, Reentry and Diversion Oversight Specialist met with our members to get to know each other better and to share ideas.

Our organization feels strongly that Christin M. Johnson, the first ever Oversight Coordinator for the HCSOC has done excellent work and deserves to be compensated fairly for the good work she has performed. Thus, we cannot emphasize how strongly we feel that SB3283 is sending a bad message to the public and to the HCSOC and staff by cutting the salary of the Oversight Coordinator by paying according to a lower scale. Please vote against SB3283, and by so doing, show your strong support for the good work that the HCSOC and their outstanding staff are doing.

Mahalo for the opportunity to testify before this committee!



# Hawaii Correctional System Oversight Commission

Monthly Oversight Coordinator Report – March 21 2024



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## Introduction

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 publicly posts 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.

## Passing of Founding Commissioner, Ted Sakai

It is with profound sadness and heavy hearts that the Hawaii Correctional System Oversight Commission share the news of the passing of founding Commissioner, Ted Sakai. Ted, a beloved colleague, and friend, departed from us in the late morning of March 18, 2024.

Ted was a pillar of the Oversight Commission, contributing immensely to the Commission's work as a collegial, compassionate, and knowledgeable Commissioner. Ted dedicated his life to fostering a more humane corrections system, and his compassion for those in need was immeasurable. During his tenure as Commissioner, Ted actively participated in the Oversight Commission's public meetings, conducted thorough facility tours in collaboration with the Oversight Coordinator, and consistently emphasized the imperative for enhancements within the state's reentry system.

Ted will be remembered for his leadership, dedication, compassion, and unwavering commitment to the people of Hawaii, and for the warmth he extended to everyone around him. Ted's absence leaves a void that cannot be filled, and he will be deeply missed by the Oversight Commission, and by all who had the privilege of knowing him.

During this difficult time, the Oversight Commission extends our heartfelt condolences to Ted's family and loved ones. Our thoughts and prayers are with them as they navigate through this profound loss.

## New Appointee to the Commission: Honorable R. Mark Browning

The Commission is thrilled to welcome our newest Commissioner, the Honorable R. Mark Browning. Commissioner Browning became a First Circuit Court judge on May 6, 2010. He had been a district family court judge since 1997 and was the presiding juvenile drug court judge from 2002 to 2010. Prior to his appointment to the Family Court, Commissioner Browning was a partner with the law firm Shim Tam Kirimitsu Kitamura & Chang. He also served as a deputy prosecuting attorney for the City and County of Honolulu.

Commissioner Browning has served and is serving on a number of professional and community boards and committees, including the Project Visitation Advisory Committee; Friends of Foster Kids Board; Judicial Education Committee; Juvenile Detention Alternative Initiative Steering Committee; Hawaii Supreme Court Committee on Divorce Proceedings and Procedures; Juvenile Crime Enforcement Coalition, American Judicature Society; and the Volunteer Settlement Master Advisory Committee. He is a graduate of Northwestern School of Law at Lewis & Clark College.

The Commission is thrilled to have Commissioner Browning's skills, expertise, and compassion added to our team. Commissioner Browning was appointed by Governor Green on February 27, 2024, and sworn onto the Commission on March 20, 2024.

## Death in Custody

There have been no deaths in custody since January 4, 2024 as reported in the January Oversight Coordinator report.

## Legislative Updates

### *Budget Hearings*

The Commission submitted written testimony to the House Committee on Finance (FIN) and to the Senate Committee on Ways and Means (WAM) supporting House Bill 1800 Relating to the State Budget as it encompasses an appropriation for the Attorney General's Office to include the Oversight Commission in the base budget.

On March 6, 2024, House Bill 1800 Relating to the State Budget was heard by FIN. FIN received 61 pages of testimonies in support of the HCSOC from 12 local and national organizations, and 25 concerned citizens totaling 37 testimonials. The Commission is pleased to report that the FIN **supported** the Commission's budget request of \$462,134.

On March 20, 2024, House Bill 1800 Relating to the State Budget was heard by WAM. WAM received 40 pages of testimonies in support of the HCSOC from 10 local and national organizations, 8 concerned citizens totaling 18 testimonials. The Commission is incredibly grateful for the ongoing support while the office continues to grow and build on this important work.

Currently, there is a hearing scheduled on March 27, 2024 at 10am for decision-making by WAM. No testimony will be accepted.

Below is the Commission's testimony in support of HB1800 Relating to the State Budget:

JOSH GREEN, M.D.  
GOVERNOR



STATE OF HAWAII  
HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION  
E HUIKALA A MA'EMA'E NO  
235 S. Beretania Street, 16<sup>th</sup> Floor  
HONOLULU, HAWAII 96813  
(808) 587-4160

MARK PATTERSON  
CHAIR

CHRISTIN M. JOHNSON  
OVERSIGHT COORDINATOR

COMMISSIONERS  
HON. RONALD IBARRA (ret.)

HON. MICHAEL A. TOWN (ret.)

MARTHA TORNEY

TO: The Honorable Kyle T. Yamashita, Chair  
The Honorable Lisa Kitagawa, Vice Chair  
House Committee on Finance

FROM: Mark Patterson, Chair  
Hawaii Correctional System Oversight Commission

SUBJECT: House Bill 1800, Relating to the State Budget  
Hearing: Wednesday, March 6; 10:00am  
State Capitol, Room 308

Chair Yamashita, Vice Chair Kitagawa, and Members of the Committee:

The Hawaii Correctional System Oversight Commission (HCSOC, the Commission) supports House Bill 1800, Relating to the State Budget, as it encompasses an appropriation for the Attorney General's Office to include the Oversight Commission in the base budget.

In 2019, the Hawaii legislature found that, "independent oversight of the State's correctional system ensures transparency, supports safe conditions for employees, inmates, and detainees, and provides positive reform towards a rehabilitative and therapeutic correctional system." Therefore, Act 179 of 2019 was passed and Chapter 353L of the Hawaii Revised Statute was created. However, despite these legislative efforts, the Hawaii Correctional System Oversight Commission has faced numerous challenges in securing and maintaining adequate funding.

Presently, the Oversight Commission operates without a permanent allocation in the State's base budget. In fiscal year 2022, the Commission submitted its full budget request in the amount of \$534,388, however the House and Senate did not concur, and the Commission therefore was not funded. Instead, Governor Green funded the Oversight Commission for one year, and those funds lapse on June 30, 2024.

Out of respect for Maui and the State's duty to support Lahaina, the Commission has pursued a modest request of \$452,134 for Fiscal Year 2025 (FY25), which will be channeled through the Office of the Attorney General. These funds will support four full-time positions and the vital travel and other activities necessary for the Commission to effectively fulfill its mandated duties, ensuring the continuity of office operations and staff.

In accordance with Hawaii Revised Statute 353L, the Commission is tasked with overseeing the correctional system, investigating complaints, establishing inmate population limits, and ensuring the proper functioning of the comprehensive offender reentry system. Since the Commission's



House Bill 1800, Relating to the State Budget  
House Committee on Finance  
March 6, 2024, 10:00am

establishment in 2020, the Commission has made significant strides, particularly with the hiring of dedicated staff and the initiation of vital oversight activities.

In 2023 alone, the Commission conducted 35 facility investigative visits, issued 23 public reports, and held 16 public meetings. These efforts have resulted in over 50 recommendations to the Department of Corrections and Rehabilitation, contributing to tangible improvements in our correctional system. Examples of these recommendations include:

- Ensuring basic federal standards and requirements are understood and followed, including proper access to court, bedframes/bunkbeds in cells, access to clothing and bedding, access to outdoor recreation, and access to menstrual pads.
- Painting and reconfiguring cells for those on suicide-watch for a more therapeutic environment.
- Restoring contact visits to ensure stronger family ties and better success in reentry.
- Ensuring that vehicles are not parked in the sally port unless in active use, and that the sally port gates are secured unless a vehicle is entering or leaving to prevent a potential escape of detainees.

The Department of Corrections and Rehabilitation (DCR) has been a supportive and imperative partner in ensuring a more rehabilitative and therapeutic corrections system for their staff and incarcerated population. In addition to working closely with the DCR, the Oversight Commission and its staff have diligently cultivated relationships to enhance their understanding of community and governmental needs pertaining to public safety and the need for effective reentry. Commission staff have forged partnerships with a range of stakeholders, including community organizations, State agencies, City and County agencies, and community members at large. This is evident in the public endorsements from over 50 impacted community members and local agencies including:

- United Public Workers (UPW)
- Hawai'i Paroling Authority
- Hawai'i Criminal Justice Research Institute
- State of Hawai'i Judiciary
- State of Hawai'i Office of the Public Defender
- Office of the Prosecuting Attorney, County of Kaua'i
- Office of the Prosecuting Attorney, County of Hawai'i
- Hawai'i Innocence Project
- Women's Prison Project
- Community Alliance on Prisons
- Pu'a Foundation
- Tahiri Association
- 'Ekolu Mea Nui
- Hawai'i Friends of Restorative Justice
- Ohana E' Ho'opakele
- Maui Economic Opportunity
- Going Home Hawai'i
- Hawai'i Health & Harm Reduction Center
- American Civil Liberties Union (ACLU) of Hawai'i

House Bill 1800, Relating to the State Budget  
House Committee on Finance  
March 6, 2024, 10:00am

It is crucial to recognize that without funding and adequate resources, the Commission's ability to fulfill its mandate in ensuring compliance with state and federal regulations is severely compromised. This could jeopardize the State's ability to maintain accountability within its correctional system and increase the risk of state lawsuits and costly federal interventions. Additionally, the ramifications extend beyond budgetary concerns as oversight is imperative to safeguarding the rights and well-being of incarcerated individuals, staff members who work in the correctional facilities, and the broader community.

Therefore, when evaluating the state of corrections and the allocation of funds towards correctional, reentry, and rehabilitative initiatives in Hawaii, the Hawaii Correctional System Oversight Commission stands as a pivotal investment for driving systemic transformation.

For all the reasons stated above, the Oversight Commission supports HB1800 as it will secure funding for the Hawaii Correctional System Oversight Commission within the State's base budget, enabling the Commission to sustain its crucial efforts.

Thank you for the opportunity to testify.

### *Informational Briefing*

On Monday, March 18, 2024, at 10am, the Commission presented to the House Committees on Judiciary and Hawaiian Affairs (JHA) and on Corrections, Military, and Veterans (CMV) during a House Informational Briefing. The Commission was honored to have the opportunity to share its important work and mission with the House, and the PowerPoint used during the presentation is attached to this report. Additionally, the summary, agenda, and link to the video from the briefing are below.

#### Summary

The Hawaii Correctional System Oversight Commission (HCSOC) was established by the Hawaii State Legislature in 2019 to ensure transparency, support safe conditions for employees, inmates, and detainees, and provide positive reform toward a rehabilitative and therapeutic correctional system. This briefing will focus on the value of correctional oversight and the HCSOC's journey, work, and impact since it was established in 2019 and gained staff in 2022. The HCSOC will also highlight collaboration with justice system stakeholders and current and future projects which further our path towards a correctional system transition to a rehabilitative and therapeutic model.

#### Presenters

- Christin Johnson, Oversight Coordinator, Hawaii Correctional System Oversight Commission
- Mark Patterson, Chair, Hawaii Correctional System Oversight Commission
- Cara Comani, Reentry and Diversion Oversight Specialist
- Martha Torney, Commissioner

#### Agenda

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

PowerPoint Presentation:

[https://www.capitol.hawaii.gov/CommitteeFiles/HOUSE/JHA/JHAfiles/HCSOC\\_2024.pdf](https://www.capitol.hawaii.gov/CommitteeFiles/HOUSE/JHA/JHAfiles/HCSOC_2024.pdf) (also attached below)

### **Justice Innovations Summit**

On February 16 through 19, Commission Chair Mark Patterson, Commissioner Martha Torney, Commissioner Mike Town, and Reentry and Diversion Oversight Specialist Cara Comani, along with a diverse cohort of 300 participants along with 100 presenters from

around the globe, attended the Justice Innovation Summit hosted by the Hawai'i Friends of Restorative Justice at the University of Hawai'i at Manoa. Over three days, attendees engaged in workshops and discussions led by international experts and innovative justice practitioners.

Topics explored during the Summit included restorative justice, transformative justice, transitional justice, therapeutic jurisprudence, victimology, and indigenous peacemaking, each applied to various disciplines such as environmental protection and justice, education, corrections, child and family services, domestic violence, gender violence, and fostering peaceful communities.

Commission Chair Mark Patterson presented and contributed to several summit discussions and workshops, including: *sharing and transferring innovations in justice across different sectors*; *Exploring Community-Powered Solutions in youth systems focusing on Healing, Love, and Justice*; *Developing Programming that Accepts Referrals from Justice System Officials to foster Bridges and Trust*; and moderating a roundtable discussion with currently and formerly incarcerated individuals. Additionally, Commissioner Mike Town, alongside judges from across the globe, facilitated the workshop *Healing instead of Punishing*.

## Reckoning with Restorative Justice

The Oversight Coordinator and Reentry and Diversion Oversight Specialist traveled to the University of Hawai'i at Hilo on February 29 for an engaging discussion with Professor Leanne Trapedo Sims about her book, *Reckoning with Restorative Justice: Hawai'i Women's Prison Writing*. The book delves into the experiences of women incarcerated at the Women's Community Correctional Center and their writings.

Ohana Ho'opakele and the University of Hawai'i at Hilo Research Office sponsored this event. The Commission Staff extends sincere appreciation to Ohana Ho'opakele for hosting this discussion and for their continued support of the Commission.

## Breaking Cycles Symposium Update

Chair Patterson, the Oversight Coordinator, and the Reentry and Diversion Oversight Specialist attended the Breaking Cycles Symposium Update on March 6 at the Hawai'i State Capitol, which served as a follow-up to the original Breaking Cycles Symposium: Re-envisioning a Health, Housing, and Corrections Continuum held on October 10 & 11, 2023.

The Breaking Cycles Symposium Update aimed to share outcomes from recent University of Hawai'i Community Design Center workshops and provide updates from the Department of Corrections and Rehabilitation, Department of Health, Department of Human Services, Judiciary, Governor's Office, and community partners. The Commission appreciates the efforts presented during the Breaking Cycles Symposium Update and looks forward to collaborating with partners and stakeholders to implement additional recommendations from the original Breaking Cycles Symposium.



## Halawa Resource Fair

The Reentry and Diversion Oversight Specialist attended the inaugural Halawa Correctional Facility (HCF) Resource Fair on March 14, 2024. This event was specifically designed to assist men who have been paroled or are maxing out of HCF within the next year. Between 300 and 400 individuals in custody participated in this event.

The resource fair encompassed almost 40 service providers. These included job readiness programs, housing options and shelters, substance abuse treatment, sobriety support, health and behavioral health care, education, and other support services. Community service providers were grateful for the opportunity to engage with individuals in custody at HCF, allowing them to provide detailed information about their programs. People in custody at HCF appreciated the chance to connect with potential service providers before leaving the facility.

Key leadership from the Department of Corrections and Rehabilitation, including the Director, deputy directors, and staff from the reentry office, were in attendance and delivered remarks commending the event's significance and the collective efforts that made it a reality. The success of this event was achieved through the collaborative efforts of HCF leadership, the education department, and Transforming Lives Prison Ministry. The Commission acknowledges and appreciates their dedication to organizing this impactful and inspiring event and hopes it serves as a model for similar initiatives in the future.

## Corrections Staff Survey and Report

Consistent with the Commission's mandate to investigate complaints at correctional facilities, the HCSOC staff are focusing on an all-encompassing staff survey to better understand the corrections environment; enhance data collection capacities to promote transparency and accountability; and recommend evidence-based programs and policies to improve conditions for those working in our jails and prisons.

The survey being utilized was created under the Urban Institute's Prison Research and Innovation Initiative (PRII), supported by Arnold Ventures. The survey has been distributed in facilities throughout five states and was developed using participatory research methods, elevating the voices and perspectives of correctional staff. Vermont had a particularly successful survey launch with a response rate of 70% at the Southern State Correctional Facility. It is the Commission's goal to gather as much, if not more, participation.

The survey, available electronically or on paper, is anonymous and confidential. Now that all surveys have been completed and collected, the Commission is scheduling talk stories with each facility to create recommendations for improving health, safety, the work environment, and concerns most important to staff. For the paper surveys, Commission staff successfully distributed and collected paper surveys on the following dates:

- Wednesday, January 3 – OCCC
- Thursday, January 4 – WCF
- Friday, January 5 – OCCC & WCF
- Monday, January 8 – KCF

- Tuesday, January 9 – WCCC
- Wednesday, January 10 – MCCC
- Friday, January 12 – KCCC
- Tuesday, January 16 – HCF
- Tuesday, January 23 – OCCC
- Thursday, January 25 – HCCC
- Thursday, January 25 – HCCC & KCF
- Friday, January 26 – HCCC
- Monday, January 29 – WCCC
- Tuesday, January 30 – KCCC
- Wednesday, January 31 – MCCC
- Thursday, February 1 – HCF
- Friday, February 1 – HCF

The staff talk-stories are scheduled as follows:

- Tuesday, March 19 – HCF
- Friday, March 22 – KCF
- Monday, March 25 – KCCC
- Wednesday, March 27 – OCCC
- Tuesday, April 2 – WCF
- Wednesday, April 3 – HCCC
- Thursday, April 4 – MCCC
- Tuesday, April 9 – WCCC

The Commission is fortunate to have support for this project from the Department of Corrections and Rehabilitation, the United Public Workers (UPW) Hawaii, the Hawaii Government Employees Association (HGEA), and the cooperation of facility leadership. Although this will be an independent project to distribute and gain perspectives from staff, the HCSOC looks forward to working closely with UPW, HGEA, the Department of Public Safety, facility leadership, and staff on solutions.

## House Concurrent Resolution 23 Task Force

### *Overview*

House Concurrent Resolution No. 23 ([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, is chairing this task force.

### *Upcoming Meetings 2024*

- June 6, 9am-12pm
- September 12, 9am-12pm

The Commission has dedicated a page on its website to the HCR23 Task Force: <https://hcsoc.hawaii.gov/hcr23-task-force/>. This webpage has information on the

expectations of the task force, members, expected outcomes, partnerships, and meeting information. Meetings will be live streamed and can be viewed on the Commission’s [Facebook](#) page or [YouTube](#) channel.

## Expenses for the Preceding Month – February

	Cost	Qty	Total	Notes
<b>Office Equipment and Supplies</b>			<b>\$560</b>	
Office Furniture			\$0.00	
General Office Supplies	\$236.90	1.00	\$236.90	
Staff and Commission Badges			\$0.00	
Staff and Commission Badge Holders			\$0.00	
Cell Phone			\$0.00	
Cell Phone Monthly Plan	\$172.87	1.00	\$172.87	
Wifi Hotspot			\$0.00	
Heroku Monthly Plan - Complaint Management	\$65.00	1.00	\$65.00	
Elastic Cloud Monthly Plan - Complaint Management	\$18.23	1.00	\$18.23	
Other Current Expenditures	\$66.92	1.00	\$66.92	
<b>Inter-Island Correctional Facility Travel</b>			<b>\$571.41</b>	
Airfare		1.00	\$0.00	
Car Rental	\$77.00	1.00	\$77.00	
Daily Per Diem	\$259.50	1.00	\$259.50	
Lodging+Tax	\$138.91	1.00	\$138.91	
Ground Transportation	\$0.00	1.00	\$0.00	
Airport Parking	\$24.00	4.00	\$96.00	
<b>Mainland Correctional Facility Travel</b>			<b>\$4,891.97</b>	
Airfare	\$1,004.09	1.00	\$1,004.09	
Car Rental	\$0.00		\$0.00	
Daily Per Diem	\$1,933.25	1.00	\$1,933.25	
Lodging+Tax	\$1,461.02	1.00	\$1,461.02	
Ground Transportation	\$493.61	1.00	\$493.61	
Airport Parking	\$0.00		\$0.00	
<b>Memberships + Conferences</b>			<b>\$0.00</b>	
NACOLE (National Assoc. for Civilian Oversight of Law Enforcement)			\$0.00	
National Association of Sentencing Commissions			\$0.00	
NACOLE Virtual Training			\$0.00	
Going Home Hawaii Reentry Summit			\$0.00	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
Baggage Fee			\$0.00	
<b>TOTAL</b>			<b>\$6,023.30</b>	

\* All expenses reflect posted transactions

## General Office Information

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

Website: <https://hcsoc.hawaii.gov>

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

Email: [hcsoc@hawaii.gov](mailto:hcsoc@hawaii.gov)

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

[Facebook](#)  
[Instagram](#)

## Monthly Meetings

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting held on March 21, 2024. The next monthly meeting is scheduled to occur on April 18, 2024, at the University of Hawai'i at Hilo, 200 W Kawili Street, Room TBD, Hilo, Hawai'i 96720 and online via Zoom. More information can be found on the Commission's webpage here: <https://hcsoc.hawaii.gov/information/>.





# Hawaii Correctional System Oversight Commission

House Informational Briefing  
March 18, 2024

## Agenda

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



## WHAT IS CORRECTIONAL OVERSIGHT?

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

– National Resource Center for Correctional Oversight

## GOALS OF CORRECTIONAL OVERSIGHT:

**Improve transparency** of our nation's prisons and jails.

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

**Change lives** of those most impacted for the better.

## 13 PRINCIPLES OF CORRECTIONAL OVERSIGHT

Independence

Clearly Defined and Adequate Jurisdiction and Authority

Unfettered Access to Records and Facilities

Access to Corrections Executives and Internal Affairs Staff

Full Cooperation of all Officers and Department Staff

Sustained Stakeholder Support

Adequate Funding and Operational Resources

Public Reporting and Transparency

Analysis of Policy and Patterns in Practice

Community Outreach

Community Involvement

Confidentiality, Anonymity, and Protection from Retaliation

Procedural Justice and Legitimacy



# BENEFITS OF CORRECTIONAL OVERSIGHT

## Benefits to Incarcerated People and Staff

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

## Benefits to Correctional Administrators

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

## Benefits to Judges, Prosecutors, Defense Lawyers, & Policymakers

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

## Benefits to the Media and the General Public

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

# HISTORY OF THE COMMISSION

## Norway Trip

2015

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

## Legislative Task Force

2015

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

## HCR85 Task Force Report

2018

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

## Act 179

2019

HB 1552 (2019) incorporated the Task Force's oversight recommendations and was passed into law as Act 179, 2019. HRS 353L

## Commission Convenes

2020

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

## First Oversight Coordinator Hired

2022

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



# POWERS AND DUTIES OF THE COMMISSION

Hawaii Revised Statute 353L-3



## Investigate

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



## Facilitate Transition

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



## Set Population Limits

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



## Oversee Reentry

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



## Monitor Compliance

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

## VISION

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

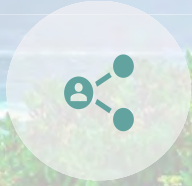
## MISSION

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





# HCSOC VALUES



**'Alohilohi**  
(*Transparency*)  
Being upfront and honest about our work.



**Kuleana**  
(*Accountability*)  
Always following through and following up to accomplish what we said we would do.



**Pono**  
(*Integrity*)  
Being honest and having strong moral principles.



**Aloha**  
(*Compassion*)  
Being genuinely concerned about other people and people's needs.



**Ha'aha'a**  
(*Humility*)  
Intentionally looking for ways to lift others to higher levels of confidence and experiences.

# COMMISSIONERS & STAFF

**Mark Patterson**

Chair - OHA Designee

**Hon. Ron Ibarra**

Commissioner - Chief Justice Designee

**Martha Torney**

Commissioner - House Speaker Designee

**Hon. Mike Town**

Commissioner - Senate President Designee

**Hon. Mark Browning**

Commissioner - Governor Designee

**Christin Johnson**

Oversight Coordinator

**George Choe**

Special Assistant

**Cara Compani**

Reentry and Diversion Oversight Specialist





# OVERSIGHT & PUBLIC ACCOUNTABILITY

## Public Meetings

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

## Public Reporting

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

## In the Media

- 97 Media Articles
- 1 Press Release

65+ Facility Visits

## Notable Facility Tours

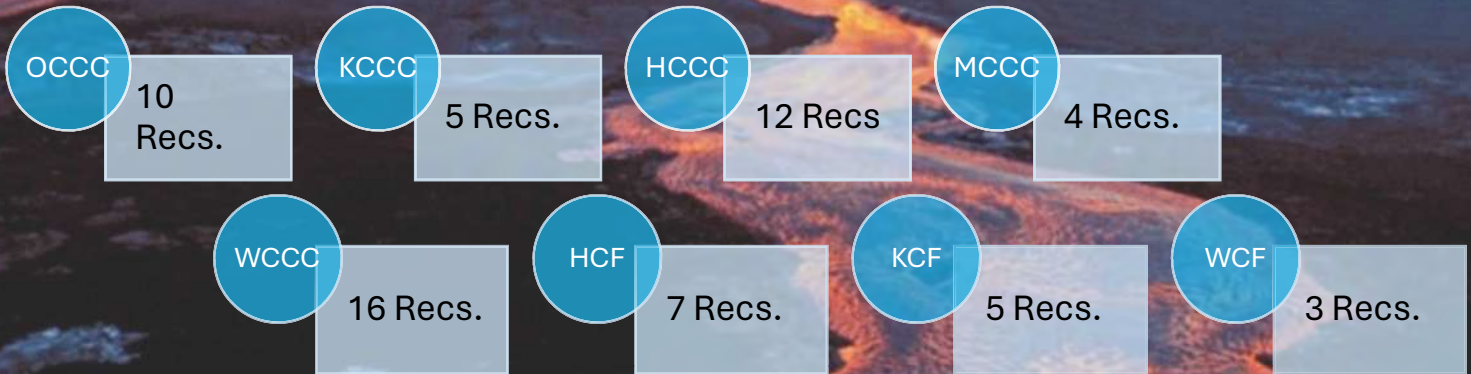
- OCCC Tour with Supreme Court Justices
- HCCC Tour with Hawaii Country Prosecutor's Office
- Halawa and OCCC Tour with Senate
- HCCC Tour with House Members
- Saguaro Tour with Senate
- OCCC Tour with Amend
- Las Colinas Detention and Reentry Facility Tour

# CORRECTIONAL FACILITY TOURS



# FACILITY-SPECIFIC RECOMMENDATIONS FOCUSED ON REHABILITATION

62 recs from facility-specific reports, 4 recs from letters to DCR.



## A NEW FOCUS ON REENTRY AND DIVERSION

### Oversight

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

### Reentry

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

### Rehabilitation

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

### Population Limits

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



# PROCESS AND PROJECTS



## COMMISSION'S IMPACT 159 PUBLIC TESTIMONIES

Based on my many years of experience and observations with PSD (now DCR), it is essential for inmates and staff to have an independent voice without fear of being retaliated against or silenced.  
– Lois T., 38 year employee of PSD/DCR

The Coordinator has been instrumental in helping our Office navigate connections between State agencies and community based organizations to reduce recidivism for individuals being released from incarceration.  
– Office of the Prosecuting Attorney, County of Kaua'i

We have had talks about us feeling like we need the feds to come back. That's how bad it is. No one's listening to us.  
**We finally have a voice and ear listening to us.**  
– Sgt. Kyles, OCCC

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

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

The Correctional Oversight Commission has advanced in making public and offering solutions to serious problems with Hawaii's jails and prisons.  
– Hawai'i Friends of Restorative Justice



A photograph of a city skyline at dusk, with tall buildings and a body of water in the foreground. The sky is a deep blue, and the city lights are visible.

# INVESTMENT

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

Budget Sheet  
Sequence  
No. 102-001  
ATG100/EC

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

A photograph of lush green mountains, likely in Hawaii, with deep valleys and steep slopes. The vegetation is dense and vibrant green.

# CONTACT US

[hcsoc@hawaii.gov](mailto:hcsoc@hawaii.gov)  
808-586-1500





# Hawaii Correctional System Oversight Commission

Monthly Oversight Coordinator Report – April 18 2024

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## Introduction

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 publicly posts 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.

## Death in Custody

On Friday, March 22, 2024, at the Kauai Community Correctional Center (KCCC), a person in custody, male, 33 years old, escaped from KCCC. The individual ran onto the Kuhio Highway where he was unfortunately struck by a vehicle. This was a hit and run incident. On March 28, this individual succumbed to his injuries and was pronounced deceased.

On Saturday, March 30, 2024, at the Halawa Correctional Facility (HCF), a person in custody, male, 84 years old, was found unresponsive. Medical staff notified Emergency Services and the individual was pronounced deceased at 4:21pm. This individual was unfortunately terminally ill.

## Legislative Updates – Budget Hearings

The Commission submitted written testimony to the House Committee on Finance (FIN) and to the Senate Committee on Ways and Means (WAM) supporting House Bill 1800 Relating the State Budget as it encompasses an appropriation for the Attorney General’s Office to include the Oversight Commission in the base budget.

On March 6, 2024, House Bill 1800 Relating to the State Budget was heard by FIN. FIN received 61 pages of testimonies in support of the HCSOC from 12 local and national organizations, and 25 concerned citizens totaling 37 testimonials. On March 20, 2024, House Bill 1800 Relating to the State Budget was heard by WAM. WAM received 40 pages of testimonies in support of the HCSOC from 10 local and national organizations, 8 concerned citizens totaling 18 testimonials. The Commission is incredibly grateful for the ongoing support while the office continues to grow and build on this important work.

The Commission is pleased to report that FIN and WAM **concurred** on the Commission's budget request of \$462,134. This means the Commission’s request will not be a part of



Conference Committee discussions, and the Commission's line item should be embedded into the State's budget.

## Breaking Cycles Virtual Roundtable: OCCC Programming & Design Case Studies

On April 12, 2024, the University of Hawaii Community Design Center (UHCDC) hosted a [Breaking Cycles virtual roundtable](#), focused on two unique systems relating to programming and facility design.

Lucy Easley, Facility Director of the Davidson County Sheriff's Office (DCSO), presented on the Behavioral Care Center (BCC). The Behavioral Care Center is a state licensed adult supportive treatment facility providing gender responsive trauma-informed care to residents in a short-term residential setting as an alternative to jail. Residents who successfully complete the program will not face criminal charges and will be provided resources for continuation of care. The BCC is a 60-bed facility that can house 30 males and 30 females. At maximum capacity, it is estimated that the facility will impact 1,500-2,000 individuals annually. DCSO's facility is designed to be a treatment setting rather than a correctional one.

James Krueger, Director of Design at the HMC Architects, presented his team's design of the Los Colinas Detention and Reentry Facility. In the design of the Los Colinas Detention and Reentry Facility, the HMC Architects created a campus community in a light color palette, soft and varied materials (including wood and glass), better acoustics, and ample natural light—all of which have been shown to reduce anger, stress, anxiety, sadness and depression. Unlike traditional prisons, where most services are housed centrally in enclosed environments with little natural light or outdoor space, this campus is divided into zones—administrative, communal, programmatic and housing—connected by a central quad or village green intended for recreation, akin to a typical university. Outdoor space encourages supervised interaction and the cafeteria exterior opens up to an outdoor pedestrian promenade and walking path. And just like in a higher education environment, the program activities and the spaces they occur in are designed to promote educational, vocational, personal and spiritual growth.

Previously, the Oversight Coordinator and Reentry and Diversion Oversight Specialist had the opportunity to tour the Los Colinas Detention and Reentry Facility which was presented in the October, 2023 Oversight Coordinator report found [here](#). The PowerPoint regarding the tour can be found [here](#).

After both presentations, there was a brief round table conversation with the following panelists:

- Hayley Cheng, First Deputy Public Defender, Office of the Public Defender
- Dennis Dunn, Board Member, Hawai'i State Coalition Against Domestic Violence
- Keoki Dudoit, Director of Operations, Makana O Ke Akua
- Christin Johnson, Oversight Coordinator, Hawai'i Correctional System Oversight Commission

- Lois Kim, Case Management Program Manager, Care Hawai‘i
- Bob Merce, Chair, Correctional Reform Working Group
- Eugenie Naone, Director of Programs, Ke Ola Mamo

## Tour of Kauai Community Correctional Center (KCCC)

On Thursday, March 21, 2023, the Hawaii Correctional System Oversight Commission (the Commission, HCSOC) toured the Kauai Community Correctional Center (KCCC) collectively as a group. The tour included three of the five Commissioners – Mark Patterson (Chair), Martha Torney, and Mark Browning in addition to the Oversight Coordinator and staff.

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

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

### **Recommendations to be considered by the Department of Corrections and Rehabilitation:**

- 1) Immediately cease any usage of the Restraint Chair and WRAP Chair until, at minimum, a policy is developed and approved by the Attorney General to protect the state from liability.**

If the Department of Corrections and Rehabilitation intends to continue use of such restraints mechanisms, it is imperative that a policy be developed and approved by the Attorney General to protect the State from liability.

The policy must include, at a minimum:

- Under what conditions may the restraint be used (**never for punishment**);
- Who must approve the use of the restraint (should be Warden, Deputy Warden, Chief of Security);
- Health Care must be informed and determine any medical risk in the use of the restraint;
- Placing an individual in the chair must be filmed, as with cell extraction;
- The individual should be checked on a regular basis (every 10 minutes) to ensure there is no medical problem and blood is circulating;
- There is a time limit for use of the restraint, such as two hours;
- An individual placed in the chair due to mental health issues (such as harm to self or others) must have medical and mental health approval; and,
- There must be a log maintained for the duration of the restraint.

- 2) The shipping container units outside Module 5 must not be used until there is a specific post made for that area to ensure there is staff in the immediate vicinity at all times.**

The Commission found that the shipping containers in front of the administration area did not have an ACO in the vicinity due to there being a lack of post assignment. Instead, the front gate officer is assigned to watch the shipping

containers in addition to their normal duties. The Department places itself at considerable risk by not posting an ACO in the immediate vicinity whenever any of the cells is occupied. The shipping containers must have a designated post and otherwise not be used as an ACO cannot be guaranteed to be in the immediate area whenever a cell is occupied.

It is, therefore, recommended that KCCC not use these units unless it can post an ACO in the immediate area whenever any cell is occupied. It should be noted that the Commission posted a similar recommendation one year ago in March 2023, however, the issue has not been addressed.

**3) Immediately prioritize the construction and replacement of the KCCC kitchen as it poses a dangerous threat to individuals or staff being hurt due to its desperate condition.**

The floors in the kitchen and mess hall were worn through to bare wood in some areas and completely gone in other areas. Plywood had been temporarily laid down to cover missing floorboards, but they were flimsy and extremely dangerous to walk on. The dangerous condition of the floor in the kitchen and mess hall could easily result in serious injury to staff and people in custody. A new floor must be laid as soon as possible.

**4) Remove the window covers of the shipping container windows to allow natural light.**

The Commission found that the shipping container cells had a slab of material completely blocking the windows to ensure women in the cells were not seen by men in custody. In accordance with American Correctional Association (ACA) Standard 4-ALDF-1A-16: *All inmate rooms/cells provide the occupants with access to natural light by means of at least three-square feet of transparent glazing, plus two additional square feet of transparent glazing per inmate in rooms/cells with three or more inmates.* Therefore, the Commission recommends removing the window covers to ensure access to natural light.

It should be noted that the Commission posted a similar recommendation one year ago in March 2023, however, the issue has not been addressed.

**5) Ensure individuals in the facility are receiving the most out-of-cell time possible in alignment with a rehabilitative and therapeutic environment.**

Individuals in Module B claimed to be locked in their cells for 22-hours per day. This, by definition, is considered restrictive housing, also sometimes referred to as solitary confinement. Additionally, it was unclear if women who are housed within the shipping containers get any type of recreational time outside of their cells.

If the Department of Corrections and Rehabilitation is serious about the transition to a therapeutic and rehabilitative system, it is imperative to ensure individuals are not locked down within their cells for such extended periods of time.

**6) Ensure that incarcerated women in Cabin C have access to outdoor space, specifically, the Cabin C lanai that was built for that exact purpose.**

Due to overcrowding, Cabin C's lanai was enclosed to increase the number of beds to house women, leaving the women no dayroom or outdoor space. Men housed in Cabin A and B, however, still have an open and functioning lanai that they can use at their leisure. Per the Commission's recommendation after the last visit in March 2023, a small lanai was added to Module C to ensure that women are afforded a dayroom/outdoor space comparable to the men. The Commission applauded this effort; however, the Commission was informed by the women housed, and by staff, that the women are given limited access (if any) to the lanai since male worklines sometimes pass by in the surrounding areas.

The facility must ensure incarcerated women have the same access to dayroom and recreation space as men.

**7) Ensure that individuals who work on the facility worklines are being paid accordingly, by Department policy.**

The Commission was informed that KCCC is not paying individuals to work on worklines. Although the Commission agrees that wages are extremely low per policy, it is not acceptable to deviate from policy, particularly when the deviation may affect an individual's opportunity to buy commissary, phone calls, or video visits. Additionally, this places an added burden on the community members as they will be the ones who send in money for people in custody to partake in commissary, phone calls, or video visits. Therefore, KCCC must pay individuals who work on the workline their appropriate wage per Department policy.

## Corrections Staff Survey and Report

Consistent with the Commission's mandate to investigate complaints at correctional facilities, the HCSOC staff are focusing on an all-encompassing staff survey to better understand the corrections environment; enhance data collection capacities to promote transparency and accountability; and recommend evidence-based programs and policies to improve conditions for those working in our jails and prisons.

The survey being utilized was created under the Urban Institute's Prison Research and Innovation Initiative (PRII), supported by Arnold Ventures. The survey has been distributed in facilities throughout five states and was developed using participatory research methods, elevating the voices and perspectives of correctional staff. Vermont had a particularly successful survey launch with a response rate of 70% at the Southern State Correctional Facility. It is the Commission's goal to gather as much, if not more, participation.

The survey, available electronically or on paper, is anonymous and confidential. Now that all surveys have been completed and collected, the Commission scheduled and completed talk stories with each facility to create recommendations for improving health, safety, the work environment, and concerns most important to staff.

For the paper surveys, Commission staff successfully distributed and collected paper surveys on the following dates:

- Wednesday, January 3 – OCCC
- Thursday, January 4 – WCF
- Friday, January 5 – OCCC & WCF
- Monday, January 8 – KCF
- Tuesday, January 9 – WCCC
- Wednesday, January 10 – MCCC
- Friday, January 12 – KCCC
- Tuesday, January 16 – HCF
- Tuesday, January 23 – OCCC
- Thursday, January 25 – HCCC
- Thursday, January 25 – HCCC & KCF
- Friday, January 26 – HCCC
- Monday, January 29 – WCCC
- Tuesday, January 30 – KCCC
- Wednesday, January 31 – MCCC
- Thursday, February 1 – HCF
- Friday, February 1 – HCF

The staff talk-stories were conducted as follows:

- Tuesday, March 19 – HCF
- Friday, March 22 – KCF
- Monday, March 25 – KCCC
- Wednesday, March 27 – OCCC
- Wednesday, April 3 – HCCC
- Thursday, April 4 – MCCC
- Tuesday, April 9 – WCCC
- Wednesday, April 10 – WCF

The Commission is fortunate to have support for this project from the Department of Corrections and Rehabilitation, the United Public Workers (UPW) Hawaii, the Hawaii Government Employees Association (HGEA), and the cooperation of facility leadership. Although this will be an independent project to distribute and gain perspectives from staff, the HCSOC looks forward to working closely with UPW, HGEA, the Department of Public Safety, facility leadership, and staff on solutions.

## Reentry Report

HCSOC staff are currently working on an all-encompassing reentry report in accordance with the reentry segment of the Commission’s mandate:

- Work with the Department of Corrections and Rehabilitation in monitoring and reviewing the Comprehensive Offender Reentry Program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii Paroling Authority’s oversight of parolees. HRS §353L-3(b)(3)

- 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. HRS §353L-3(b)(4)

Commission staff submitted a data and information request to the Department of Corrections and Rehabilitation (DCR), specifically pertaining to HRS §353H and the Comprehensive Offender Reentry Program for this report. DCR leadership and the Reentry Office have been responding to this request, and Commission staff have been reviewing the responses as they are received. Once all the requested data and information is received, the Commission will compile the HCSOC's first reentry report, outlining findings, highlighting best practices, and offering recommendations.

## House Concurrent Resolution 23 Task Force

### *Overview*

House Concurrent Resolution No. 23 ([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, is chairing this task force.

### *Upcoming Meetings 2024*

- June 6, 9am-12pm
- September 12, 9am-12pm

The Commission has dedicated a page on its website to the HCR23 Task Force: <https://hcsoc.hawaii.gov/hcr23-task-force/>. This webpage has information on the expectations of the task force, members, expected outcomes, partnerships, and meeting information. Meetings will be live streamed and can be viewed on the Commission's [Facebook](#) page or [YouTube](#) channel.

## Expenses for the Preceding Month – March

	Cost	Qty	Total	Notes
<b>Office Equipment and Supplies</b>			<b>\$380</b>	
Office Furniture			\$0.00	
General Office Supplies	\$124.06	1.00	\$124.06	
Staff and Commission Badges			\$0.00	
Staff and Commission Badge Holders			\$0.00	
Cell Phone			\$0.00	
Cell Phone Monthly Plan	\$172.93	1.00	\$172.93	
Wifi Hotspot			\$0.00	
Heroku Monthly Plan - Complaint Management	\$65.00	1.00	\$65.00	
Elastic Cloud Monthly Plan - Complaint Management	\$18.25	1.00	\$18.25	
Other Current Expenditures			\$0.00	
<b>Inter-Island Correctional Facility Travel</b>			<b>\$2,636.86</b>	
Airfare	\$1,339.86	1.00	\$1,339.86	
Car Rental	\$464.50	1.00	\$464.50	
Daily Per Diem	\$784.50	1.00	\$784.50	
Lodging+Tax		1.00	\$0.00	
Ground Transportation		1.00	\$0.00	
Airport Parking	\$24.00	2.00	\$48.00	
<b>Mainland Correctional Facility Travel</b>			<b>\$0.00</b>	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
<b>Memberships + Conferences</b>			<b>\$1,050.00</b>	
NACOLE (National Assoc. for Civilian Oversight of Law Enforcement)			\$0.00	
National Association of Sentencing Commissions			\$0.00	
NACOLE Virtual Training			\$0.00	
Going Home Hawaii Reentry Summit			\$0.00	
Hawaii Friends of Restorative Justice	\$1,050.00	1.00	\$1,050.00	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
Baggage Fee			\$0.00	
<b>TOTAL</b>			<b>\$4,067.10</b>	

\* All expenses reflect posted transactions

## General Office Information

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

Website: <https://hcsoc.hawaii.gov>

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

Email: [hcsoc@hawaii.gov](mailto:hcsoc@hawaii.gov)

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



## Monthly Meetings

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting held on April 18, 2024. The next monthly meeting is scheduled to occur on May 16, 2024, at the University of Hawai'i Maui College, 310 W. Ka'ahumanu Avenue, Room Noi'i 211, Kahului, Hawai'i 96732 and online via Zoom. More information can be found on the Commission's webpage here: <https://hcsoc.hawaii.gov/information/>.



# Hawaii Correctional System Oversight Commission

Monthly Oversight Coordinator Report – May 16 2024

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## Introduction

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 publicly posts 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.

## Deaths in Custody

On April 28, 2024, at the Maui Community Correctional Center (MCCC), a person in custody, male, 52 years old, was unwell with abdominal pain. He was relocated to Holding for observation and assessment. While there, staff initiated CPR on the individual and called 911. The Maui Fire Department arrived to provide medical assistance and the Maui Police Department was also onsite. Unfortunately, emergency medical technicians (EMTs) pronounced the person in custody deceased at 12:05 am on April 29, 2024. This individual had an undisclosed pre-existing medical condition.

On May 5, 2024, at Saguaro Correctional Facility (AZSC), a person in custody, male, 46 years old, was found unresponsive and not breathing in his cell. Staff began administering CPR and utilized an AED. Emergency Medical Services (EMS) personnel arrived at the facility and assumed CPR and life-saving measures. The individual was then transported to a nearby hospital. AZSC received notification that the individual was pronounced deceased at the hospital at 6:53 pm. This death appears to be a homicide. The Eloy Police Department is the lead investigating agency, and Hawaii has also dispatched criminal investigators to the facility.

## Oversight Coordinator: Family Leave & Temporary Assignment

Christin Johnson, the Oversight Coordinator of the Hawaii Correctional System Oversight Commission (The Commission, HCSOC), will be on temporary family leave until around the beginning of August. During Christin's absence, Cara Compani, the HCSOC Reentry and Diversion Oversight Specialist, will serve as the interim Oversight Coordinator.

## Legislative Updates – Budget Hearings

The Commission is pleased to share that the House Committee on Finance (FIN) and the Senate Committee on Ways and Means (WAM) concurred on the Commission's budget

request of \$462,134 in House Bill 1800, relating to the State Budget. This allocation includes funding for the Attorney General's Office to include the Oversight Commission in the base budget. As a result, the Commission's budget request bypassed Conference Committee discussions, and the Commission's line item is expected to be embedded into the State's budget. Confirmation will follow upon the release of the 2024 Budget Worksheets.

## Tour of Hawaii Community Correctional Center (HCCC)

In accordance with the Commission's mandate to oversee the State's correctional system, on Friday, May 10, 2024, the Hawaii Correctional System Oversight Commission toured the Hawaii Community Correctional Center (HCCC). The tour included Commission Chair, Mark Patterson, and the Interim Oversight Coordinator/Reentry and Diversion Oversight Specialist, Cara Comani.

This tour was only several days before the May Commission meeting. Therefore, the report and recommendations to be considered by the Department of Public Safety, which stem from the HCCC tour, will be released during the June Commission meeting scheduled for June 20, 2024.

## Designed for Dignity: Transforming Prison Cultures

Consistent with the Commission's mandate to facilitate a correctional system transition to a rehabilitative and therapeutic model of corrections, on May 1, 2024, HCSOC staff participated in a [Vera Institute](#) webinar, which presented and discussed a new initiative and opportunity, *Designed for Dignity*. Information from the Vera Institute on the Initiative is below:

Corrections agencies are grappling with how to create safe and humane environments for people who work, visit, and are incarcerated in prison; to recruit and retain staff; and to sustain efforts that promote incarcerated people's successful transition out of prison.

Vera, with funding from the Bureau of Justice Assistance (BJA), will partner with state corrections agencies to participate in training and technical assistance focused on developing, implementing, and enhancing strategies to foster safer, more humane prison cultures, climates, and spaces for both correctional staff and those who are incarcerated.

Designed for Dignity is an evolution of Restoring Promise, building on Vera's groundbreaking work with corrections agencies and evidence that the Restoring Promise approach to young adult housing units can make facilities safer for both staff and people who are incarcerated. Using Vera's Dignity Principles for conditions of confinement as a guide, Vera will partner with corrections agencies to implement strategies to better align with a focus on human dignity and to achieve their mission-critical goals.



HCSOC staff are excited about this opportunity because the project's goals and outcomes align closely with Hawaii's intention and commitment to transition to a rehabilitative and therapeutic model of corrections. More information is available here: [Designed for Dignity: Creating Safer and More Humane Prisons | Vera Institute](#).

## Corrections Staff Survey and Report

Consistent with the Commission's mandate to investigate complaints at correctional facilities, HCSOC staff are focusing on an all-encompassing staff survey and report to better understand the corrections environment, enhance data collection capacities to promote transparency and accountability, and recommend evidence-based programs and policies to improve conditions for those working in our jails and prisons.

The survey being utilized was created under the Urban Institute's Prison Research and Innovation Initiative (PRII), supported by Arnold Ventures. This survey, which has been distributed in facilities throughout five states, was developed using participatory research methods, elevating the voices and perspectives of correctional staff.

The survey, available electronically or on paper, was anonymous and confidential. After all surveys were completed and collected, the Commission completed talk stories with each facility to put together recommendations for improving health, safety, the work environment, and concerns most important to staff.

For the paper surveys, Commission staff successfully distributed and collected paper surveys on the following dates:

- Wednesday, January 3 – OCCC
- Thursday, January 4 – WCF
- Friday, January 5 – OCCC & WCF
- Monday, January 8 – KCF
- Tuesday, January 9 – WCCC
- Wednesday, January 10 – MCCC
- Friday, January 12 – KCCC
- Tuesday, January 16 – HCF
- Tuesday, January 23 – OCCC
- Thursday, January 25 – HCCC
- Thursday, January 25 – HCCC & KCF
- Friday, January 26 – HCCC
- Monday, January 29 – WCCC
- Tuesday, January 30 – KCCC
- Wednesday, January 31 – MCCC
- Thursday, February 1 – HCF
- Friday, February 1 – HCF

The staff talk-stories were conducted as follows:

- Tuesday, March 19 – HCF
- Friday, March 22 – KCF

- Monday, March 25 – KCCC
- Wednesday, March 27 – OCCC
- Wednesday, April 3 – HCCC
- Thursday, April 4– MCCC
- Tuesday, April 9 – WCCC
- Wednesday, April 10 – WCF

The Commission is fortunate to have support for this project from the Department of Corrections and Rehabilitation, the United Public Workers (UPW) Hawaii, the Hawaii Government Employees Association (HGEA), and the cooperation of facility leadership. Although this will be an independent project to distribute and gain perspectives from staff, the HCSOC looks forward to working closely with UPW, HGEA, the Department of Public Safety, facility leadership, and staff on solutions.

## Reentry Report

Consistent with the Commission’s mandate to work with the Department of Public Safety in monitoring and reviewing the comprehensive offender reentry program, HCSOC staff are currently working on an all-encompassing reentry report in accordance with the reentry segment of the Commission’s mandate:

- Work with the Department of Corrections and Rehabilitation in monitoring and reviewing the Comprehensive Offender Reentry Program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii Paroling Authority’s oversight of parolees. HRS §353L-3(b)(3)
- 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. HRS §353L-3(b)(4)

Commission staff submitted a data and information request to the Department of Corrections and Rehabilitation (DCR), specifically pertaining to HRS §353H and the Comprehensive Offender Reentry Program for this report. DCR leadership and the Reentry Office have been responding to this request, and Commission staff have been reviewing the responses as they are received. Once all the requested data and information is received, the Commission will compile the HCSOC’s first reentry report, outlining findings, highlighting best practices, and offering recommendations.

## House Concurrent Resolution 23 Task Force

### *Overview*

House Concurrent Resolution No. 23 ([HCR23 HD1 SD1](#)) requests the Hawaii Correctional System Oversight Commission to convene a task force to examine and make recommendations regarding the Hawaii Paroling Authority's existing procedures for setting the minimum terms of imprisonment. Mark Patterson, HCSOC Chair, is chairing this Task Force.

The HCR 23 Task Force is required to do the following:



- Study whether parole system models used by other states might be suited for Hawaii.
- 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.

The [Council of State Governments](#) (CSG) has been supporting the HCR 23 Task Force. The CSG's 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.

#### *Upcoming Meetings 2024*

- June 6, 9am-12pm
- September 12, 9am-12pm

The Commission has dedicated a page on its website to the HCR23 Task Force: <https://hcsoc.hawaii.gov/hcr23-task-force/>. This webpage has information on the expectations of the task force, members, expected outcomes, partnerships, and meeting information. Meetings will be live streamed and can be viewed on the Commission's [Facebook](#) page or [YouTube](#) channel.

## Expenses for the Preceding Month – April

	Cost	Qty	Total	Notes
<b>Office Equipment and Supplies</b>			<b>\$402</b>	
Office Furniture			\$0.00	
General Office Supplies			\$0.00	
Staff and Commission Badges			\$0.00	
Staff and Commission Badge Holders			\$0.00	
Cell Phone			\$0.00	
Cell Phone Monthly Plan	\$172.93	1.00	\$172.93	
Wifi Hotspot			\$0.00	
Heroku Monthly Plan - Complaint Management	\$65.00	1.00	\$65.00	
Elastic Cloud Monthly Plan - Complaint Management	\$17.07	1.00	\$17.07	
Other Current Expenditures	\$146.58	1.00	\$146.58	YouTube Premium Subscription
<b>Inter-Island Correctional Facility Travel</b>			<b>\$1,281.55</b>	
Airfare	\$836.29	1.00	\$836.29	Travel for 02/29 and 03/21
Car Rental	\$77.50	1.00	\$77.50	Car rental for 02/29
Daily Per Diem	\$20.00	4.00	\$80.00	Per Diem for 01/12, 01/25, and 02/29
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking	\$44.00	1.00	\$44.00	Parking for 01/25 and 02/29
Per Diem - Misc	\$243.76	1.00	\$243.76	Supplies for 01/25
<b>Mainland Correctional Facility Travel</b>			<b>\$0.00</b>	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
<b>Memberships + Conferences</b>			<b>\$0.00</b>	
NACOLE (National Assoc. for Civilian Oversight of Law Enforcement)			\$0.00	
National Association of Sentencing Commissions			\$0.00	
NACOLE Virtual Training			\$0.00	
Going Home Hawaii Reentry Summit			\$0.00	
Hawaii Friends of Restorative Justice			\$0.00	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
Baggage Fee			\$0.00	
<b>TOTAL</b>			<b>\$1,683.13</b>	

\* All expenses reflect posted transactions

## General Office Information

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

Website: <https://hcsoc.hawaii.gov>

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

Email: [hcsoc@hawaii.gov](mailto:hcsoc@hawaii.gov)

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

## Monthly Meetings

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting held on May 16, 2024. The next monthly meeting is scheduled to occur on June 20, 2024, at the Leiopapa A. Kamehameha Building, 235 S Beretania Street, Room 204, Honolulu, Hawaii 96813 and online via Zoom. More information can be found on the Commission's webpage here: <https://hcsoc.hawaii.gov/information/>.



# Hawaii Correctional System Oversight Commission

Monthly Oversight Coordinator Report – June 20 2024

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## Introduction

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 publicly posts 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.

## Death in Custody

On Wednesday, June 12, 2024, at 2:20 pm, a person in custody, female, 78 years old, was found unresponsive in the infirmary at Women's Community Correctional Center (WCCC). Medical staff contacted hospice, and the individual was pronounced deceased by hospice staff at 3:37 pm. This individual was in long-term hospice care at the facility.

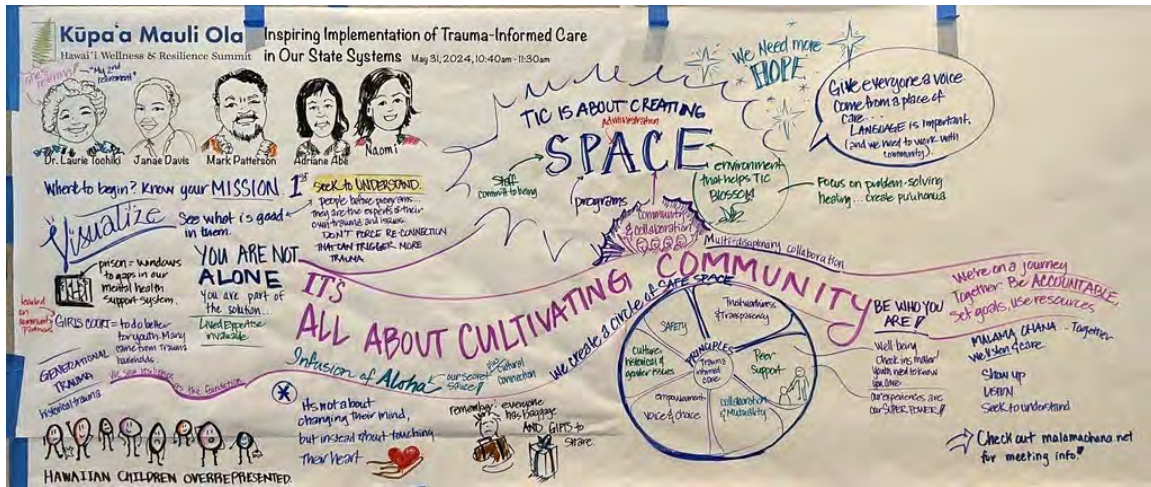
## Kūpa'a Maui Ola: Hawai'i Wellness and Resilience Summit

The Hawaii Wellness and Resilience Summit, sponsored by the Governor's Office of Wellness and Resilience, was held on May 31, 2024. HCSOC Chair, Mark Patterson, and HCSOC staff were in attendance, along with representatives from the Governor's Office, the Department of Corrections and Rehabilitation, the Judiciary, and many more.

The summit commenced with a welcome address from Governor Josh Green, followed by a keynote offered by Dr. Kalei Kanuha. There were two panels discussing the history of trauma-informed care in Hawaii and successful models of implementation. HCSOC Chair Mark Patterson was on the second panel, sharing valuable insights into effective strategies for adopting trauma-informed care practices. The event also included wellness-based activities.

The summit provided an excellent opportunity to exchange ideas and best practices and served as an example of wellness and resilience in our state. The HCSOC is grateful to the Wellness and Resilience team for this summit and all their efforts in supporting the State of Hawaii.





## Women's Community Correctional Center Resource Fair

HCSOC staff attended the WCCC Resource Fair on June 13, 2024, held in the facility courtyard. Through this event, community service providers were able to come into the facility and connect with incarcerated women prior to their release. All the women at WCCC — not just those approaching release — were invited to attend. A wide array of service providers were present, including job readiness, substance abuse treatment, education and vocational programs, housing support, sobriety support, programs for children and families, health care, and behavioral health services.

The Department of Corrections and Rehabilitation (DCR), including the Reentry Office, the Hawai'i Paroling Authority, and work furlough programs were represented. The women also had the opportunity to connect with potential employers.

Key leadership from DCR, including the Director and deputy directors, were also present and delivered remarks, highlighting the opportunities available through the resource fair, thanking all the providers, and emphasizing the event's importance and the collective efforts that made it possible.

The women in custody who attended the fair were provided with valuable opportunities to engage with these service providers, offering them hope and tangible support for their future. The success of this event was achieved through the collaborative efforts of Transforming Lives Prison Ministry, WCCC leadership, Offender Services and Case



Management, and staff. The Commission acknowledges and appreciates their dedication to organizing this impactful and inspiring event and hopes additional resource fairs will occur at WCCC.

## Community of Practice meeting

The University of Hawaii Community Design Center (UHCDC) is working with the Department of Corrections and Rehabilitation to engage stakeholders and community members in developing alternative proof of concept visions for a proposed new jail on Oahu, focusing on rehabilitation and reducing incarceration.

Commissioner Mike Town and HCSOC staff attended UHCDC's first Community of Practice meeting on June 5, 2024. During this initial meeting, discussions centered around reviewing and discussing the feedback gathered through the UHCDC research process and Breaking Cycles events. This first interactive Community of Practice meeting focused on setting the direction for the new facility to replace OCCC, emphasizing its mission, purpose, and exploring appropriate programming and population scenarios.

## Legislative Updates – HCSOC Budget

The Senate and House passed the final version of House Bill 1800 (House Draft 1 Senate Draft 1 Conference Draft 1) relating to the State Budget, including the Commission's Fiscal Year 2025 budget. The final version of House Bill 1800 includes \$462,134 in funding for the Attorney General's Office to incorporate the Oversight Commission into the base budget. The bill was transmitted to the Governor on May 1, 2024, and is currently awaiting the Governor's signature, which will be the final step in the budget process.

## Corrections Staff Survey and Report

Consistent with the Commission's mandate to investigate complaints at correctional facilities, HCSOC staff are focusing on an all-encompassing staff survey and report to better understand the corrections environment, enhance data collection capacities to promote transparency and accountability, and recommend evidence-based programs and policies to improve conditions for those working in our jails and prisons.

The survey being utilized was created under the Urban Institute's Prison Research and Innovation Initiative (PRII), supported by Arnold Ventures. This survey, which has been distributed in facilities throughout five states, was developed using participatory research methods, elevating the voices and perspectives of correctional staff.

The survey, available electronically or on paper, is anonymous and confidential. After all surveys were completed and collected, the Commission completed talk stories with each facility to put together recommendations for improving health, safety, the work environment, and concerns most important to staff.

For the paper surveys, Commission staff successfully distributed and collected paper surveys on the following dates:

- Wednesday, January 3 – OCCC

- Thursday, January 4 – WCF
- Friday, January 5 – OCCC & WCF
- Monday, January 8 – KCF
- Tuesday, January 9 – WCCC
- Wednesday, January 10 – MCCC
- Friday, January 12 – KCCC
- Tuesday, January 16 – HCF
- Tuesday, January 23 – OCCC
- Thursday, January 25 – HCCC
- Thursday, January 25 – HCCC & KCF
- Friday, January 26 – HCCC
- Monday, January 29 – WCCC
- Tuesday, January 30 – KCCC
- Wednesday, January 31 – MCCC
- Thursday, February 1 – HCF
- Friday, February 1 – HCF

The staff talk-stories were conducted as follows:

- Tuesday, March 19 – HCF
- Friday, March 22 – KCF
- Monday, March 25 – KCCC
- Wednesday, March 27 – OCCC
- Wednesday, April 3 – HCCC
- Thursday, April 4 – MCCC
- Tuesday, April 9 – WCCC
- Wednesday, April 10 – WCF

The Commission is fortunate to have support for this project from the Department of Corrections and Rehabilitation, the United Public Workers (UPW) Hawaii, the Hawaii Government Employees Association (HGEA), and the cooperation of facility leadership. Although this will be an independent project to distribute and gain perspectives from staff, the HCSOC looks forward to working closely with UPW, HGEA, the Department of Public Safety, facility leadership, and staff on solutions.

## Reentry Report

Consistent with the Commission’s mandate to work with the Department of Public Safety in monitoring and reviewing the comprehensive offender reentry program, HCSOC staff are currently working on an all-encompassing reentry report in accordance with the reentry segment of the Commission’s mandate:

- Work with the Department of Corrections and Rehabilitation in monitoring and reviewing the Comprehensive Offender Reentry Program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii Paroling Authority’s oversight of parolees. HRS §353L-3(b)(3)

- 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 people in custody on parole when the maximum terms have been served instead of delaying the release for lack of programs and services. HRS §353L-3(b)(4)

HCSOC staff submitted a data and information request to the Department of Corrections and Rehabilitation (DCR), specifically pertaining to HRS §353H and the Comprehensive Offender Reentry Program for this report. DCR leadership and the Reentry Office have been responding to this request, and Commission staff have been reviewing the responses as they are received. The Commission will then review all the data received and compile the HCSOC's first reentry report, outlining findings, highlighting best practices, and offering recommendations.

## House Concurrent Resolution 23 Task Force

### *Overview*

House Concurrent Resolution No. 23 ([HCR23 HD1 SD1](#)) requests the Hawaii Correctional System Oversight Commission to convene a task force to examine and make recommendations regarding the Hawaii Paroling Authority's existing procedures for setting the minimum terms of imprisonment. Mark Patterson, HCSOC Chair, is chairing this Task Force.

The HCR 23 Task Force is required to do the following:

- Study whether parole system models used by other states might be suited for Hawaii.
- 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.

The [Council of State Governments](#) (CSG) has been supporting the HCR 23 Task Force. The CSG's 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.

During the most recent Task Force meeting on June 6, 2024, CSG presented different parole system models, the Hawaii HPA Model including the legal structure and data analysis, followed by additional policy options.

The most recent meeting materials are below:

- CSG Presentation: [HCR-23-TF-Fourth-Meeting-Final.pdf \(hawaii.gov\)](#)
- Meeting Recording: [June 6, 2024 - HCR 23 Task Force Meeting \(youtube.com\)](#)

### *Upcoming Meetings 2024*

- July 8, 9am-12pm
- September 12, 9am-12pm

The Commission has dedicated a page on its website to the HCR23 Task Force: <https://hcsoc.hawaii.gov/hcr23-task-force/>. This webpage has information on the expectations of the task force, members, expected outcomes, partnerships, and meeting information. Meetings will be live-streamed and can be viewed on the Commission’s [Facebook](#) page or [YouTube](#) channel.

## Expenses for the Preceding Month – May

	Cost	Qty	Total	Notes
<b>Office Equipment and Supplies</b>			<b>\$355</b>	
Office Furniture			\$0.00	
General Office Supplies	\$98.44	1.00	\$98.44	
Staff and Commission Badges			\$0.00	
Staff and Commission Badge Holders			\$0.00	
Cell Phone			\$0.00	
Cell Phone Monthly Plan	\$172.93	1.00	\$172.93	
Wifi Hotspot			\$0.00	
Heroku Monthly Plan - Complaint Management	\$65.00	1.00	\$65.00	
Elastic Cloud Monthly Plan - Complaint Management	\$18.23	1.00	\$18.23	
Other Current Expenditures			\$0.00	
<b>Inter-Island Correctional Facility Travel</b>			<b>\$3,366.90</b>	
Airfare	\$2,617.40	1.00	\$2,617.40	Travel for 03/21, 03/22, 03/25, 04/03, 04/04, 04/18, 05/16
Car Rental	\$433.50	1.00	\$433.50	Rental for 03/21, 03/22, 04/03, and 04/04
Daily Per Diem	\$20.00	11.00	\$220.00	Per Diem for 03/21, 03/22, 03/25, 04/03, and 04/04
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking	\$24.00	4.00	\$96.00	Parking for 03/21, 03/25, 04/03
Per Diem - Misc			\$0.00	
<b>Mainland Correctional Facility Travel</b>			<b>\$0.00</b>	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
<b>Memberships + Conferences</b>			<b>\$0.00</b>	
NACOLE (National Assoc. for Civilian Oversight of Law Enforcement)			\$0.00	
National Association of Sentencing Commissions			\$0.00	
NACOLE Virtual Training			\$0.00	
Going Home Hawaii Reentry Summit			\$0.00	
Hawaii Friends of Restorative Justice			\$0.00	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
Baggage Fee			\$0.00	
<b>TOTAL</b>			<b>\$3,721.50</b>	

\* All expenses reflect posted transactions

## General Office Information

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

Website: <https://hcsoc.hawaii.gov>

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

Email: [hcsoc@hawaii.gov](mailto:hcsoc@hawaii.gov)

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

## Monthly Meetings

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting held on June 20, 2024. The next monthly meeting is scheduled to occur on July 18, 2024, at the Leiopapa A. Kamehameha Building, 235 S Beretania Street, Room 204, Honolulu, Hawaii 96813 and online via Zoom. More information can be found on the Commission's webpage here: <https://hcsoc.hawaii.gov/information/>.





# Hawaii Correctional System Oversight Commission

Monthly Oversight Coordinator Report – July 18 2024

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## Introduction

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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.

## Death in Custody

On June 18, 2024, at Halawa Correctional Facility (HCF), a person in custody, male, 30 years old, was found unresponsive in his cell at approximately 7:15 pm. Medical and 911 Emergency Medical Services (EMS) were called, and the person in custody was transported to Pali Momi Hospital's Emergency Room. At approximately 8:39 pm, HCF was notified that the individual was pronounced deceased. This appears to be a death by suicide. The Honolulu Police Department and the Department of Law Enforcement's Internal Affairs are conducting their respective investigations, as is the Department of Corrections and Rehabilitation.

## HCSOC Budget Update

Governor Green signed the state budget, House Bill 1800 (House Draft 1 Senate Draft 1 Conference Draft 1), officially now known as Act 230, on Tuesday, July 9, 2024. The final version of the budget includes \$462,134 in funding for the Attorney General's Office to incorporate the Hawaii Correctional System Oversight Commission into the base budget for Fiscal Year 2025.

Therefore, the Commission is thrilled to announce that we have officially been funded for FY25. This achievement would not have been possible without the unwavering support of our community and partners. The Commission is grateful for this support and the opportunity to continue to serve in this capacity, and looks forward to continuing the critical work of the HCSOC.

More details regarding the budget bill may be found here: [HB1800 HD1 SD1 CD1 \(Act 230\)](#)

## Tour of Maui Community Correctional Center (MCCC)

On Thursday, June 20, 2024, the Hawaii Correctional System Oversight Commission (the Commission, HCSOC) toured the Maui Community Correctional Center (MCCC) collectively as a group. The tour included three of the five Commissioners—Mark Patterson (Chair), Martha Torney, and Ronald Ibarra—in addition to the Interim Oversight Coordinator/Reentry and Diversion Oversight Specialist and Special Assistant.

Below are recommendations which stemmed from the MCCC tour. The full report can be read at: <https://hcsoc.hawaii.gov/facility-specific-reports/>.

### **Recommendations to be considered by the Department of Corrections and Rehabilitation:**

#### **1) Increase Programming Opportunities**

People in custody have too much idle time and limited access to programming—including cultural programming—education, and reentry preparation. The Commission witnessed this idle time while onsite, with people in custody spending extended periods in their cells, dorms, or units. Too much idle time can lead to dangerous conditions and decrease mental health and well-being.

Therefore, the Commission recommends the following:

- **Expand Programming:** MCCC should expand programming, education, vocational training, reentry preparation, and cultural-based opportunities. To determine where to begin, ask people in custody what would be most helpful.
- **Community Partnerships:** Establish and further community partnerships to offer some of the opportunities listed in the previous paragraph and set people up for a successful transition back to the community.

#### **2) Update Recreation to Align with Department Policy and Federal Standards**

The Commission received numerous complaints from people in custody indicating that outdoor recreation time is limited. The Commission recommends MCCC adopt practices and a recreation schedule that align with federal standards and the DCR *Recreation and Leisure* policy and procedures, offering all people in custody at least one hour of outdoor recreation per day and additional out of cell or unit time.<sup>1</sup> This will also assist in decreasing idle time.

#### **3) Expand Furlough Utilization at MCCC**

It was very disappointing that only five people in custody were participating in work furlough despite the capacity to accommodate at least 50 or more participants. Identifying and addressing the roadblocks to furlough is crucial to allow more

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<sup>1</sup> Hawaii Department of Public Safety, Corrections Administration, Policy and Procedure Manual, COR.14.14, *Recreation and Leisure Time*, dated May 12, 2016; and Federal Performance Based Detention Standards, Rev. 11, May 2022, G.6, Recreation, G.6.2, pg. 51, available at: [The Federal Performance Based Detention Standards](#)

individuals to benefit from these programs and move through the correctional system.

The Commission recommends that DCR assess, identify, and resolve systemic issues, resulting in increased furlough participation at MCCC and the other furlough sites. The Commission would like to see furlough occupancy rates close to 100% as it significantly increases the chances of success post-release.

**4) Ensure Timely Mail Delivery**

The Commission heard from numerous people in custody regarding delays in both outgoing and incoming mail delivery. This is particularly concerning for legal matters and maintaining contact and support necessary for reentry. The Commission recommends that MCCC investigate the causes of mail delays and take immediate action to ensure timely mail delivery of both outgoing and incoming mail.

**5) Enhanced Oversight of Disciplinary Segregation**

The Commission continues to hear significant concerns about Module D, the disciplinary segregation unit—delays in outgoing and incoming mail, slow library requests, inability to make legal calls for an extended period of time in May, and stays exceeding 60 days with a day or two policy workarounds.

The Commission urges MCCC to implement enhanced oversight of this unit to ensure compliance with DCR policy and federal standards. Additionally, timely action is necessary to address mail delays, library delays, legal call access, and preventing extended stays in disciplinary segregation.

**6) Reinstate Contact Visits**

Currently, there is no in-person contact visitation, and this has been the case for almost four years (initially due to COVID-19, then due to construction). In-person contact visits are imperative for maintaining relationships with family, friends, and communities. The Commission recommends beginning in-person contact visits as soon as the construction is complete.

**Justice System-Wide Recommendation:**

**7) Reduce Pretrial Time for Felony Cases**

As of May 2024, there were 42 pretrial detainees who had been in custody at MCCC for more than six months. Notably, one person has been in custody at MCCC since 2017, and several people have been there since 2019 and 2020. MCCC, and jails in general, are not designed for long-term holds, resulting in little to no programming, too much idle time, and little out-of-cell time for extended periods.

The Commission asks the Judiciary, Prosecutor, Public Defender, and criminal defense attorneys to consider establishing a circuit-wide goal to reduce timelines for felony cases—expediting proceedings and minimizing the time people spend in

MCCC pretrial to six months. Together, these same stakeholders have significantly decreased the population in the past year and at other times, and this presents another opportunity to make a substantial impact.

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

## **Corrections Staff Survey and Report**

Consistent with the Commission's mandate to investigate complaints at correctional facilities, HCSOC staff are focusing on an all-encompassing staff survey and report to better understand the corrections environment in Hawaii, enhance data collection capacities to promote transparency and accountability, and recommend programs and policies to improve conditions for those working in our jails and prisons.

The survey being utilized was created under the Urban Institute's Prison Research and Innovation Initiative (PRII), supported by Arnold Ventures. This survey, which has been distributed in facilities throughout five states, was developed using participatory research methods, elevating the voices and perspectives of correctional staff.

The survey, available electronically or on paper, is anonymous and confidential. After all surveys were completed and collected, the Commission completed talk stories with each facility to put together recommendations for improving health, safety, the work environment, and concerns most important to staff.

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- Kulani Correctional Facility (KCF) – Monday, January 8; Thursday, January 25
- Women's Community Correctional Center (WCCC) – Tuesday, January 9; Monday, January 29
- Maui Community Correctional Center (MCCC) – Wednesday, January 10; Wednesday, January 31
- Kauai Community Correctional Center (KCCC) – Friday, January 12; Tuesday, January 30
- Halawa Correctional Facility (HCF) – Tuesday, January 16; Thursday, February 1; Friday, February 2
- Hawaii Community Correctional Center (HCCC) – Thursday, January 25; Thursday, January 25; Friday, January 26

The staff talk-stories were conducted as follows:

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The Commission is fortunate to have support for this project from the Department of Corrections and Rehabilitation (DCR), the United Public Workers (UPW) Hawaii, the Hawaii Government Employees Association (HGEA), and the cooperation of facility leadership. Although this will be an independent project to distribute and gain perspectives from staff, the HCSOC looks forward to working closely with UPW, HGEA, DCR, facility leadership, and staff on solutions.

## Reentry Report

Consistent with the Commission’s mandate to work with the Department of Correction and Rehabilitation (DCR) in monitoring and reviewing the comprehensive offender reentry program, HCSOC staff are currently working on a reentry report in accordance with the reentry portion of the Commission’s mandate:

- Work with the Department of Corrections and Rehabilitation in monitoring and reviewing the Comprehensive Offender Reentry Program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii Paroling Authority’s oversight of parolees. HRS §353L-3(b)(3)
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### *Overview*

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- Recommend whether the administration of justice may be better served by removing the responsibility of setting minimum sentences from the HPA.

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## Expenses for the Preceding Month – June

	Cost	Qty	Total	Notes
<b>Office Equipment and Supplies</b>			<b>\$374</b>	
Office Furniture			\$0.00	
General Office Supplies	\$34.98	1.00	\$34.98	
Staff and Commission Badges			\$0.00	
Staff and Commission Badge Holders			\$0.00	
Cell Phone			\$0.00	
Cell Phone Monthly Plan	\$172.81	1.00	\$172.81	
Wifi Hotspot			\$0.00	
Heroku Monthly Plan - Complaint Management	\$65.00	2.00	\$130.00	
Elastic Cloud Monthly Plan - Complaint Management	\$35.87	1.00	\$35.87	
Other Current Expenditures			\$0.00	
<b>Inter-Island Correctional Facility Travel</b>			<b>-\$161.92</b>	
Airfare	-\$367.42	1.00	-\$367.42	Airfare credit for non-travel
Car Rental	\$77.50	1.00	\$77.50	Rental for 05/10
Daily Per Diem	\$20.00	4.00	\$80.00	Per Diem for 03/22, 04/04, and 05/10
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking	\$24.00	2.00	\$48.00	parking for 03/22 and 04/04
Per Diem - Misc			\$0.00	
<b>Mainland Correctional Facility Travel</b>			<b>\$0.00</b>	
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Hawaii Friends of Restorative Justice			\$0.00	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
Baggage Fee			\$0.00	
<b>TOTAL</b>			<b>\$211.74</b>	

\* All expenses reflect posted transactions

## General Office Information

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235 S Beretania Street, 16<sup>th</sup> floor  
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[Facebook](#)  
[Instagram](#)

## Monthly Meetings

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting held on July 18, 2024. The next monthly meeting is scheduled to occur on August 15, 2024, at the Leiopapa A. Kamehameha Building, 235 S Beretania Street, Room 204, Honolulu, Hawaii 96813 and online via Zoom. More information can be found on the Commission's webpage here: <https://hcsoc.hawaii.gov/information/>.



# Hawaii Correctional System Oversight Commission

Monthly Oversight Coordinator Report – August 22 2024

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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 publicly posts 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:

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- 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.

## Welcome Back

The Oversight Coordinator of the Hawaii Correctional System Oversight Commission, Christin Johnson, has officially returned from temporary family leave as of Monday, August 12, 2024.

## Death in Custody

There have been no deaths in custody reported to the Commission since the last Oversight Coordinator report (July 18, 2024).

## Tour of Oahu Community Correctional Center (OCCC)

On Thursday, July 18, 2024, the Hawaii Correctional System Oversight Commission (the Commission, HCSOC) toured the Oahu Community Correctional Center (OCCC) collectively as a group. The tour included three of the five Commissioners – Martha Torney, Ronald Ibarra, and Mark Browning, in addition to the Interim Oversight Coordinator/Reentry & Diversion Oversight Specialist and Special Assistant.

Below are recommendations which stemmed from the OCCC tour. The full report can be read at: <https://hcsoc.hawaii.gov/facility-specific-reports/>.

### **Recommendations to be considered by the Department of Corrections and Rehabilitation:**

#### **1) Expand Programming Opportunities**

People in custody at OCCC have too much idle time and limited access to programming, including cultural, education, and reentry preparation. The

Commission recommends expanding programming opportunities and community partnerships to reduce idle time and increase programming opportunities. While the facility has made some progress in this area, it is essential to continue and be innovative (even within limited space) to support people in custody and also gain community support and trust.

**2) Prioritize Timely Repair of the Sally Port Gates for Safety**

The sally port gates had been inoperable for about one and a half months. Although one gate was repaired before the Commission's visit, the other remained open. For security reasons, it is crucial to prioritize the timely repair of the sally port so that both gates can close properly.

**3) Prioritize Kitchen Upgrades, Including Dishwasher Repair and Mold-Free Trays**

The kitchen at OCCC is in dire need of updates to ensure sanitary conditions for staff and the kitchen workline, and to provide safe food for the entire facility. Urgent repairs are needed for the dishwasher, along with replacement of ceiling and floor tiles, rusted appliances, and food service trays. Although there are plans for a new facility, these conditions cannot wait until then and must be addressed immediately.

**4) Ensure Facility Wardens and Leadership Have Access to DCR Confidential Policies and Procedures**

The Commission was surprised to learn that Warden Schell did not have access to the Department of Corrections and Rehabilitation's (DCR) "confidential" policies and procedures. The Commission recommends that facility wardens and leadership be granted access to these documents to effectively manage the facility and ensure compliance with departmental policies and procedures.

**5) Expand Furlough Utilization at OCCC**

Although OCCC has the highest furlough participation and occupancy rate, around 60%, there is still the opportunity to increase furlough participation at OCCC for people in DCR custody. Identifying and addressing the roadblocks to furlough is crucial to allow more individuals to benefit from these programs and move through the correctional system. The Commission recommends that DCR assess, identify, and resolve systemic issues around furlough participation. The Commission would like to see furlough occupancy rates near 100% as it significantly increases the chances of success post-release.

**6) Install Shade for Recreation Cages in the Holding Unit**

The recreation area outside the Holding Unit consists of individual cages, which currently lack shaded areas to protect people in custody from the sun. The Commission recommends installing shade structures, even tarps, to provide protection from sun exposure.

**7) Investigate and Address Concerns from People in Custody at OCCC**



The Commission has received multiple complaints regarding the following issues at OCCC:

- **Roaches in Cells:** Roaches are present in the cells. This poses a health and sanitation concern. **The Commission recommends implementing a pest control plan that effectively and safely eliminates the roach population.**
- **Difficulties in Accessing Bail Calls:** The Commission learned that some individuals have experienced delays of several weeks in accessing bail calls, which has prevented those who could make bail from being released. This delay not only impacts individual rights but also contributes to overcrowding. The Commission urges the facility to establish and confirm a reliable system that allows timely access to bail calls for all eligible individuals and **ensure all people in custody have prompt access to bail calls.**

**8) Ensure Regular Access to Books and Reading Material, Legal Calls, Mail, and Recreation for Those in Holding Unit, including those in Disciplinary Segregation**

People in custody in the holding unit at OCCC reported irregular access to legal calls and daily recreation, and inconsistent mail service, along with no books or reading material.

**Justice System-Wide Recommendation:**

**Reduce Pretrial Time for Felony Cases**

As of July 2024, there were 220 pretrial detainees who had been in custody at OCCC for more than six months. OCCC, similar to other jails in Hawaii and jail in general, are not meant for long-term holds, resulting in little to no programming, too much idle time, and little out-of-cell time for extended periods. The Commission asks the Judiciary, Prosecutor, Public Defender, and criminal defense attorneys to consider establishing a circuit-wide goal to reduce timelines for felony cases—expediting proceedings and minimizing the time people spend pretrial to six months.

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

## New Oahu Jail

The University of Hawai‘i Community Design Center (UHCDC) has partnered with the Department of Corrections and Rehabilitation (DCR) to engage stakeholders and community members in developing alternative proof-of-concept visions for the proposed new jail on Oahu. The Commission has been actively collaborating with UHCDC since the inception of their work with DCR on this project.

As part of this ongoing effort, the Commission recently participated in two key events:



1. Friday, July 19, 2024 - In-Person Community of Practice Meeting: UHCDC reviewed and discussed a preliminary set of design considerations and options during developed through UHCDC's research and engagement process.
2. Friday, August 2, 2024 - Virtual Share-Out of the Breaking Cycles Community of Practice Meeting: This virtual event represented UHCDC's research, site analysis, design considerations, and preliminary proof-of-concept design approaches for the new facility and community support system, which is intended to replace the existing OCCC model. The event also featured a panel discussion with:
  - o Kat Brady, Coordinator of Community Alliance on Prisons
  - o John Dudoit, Founding Director of Makana O Ke Akua
  - o John Schell, Warden of Oahu Community Correction Center
  - o Patrick Uchigakiuchi, Member of Prison Reform Hui

Commissioner Mike Town also participated in this event.

## Corrections Staff Survey and Report

Consistent with the Commission's mandate to investigate complaints at correctional facilities, HCSOC staff are focusing on an all-encompassing staff survey and report to better understand the corrections environment in Hawaii, enhance data collection capacities to promote transparency and accountability, and recommend programs and policies to improve conditions for those working in our jails and prisons.

The survey being utilized was created under the Urban Institute's Prison Research and Innovation Initiative (PRII), supported by Arnold Ventures. This survey, which has been distributed in facilities throughout five states, was developed using participatory research methods, elevating the voices and perspectives of correctional staff.

The survey, available electronically or on paper, is anonymous and confidential. After all surveys were completed and collected, the Commission completed talk stories with each facility to put together recommendations for improving health, safety, the work environment, and concerns most important to staff.

For the paper surveys, Commission staff successfully distributed and collected paper surveys on the following dates:

- Oahu Community Correctional Center (OCCC) – Wednesday, January 3; Friday, January 5; Tuesday, January 23
- Waiawa Correctional Facility (WCF) – Thursday, January 4; Friday, January 5
- Kulani Correctional Facility (KCF) – Monday, January 8; Thursday, January 25
- Women's Community Correctional Center (WCCC) – Tuesday, January 9; Monday, January 29
- Maui Community Correctional Center (MCCC) – Wednesday, January 10; Wednesday, January 31
- Kauai Community Correctional Center (KCCC) – Friday, January 12; Tuesday, January 30

- Halawa Correctional Facility (HCF) – Tuesday, January 16; Thursday, February 1; Friday, February 2
- Hawaii Community Correctional Center (HCCC) – Thursday, January 25; Thursday, January 25; Friday, January 26

The staff talk-stories were conducted as follows:

- Tuesday, March 19 – HCF
- Friday, March 22 – KCF
- Monday, March 25 – KCCC
- Wednesday, March 27 – OCCC
- Wednesday, April 3 – HCCC
- Thursday, April 4 – MCCC
- Tuesday, April 9 – WCCC
- Wednesday, April 10 – WCF

The Commission is fortunate to have support for this project from the Department of Corrections and Rehabilitation (DCR), the United Public Workers (UPW) Hawaii, the Hawaii Government Employees Association (HGEA), and the cooperation of facility leadership. Although this will be an independent project to distribute and gain perspectives from staff, the HCSOC looks forward to working closely with UPW, HGEA, DCR, facility leadership, and staff on solutions. Commission staff are currently working on the written report outlining findings and recommendations.

## Reentry Report

Consistent with the Commission’s mandate to work with the Department of Correction and Rehabilitation (DCR) in monitoring and reviewing the comprehensive offender reentry program, HCSOC staff are currently working on a reentry report in accordance with the reentry portion of the Commission’s mandate:

- Work with the Department of Corrections and Rehabilitation in monitoring and reviewing the Comprehensive Offender Reentry Program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii Paroling Authority’s oversight of parolees. HRS §353L-3(b)(3)
- 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 people in custody on parole when the maximum terms have been served instead of delaying the release for lack of programs and services. HRS §353L-3(b)(4)

HCSOC staff submitted a data and information request to the DCR, specifically pertaining to HRS §353H Comprehensive Offender Reentry System and the DCR’s reentry program for this report. The DCR leadership and the DCR Reentry Office have been responding to this request, and Commission staff have been reviewing the responses. The Commission will review all the data received and compile the HCSOC’s first reentry report, outlining findings, highlighting best practices, and offering recommendations.

## House Concurrent Resolution 23 Task Force

### Overview

House Concurrent Resolution No. 23 ([HCR23 HD1 SD1](#)) requests the Hawaii Correctional System Oversight Commission to convene a task force to examine and make recommendations regarding the Hawaii Paroling Authority's existing procedures for setting the minimum terms of imprisonment. Mark Patterson, HCSOC Chair, is chairing this Task Force.

The HCR 23 Task Force is required to do the following:

- Study whether parole system models used by other states might be suited for Hawaii.
- 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.

The [Council of State Governments](#) (CSG) has been supporting the HCR 23 Task Force. The CSG's 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.

During the most recent Task Force meeting on July 22, 2024, Task Force members individually and collectively discussed the charge of the Task Force:

- *Whether the administration of justice may be better served by removing the responsibility of setting minimum sentences from the Hawaii Paroling Authority, and*
- *To examine and make recommendations regarding existing procedures of the Hawaii Paroling Authority setting the minimum terms of imprisonment.*

### Upcoming Meetings 2024

- September 12, 9am-12pm

The Commission has dedicated a page on its website to the HCR23 Task Force: <https://hcsoc.hawaii.gov/hcr23-task-force/>. This webpage has information on the expectations of the task force, members, expected outcomes, partnerships, and meeting information. Meetings will be live-streamed and can be viewed on the Commission's [Facebook](#) page or [YouTube](#) channel.

## Expenses for the Preceding Month – July

	Cost	Qty	Total	Notes
<b>Office Equipment and Supplies</b>			<b>\$0</b>	
Office Furniture			\$0.00	
General Office Supplies			\$0.00	
Staff and Commission Badges			\$0.00	
Staff and Commission Badge Holders			\$0.00	
Cell Phone			\$0.00	
Cell Phone Monthly Plan			\$0.00	
Wifi Hotspot			\$0.00	
Heroku Monthly Plan - Complaint Management			\$0.00	
Elastic Cloud Monthly Plan - Complaint Management			\$0.00	
Other Current Expenditures			\$0.00	
<b>Inter-Island Correctional Facility Travel</b>			<b>\$40.00</b>	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem	\$20.00	2.00	\$40.00	Per Diem for 05/10
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
Per Diem - Misc			\$0.00	
<b>Mainland Correctional Facility Travel</b>			<b>\$0.00</b>	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
<b>Memberships + Conferences</b>			<b>\$0.00</b>	
NACOLE (National Assoc. for Civilian Oversight of Law Enforcement)			\$0.00	
National Association of Sentencing Commissions			\$0.00	
NACOLE Virtual Training			\$0.00	
Going Home Hawaii Reentry Summit			\$0.00	
Hawaii Friends of Restorative Justice			\$0.00	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
Baggage Fee			\$0.00	
<b>TOTAL</b>			<b>\$40.00</b>	

\* All expenses reflect posted transactions

## General Office Information

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

Website: <https://hcsoc.hawaii.gov>

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

Email: [hcsoc@hawaii.gov](mailto:hcsoc@hawaii.gov)

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

## Monthly Meetings

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting held on August 22, 2024. The next monthly meeting is scheduled to occur on September 19, 2024, at the Leiopapa A. Kamehameha Building, 235 S Beretania Street, Room 204, Honolulu, Hawaii 96813 and online via Zoom. More information can be found on the Commission's webpage here: <https://hcsoc.hawaii.gov/information/>.





# Hawaii Correctional System Oversight Commission

Monthly Oversight Coordinator Report – September 26 2024



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## Introduction

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- 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. Please note that this report is being released one week later as the monthly Commission meeting was rescheduled for September 26, 2024.

## Death in Custody

On August 22, 2024, a person in custody, male, 72 years old, was found in his cell with shallow and staggered breathing at the Saguaro Correctional Facility. Staff immediately called 911 Emergency Services and the person in custody was transferred to a nearby hospital. At approximately 6:33am the individual was pronounced deceased at the Case Grande Medical Center in AZ. No foul play is suspected nor drug overdose.

## Tour of the Women's Community Correctional Center (WCCC)

In accordance with Hawaii Correctional System Oversight Commission (the Commission, HCSOC)'s mandate to oversee the State's correctional system, on Thursday, August 15, 2024, the Commission toured the Women's Community Correctional Center (WCCC) collectively as a group. The tour included three of the five Commissioners – Mark Patterson, Martha Torney, and Ron Ibarra in addition to the Oversight Coordinator. The Commission had unfettered access to staff and the facility.

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

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

Recommendations to be considered by the Department of Corrections and Rehabilitation:

- **Immediately Prioritize Hiring a Psychologist for WCCC**  
Immediately prioritize hiring a psych doctor for WCCC and have other facilities assist with assessing individuals on suicide watch at WCCC in the interim. Psychologists from other facilities can rely not only on the patient and previous

mental health records, but on the nurses who spend significant time with those individuals as suicide watch is in the medical unit.

Additionally, the facility should consider limiting or eliminating the requirement for disciplinary segregation time for those on suicide watch who have already spent extended periods of time (2 weeks or more) in an isolated environment with limitations to their families.

## Hawaii Island Sequential Intercept (SIM) Report

HCSOC Commissioner Ron Ibarra and the Reentry and Diversion Oversight Specialist attended the Hawaii Island Sequential Intercept (SIM) event organized by Going Home Hawaii in Hilo on August 23, 2024.

The SIM framework informs community responses to individuals involved in the criminal justice system. It provides a comprehensive picture of how individuals with mental health and substance use disorders move through the criminal justice system across six distinct intercept points: (0) Community Services, (1) Law Enforcement, (2) Initial Detention and Initial Court Hearings, (3) Jails and Courts, (4) Reentry, and (5) Community Corrections. The SIM process aims to identify gaps, resources, and opportunities at each intercept and to develop actionable priorities to improve responses.

*The SIM Report aims to systematically provide a detailed analysis across various intercept points in the criminal justice system—from initial encounters to reentry—ensuring a holistic approach to address the needs of our community and improve outcomes for persons with mental health and substance use disorders. The insights derived from this report will be pivotal in shaping policies, enhancing strategies with deflection, diversion, treatment, and reintegration, ultimately reducing recidivism with an increased focus on healthcare approaches and public safety.*

The Hilo SIM event included representatives from Going Home Hawaii, the Department of Correction and Rehabilitation (DCR), the Judiciary, the Governor’s Office, health care and service providers, the Hawaii Paroling Authority, Unite Us—a coordinated care network linking health and social care services—and many other stakeholders and community members. During the event, participants worked collaboratively to outline current practices, identify service gaps, and provide recommendations.

A report will be produced from this event, providing a detailed analysis of the intercepts on Hawaii Island and a strategic roadmap to guide legislative priorities. The Commission wishes to thank Going Home Hawaii for organizing and facilitating this vital event and their ongoing work.

## Breaking Cycles Roundtable: OCCC Programming & Design Case Studies

The University of Hawai‘i Community Design Center (UHCDC) has partnered with the Department of Corrections and Rehabilitation (DCR) to engage stakeholders and

community members in developing alternative proof-of-concept visions for the proposed new jail on Oahu. The Commission has been actively collaborating with UHDCDC since the inception of their work with DCR on this project.

On September 11, 2024, the UHDCDC hosted a third Community of Practice meeting, focused on planning for the new jail. The meeting focused on updates from DCR and Department of Accounting and General Services (DAGS) regarding the overall project timeline, consultant scopes, procurement approaches, an outline of UHDCDC's final report, and a brainstorm to envision continued engagement. Speakers included John Schell, Warden at Oahu Community Correctional Center, Chris Kinimaka, Department of Accounting and General Services.

The UHDCDC and DAGS presentations can be found here: <https://www.breaking-cycles-symposium.org/>.

## House Concurrent Resolution 23 Task Force

House Concurrent Resolution No. 23 ([HCR23 HD1 SD1](#)) requests the Hawaii Correctional System Oversight Commission to convene a task force to examine and make recommendations regarding the Hawaii Paroling Authority's existing procedures for setting the minimum terms of imprisonment. Mark Patterson, HCSOC Chair, is chairing this task force.

The HCR 23 Task Force is required to do the following:

- Study whether parole system models used by other states might be suited for Hawaii.
- 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.

The [Council of State Governments](#) (CSG) has been supporting the HCR 23 Task Force. The CSG's 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 Commission has dedicated a page on its website to the HCR23 Task Force: <https://hcsoc.hawaii.gov/hcr23-task-force/>. This webpage has information on the expectations of the task force, members, expected outcomes, partnerships, and meeting information. Meetings will be live-streamed and can be viewed on the Commission's [Facebook](#) page or [YouTube](#) channel.

The task force recently concluded its last meeting on September 12 after having research findings presented from the CSG and the Criminal Justice Research Institute (CJRI). A report on findings from the task force meetings and potential recommendations moving forward will be released soon

## WCCC Expansion Completed

The Department Corrections and Rehabilitation (DCR) has completed the Women's Community Correctional Center (WCCC) expansion project and invited the Commission to the September 25 dedication ceremony and tour of the facility's three new buildings — Administration, Intake/Visitor and Housing — and newly remodeled structure for pre-release inmates. The Commission is excited for all buildings to be opened soon, and for all OCCC incarcerated women to be transferred to WCCC.

## Current Project

### *Corrections Staff Survey and Report*

Consistent with the Commission's mandate to investigate complaints at correctional facilities, the HCSOC staff are focusing on an all-encompassing staff survey to better understand the corrections environment; enhance data collection capacities to promote transparency and accountability; and recommend evidence-based programs and policies to improve conditions for those working in our jails and prisons.

The survey being utilized was created under the Urban Institute's Prison Research and Innovation Initiative (PRII), supported by Arnold Ventures. The survey has been distributed in facilities throughout five states and was developed using participatory research methods, elevating the voices and perspectives of correctional staff. Vermont had a particularly successful survey launch with a response rate of 70% at the Southern State Correctional Facility. It is the Commission's goal to gather as much, if not more, participation.

The survey, available electronically or on paper, is anonymous and confidential. Now that all surveys have been completed and collected, the Commission scheduled and completed talk stories with each facility to create recommendations for improving health, safety, the work environment, and concerns most important to staff.

For the paper surveys, Commission staff successfully distributed and collected paper surveys on the following dates:

- Wednesday, January 3 – OCCC
- Thursday, January 4 – WCF
- Friday, January 5 – OCCC & WCF
- Monday, January 8 – KCF
- Tuesday, January 9 – WCCC
- Wednesday, January 10 – MCCC
- Friday, January 12 – KCCC
- Tuesday, January 16 – HCF
- Tuesday, January 23 – OCCC
- Thursday, January 25 – HCCC
- Thursday, January 25 – HCCC & KCF
- Friday, January 26 – HCCC
- Monday, January 29 – WCCC
- Tuesday, January 30 – KCCC

- Wednesday, January 31 – MCCC
- Thursday, February 1 – HCF
- Friday, February 1 – HCF

The staff talk-stories were conducted as follows:

- Tuesday, March 19 – HCF
- Friday, March 22 – KCF
- Monday, March 25 – KCCC
- Wednesday, March 27 – OCCC
- Wednesday, April 3 – HCCC
- Thursday, April 4 – MCCC
- Tuesday, April 9 – WCCC
- Wednesday, April 10 – WCF

The Commission is fortunate to have support for this project from the Department of Corrections and Rehabilitation (DCR), the United Public Workers (UPW) Hawaii, the Hawaii Government Employees Association (HGEA), and the cooperation of facility leadership. Although this will be an independent project to distribute and gain perspectives from staff, the HCSOC looks forward to working closely with UPW, HGEA, DCR, facility leadership, and staff on solutions. Commission staff are currently working on the written report outlining findings and recommendations.

#### *Reentry Report*

Consistent with the Commission's mandate to work with the Department of Correction and Rehabilitation (DCR) in monitoring and reviewing the comprehensive offender reentry program, HCSOC staff are currently working on a reentry report in accordance with the reentry portion of the Commission's mandate:

- Work with the Department of Corrections and Rehabilitation in monitoring and reviewing the Comprehensive Offender Reentry Program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii Paroling Authority's oversight of parolees. HRS §353L-3(b)(3)
- 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 people in custody on parole when the maximum terms have been served instead of delaying the release for lack of programs and services. HRS §353L-3(b)(4)

HCSOC staff submitted a data and information request to the DCR, specifically pertaining to HRS §353H Comprehensive Offender Reentry System and the DCR's reentry program for this report. The DCR leadership and the DCR Reentry Office have been responding to this request, and Commission staff have been reviewing the responses. The Commission will review all the data received and compile the HCSOC's first reentry report, outlining findings, highlighting best practices, and offering recommendations.



## Expenses for the Preceding Month – August

	Cost	Qty	Total	Notes
<b>Office Equipment and Supplies</b>			<b>\$686</b>	
Office Furniture			\$0.00	
General Office Supplies	\$170.01	1.00	\$170.01	
Staff and Commission Badges			\$0.00	
Staff and Commission Badge Holders			\$0.00	
Cell Phone			\$0.00	
Cell Phone Monthly Plan			\$0.00	
Wifi Hotspot			\$0.00	
Heroku Monthly Plan - Complaint Management	\$65.00	1.00	\$65.00	
Elastic Cloud Monthly Plan - Complaint Management	\$18.41	1.00	\$18.41	
Other Current Expenditures	\$432.24	1.00	\$432.24	TV
<b>Inter-Island Correctional Facility Travel</b>			<b>\$260.68</b>	
Airfare	\$137.18	1.00	\$137.18	07/18
Car Rental	\$123.50	1.00	\$123.50	06/20
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
Per Diem - Misc			\$0.00	
<b>Mainland Correctional Facility Travel</b>			<b>\$236.00</b>	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem	\$20.00	7.00	\$140.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking	\$24.00	4.00	\$96.00	
<b>Memberships + Conferences</b>			<b>\$500.00</b>	
NACOLE (National Assoc. for Civilian Oversight of Law Enforcement)	\$500.00	1.00	\$500.00	membership renewal
National Association of Sentencing Commissions			\$0.00	
NACOLE Virtual Training			\$0.00	
Going Home Hawaii Reentry Summit			\$0.00	
Hawaii Friends of Restorative Justice			\$0.00	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
Baggage Fee			\$0.00	
<b>TOTAL</b>			<b>\$1,682.34</b>	

\* All expenses reflect posted transactions

## General Office Information

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

Website: <https://hcsoc.hawaii.gov>

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

Email: [hcsoc@hawaii.gov](mailto:hcsoc@hawaii.gov)

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

## Monthly Meetings

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting held on September 26, 2024. The next monthly meeting is scheduled to occur on October 17, 2024, at the University of Hawai'i at Hilo (Room TBA), Hawai'i 96732 and online via Zoom. More information can be found on the Commission's webpage here: <https://hcsoc.hawaii.gov/information/>.



# Hawaii Correctional System Oversight Commission

Monthly Oversight Coordinator Report – October 17 2024

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## Introduction

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 publicly posts 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:

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- 4) Hawaii Supreme Court Chief Justice
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## Death in Custody

On Monday, October 14, 2024, a person in custody, male, 59 years old, was found in his cell bleeding at the Halawa Correctional Facility. Staff immediately removed the individual's cellmate, called 911 Emergency Services, and performed CPR until EMS arrived. At approximately 1:40am, the individual was pronounced deceased by City and County EMS. This incident appears to be a murder.

## Current Projects

### *Corrections Staff Survey and Report*

Consistent with the Commission's mandate to investigate complaints at correctional facilities, the HCSOC staff are focusing on an all-encompassing staff survey to better understand the corrections environment; enhance data collection capacities to promote transparency and accountability; and recommend evidence-based programs and policies to improve conditions for those working in our jails and prisons.

The survey being utilized was created under the Urban Institute's Prison Research and Innovation Initiative (PRII), supported by Arnold Ventures. The survey has been distributed in facilities throughout five states and was developed using participatory research methods, elevating the voices and perspectives of correctional staff. Vermont had a particularly successful survey launch with a response rate of 70% at the Southern State Correctional Facility. It is the Commission's goal to gather as much, if not more, participation.

The survey, available electronically or on paper, is anonymous and confidential. Now that all surveys have been completed and collected, the Commission scheduled and completed

talk stories with each facility to create recommendations for improving health, safety, the work environment, and concerns most important to staff.

For the paper surveys, Commission staff successfully distributed and collected paper surveys on the following dates:

- Wednesday, January 3 – OCCC
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- Wednesday, January 10 – MCCC
- Friday, January 12 – KCCC
- Tuesday, January 16 – HCF
- Tuesday, January 23 – OCCC
- Thursday, January 25 – HCCC
- Thursday, January 25 – HCCC & KCF
- Friday, January 26 – HCCC
- Monday, January 29 – WCCC
- Tuesday, January 30 – KCCC
- Wednesday, January 31 – MCCC
- Thursday, February 1 – HCF
- Friday, February 1 – HCF

The staff talk-stories were conducted as follows:

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- Friday, March 22 – KCF
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- Wednesday, April 3 – HCCC
- Thursday, April 4 – MCCC
- Tuesday, April 9 – WCCC
- Wednesday, April 10 – WCF

The Commission is fortunate to have support for this project from the Department of Corrections and Rehabilitation (DCR), the United Public Workers (UPW) Hawaii, the Hawaii Government Employees Association (HGEA), and the cooperation of facility leadership. Although this will be an independent project to distribute and gain perspectives from staff, the HCSOC looks forward to working closely with UPW, HGEA, DCR, facility leadership, and staff on solutions.

Commission staff are currently working on the written report outlining findings and recommendations. The report is due to be released by the end of this month.



### *Reentry Report*

Consistent with the Commission's mandate to work with the Department of Correction and Rehabilitation (DCR) in monitoring and reviewing the comprehensive offender reentry program, HCSOC staff are currently working on a reentry report in accordance with the reentry portion of the Commission's mandate:

- Work with the Department of Corrections and Rehabilitation in monitoring and reviewing the Comprehensive Offender Reentry Program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii Paroling Authority's oversight of parolees. HRS §353L-3(b)(3)
- 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 people in custody on parole when the maximum terms have been served instead of delaying the release for lack of programs and services. HRS §353L-3(b)(4)

HCSOC staff submitted a data and information request to the DCR, specifically pertaining to HRS §353H Comprehensive Offender Reentry System and the DCR's reentry program for this report. The DCR leadership and the DCR Reentry Office have been responding to this request, and Commission staff have been reviewing the responses. The Commission will review all the data received and compile the HCSOC's first reentry report, outlining findings, highlighting best practices, and offering recommendations.

The report is due to be published in November 2024.

### *House Concurrent Resolution 23 Task Force*

House Concurrent Resolution No. 23 ([HCR23 HD1 SD1](#)) requests the Hawaii Correctional System Oversight Commission to convene a task force to examine and make recommendations regarding the Hawaii Paroling Authority's existing procedures for setting the minimum terms of imprisonment. Mark Patterson, HCSOC Chair, is chairing this task force.

The HCR 23 Task Force is required to do the following:

- Study whether parole system models used by other states might be suited for Hawaii.
- 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.

The [Council of State Governments](#) (CSG) has been supporting the HCR 23 Task Force. The CSG's 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 Commission has dedicated a page on its website to the HCR23 Task Force: <https://hcsoc.hawaii.gov/hcr23-task-force/>. This webpage has information on the expectations of the task force, members, expected outcomes, partnerships, and meeting

information. Meetings will be live-streamed and can be viewed on the Commission’s [Facebook](#) page or [YouTube](#) channel.

The task force recently concluded its last meeting on September 12 after having research findings presented from the CSG and the Criminal Justice Research Institute (CJRI). A report on findings from the task force meetings and potential recommendations is due to be released next month.

## Expenses for the Preceding Month – September

	Cost	Qty	Total	Notes
<b>Office Equipment and Supplies</b>			<b>\$1,609</b>	
Office Furniture	\$1,300.27	1.00	\$1,300.27	Meeting Owl
General Office Supplies	\$51.81	1.00	\$51.81	
Staff and Commission Badges			\$0.00	
Staff and Commission Badge Holders			\$0.00	
Cell Phone			\$0.00	
Cell Phone Monthly Plan	\$172.87	1.00	\$172.87	
Wifi Hotspot			\$0.00	
Heroku Monthly Plan - Complaint Management	\$65.00	1.00	\$65.00	
Elastic Cloud Monthly Plan - Complaint Management	\$19.09	1.00	\$19.09	
Other Current Expenditures			\$0.00	
<b>Inter-Island Correctional Facility Travel</b>			<b>\$106.78</b>	
Airfare	\$106.78	1.00	\$106.78	08/22-RI
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
Per Diem - Misc			\$0.00	
<b>Mainland Correctional Facility Travel</b>			<b>\$0.00</b>	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
<b>Memberships + Conferences</b>			<b>\$1,636.40</b>	
NACOLE (National Assoc. for Civilian Oversight of Law Enforcement)	\$755.00	1.00	\$755.00	NACOLE Conference
National Association of Sentencing Commissions			\$0.00	
NACOLE Virtual Training			\$0.00	
Going Home Hawaii Reentry Summit			\$0.00	
Hawaii Friends of Restorative Justice			\$0.00	
Airfare	\$881.40	1.00	\$881.40	MKP
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
Baggage Fee			\$0.00	
<b>TOTAL</b>			<b>\$3,352.22</b>	

\* All expenses reflect posted transactions

## General Office Information

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

Website: <https://hcsoc.hawaii.gov>

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

Email: [hcsoc@hawaii.gov](mailto:hcsoc@hawaii.gov)

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

## Monthly Meetings

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting held on October 17, 2024. The next monthly meeting is scheduled to occur on November 21, 2024, at the Leiopapa A. Kamehameha Building, 235 S Beretania St., Room 204, Honolulu, Hawai'i 96813 and online via Zoom. More information can be found on the Commission's webpage here: <https://hcsoc.hawaii.gov/information/>.



# Hawaii Correctional System Oversight Commission

Monthly Oversight Coordinator Report – November 21 2024

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## Introduction

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 publicly posts 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. Please note that this report is being released one week later as the monthly Commission meeting was rescheduled for September 26, 2024.

## Death in Custody

On Monday, October 21, 2024, a person in custody, male, 37 years old, was found unresponsive in his cell with a sheet around his neck at the Saguaro Correctional Center. Staff immediately cut the sheet from the individual, called 911 Emergency Services, and performed CPR until EMS arrived. At approximately 8:14pm, the individual was pronounced deceased by a medical doctor of Banner Health. This incident appears to be a suicide.

## Budget Request

The Commission submitted its budget request for Fiscal Years 2026 and 2027. This budget request reflects the office, travel, and personnel needs in order to establish responsible, efficient, and transformative oversight practices in the State of Hawaii. To achieve these ends, the HCSOC is requesting \$572,749 for FY26 and \$403,217 for FY27 which includes a Prison Oversight Specialist, two Research and Policy Associates, a Clerical Assistant, a case management system, consultant costs for a bed utilization study, inter-island and mainland correctional facility travel, memberships and conferences, and operational expenses. Below is the full breakdown of the budget request:



*Oversight Coordinator Monthly Report*  
*Date of Report: November 21, 2024*

OPERATING COST DETAILS	MOF	FY 26 Request			FY 27 Request		
		FTE (P)	FTE (T)	(\$)	FTE (P)	FTE (T)	(\$)
<b>A. Personal Services (List all positions)</b>							
Reentry Specialist, PN 124095, SR-NA	A			10,000			10,000
Jail Oversight Specialist, PN 999305, SR-NA	A			10,000			10,000
Prison Oversight Specialist, SR-NA; PN 96008N	A	1.00	0.00	48,188	1.00	0.00	96,376
Research & Policy Associate, SR-NA; PN 96009N	A	2.00	0.00	76,788	2.00	0.00	153,576
Clerical Assistant, SR-NA; PN 96010N	A	1.00	0.00	27,492	1.00	0.00	54,984
Subtotal Personal Service Costs		4.00	0.00	172,468	4.00	0.00	324,936
By MOF	A	4.00	0.00	172,468	4.00	0.00	324,936
	B	0.00	0.00	0	0.00	0.00	0
	N	0.00	0.00	0	0.00	0.00	0
<b>B. Other Current Expenses (List by line item)</b>							
Inter-Island Correctional Facility Travel	A			17,245			17,245
Mainland Correctional Facility Travel	A			31,520			31,520
Memberships & Conferences	A			11,816			11,816
Case Management System	A			24,000			12,000
Inmate Population Limits & Bed Utilization	A			300,000			0
Report Consultation							
Office Operational Expenses	A			5,700			5,700
Subtotal Other Current Expenses				390,281			78,281
By MOF	A			390,281			78,281
	B			0			0
	N			0			0
<b>C. Equipment (List by line item)</b>							
Workstations	A			10,000			
Subtotal Equipment				10,000			0
By MOF	A			10,000			0
	B			0			0
	N			0			0
<b>L. Current Lease Payments (Note each lease)</b>							
Subtotal Current Lease Payments				0			0
By MOF	A			0			0
	B			0			0
	N			0			0
<b>M. Motor Vehicles (List Vehicles)</b>							
Subtotal Motor Vehicles				0			0
By MOF	A			0			0
	B			0			0
	N			0			0
<b>TOTAL REQUEST</b>		4.00	0.00	572,749	4.00	0.00	403,217

## New Position Postings with Commission

We are growing our team! The Commission is currently recruiting for a [Jail Oversight Specialist](#) (investigating and overseeing all Hawaii jails), and a [Reentry Oversight Specialist](#) (overseeing Hawaii's reentry system including the Parole Board). You can find both postings here: <https://hcsoc.hawaii.gov/job-opportunities/>. The closing date for both positions is December 8, 2024.

## Reappointment of Judge Town

On October 28, 2024, pursuant to HRS 353L-1, Senate President Kouchi reappointed Judge Michael Town to the Hawaii Correctional System Oversight Commission to a term of four years. The Commission welcomes Judge Town's continued commitment and appreciates his willingness to continue to serve on the Commission.

## HCF Annual Commencement Celebration

On Friday, November 8th, 2024, Halawa Correctional Facility held its 2<sup>nd</sup> Annual Commencement Exercises for GED and HiSET Graduates at the Learning Center. The ceremony featured 15 graduates – two who were already released into the community. Families of the graduates were in attendance to celebrate their loved one's achievements.

The Commission was proud to honor these graduates and share warm congratulations to all. Special thanks to MJ Nakamura, Education Supervisor at HCF, for organizing this event and inviting the Commission.



## OCCC Tour with the First Circuit Post-Booking Jail Diversion Stakeholders

On Tuesday, November 12, 2024, First Circuit Post-Booking Jail Diversion stakeholders toured the Oahu Community Correctional Center (OCCC). HCSOC staff organized this collaborative effort, which included representatives from the Department of Corrections and Rehabilitation, Judiciary, Honolulu Prosecuting Attorney's Office, Office of the Public Defender, Governor's Office, Criminal Justice Research Institute, and Jail Diversion Program Coordinator and team members from the Department of Health.

The tour aimed to advance collective diversion efforts on Oahu, providing a meaningful opportunity to strengthen collaboration among key partners, offering participants a deeper understanding of OCCC's conditions and challenges—including overcrowding—and fostering connections to improve outcomes.

The Commission thanks Warden Schell, DCR Deputy-C, OCCC staff, and Judiciary for their assistance in coordinating and facilitating the tour.

## **Makahiki Celebration**

On November 13, 2024, Chair Mark Patterson and Oversight Coordinator Christin Johnson attended the Makahiki Celebration at the Saguaro Correctional Facility in Eloy, AZ. The celebration included kani ka pu (blowing of the conch shell), gathering, sunrise, and after sunrise chants and greetings, Makahiki Procession of Na Mo'olono, prayer, hula, games, and mele. It was a well-attended event that was supported by Ohana Ho'opakele. The Commission thanks Ohana Ho'opakele for supporting such a meaningful event, and all involved who welcomed the Commission to participate.



## **Prison Jail Innovation Lab (PJIL) Conference on Deaths in Custody**

From November 14-16, 2024, Chair Patterson and Oversight Coordinator Christin Johnson attended the Jail and Prison Innovation Lab (PJIL) symposium on “Deaths in Custody” held at the University of Texas in Austin. The convening offered an opportunity for collective reflection by the country’s leading experts on prison and jail conditions on one of the most critical, challenging, and urgent issues in the field of oversight.



There were six main sessions:

- 1) “Data Transparency about Deaths in Confinement,” examined how we can ensure accuracy and completeness in the reporting of deaths in custody.
- 2) “Why are People Dying in Prisons and Jails?” offered some in-depth analyses of the available data.
- 3) “Media Reporting on Deaths in Custody” provided lightning talks by investigative journalists about their reporting on deaths in custody, drawing from a wide range of media outlets all over the country.
- 4) “Investigating Deaths in Custody,” asked who should conduct these investigations and what kinds of questions need to be examined.
- 5) “The Ripple Effects of Deaths in Custody and Secondary Trauma,” highlighted the impact these deaths have on family members, fellow incarcerated people, and correctional staff.
- 6) “Prevention Through Operational Changes and Policy Reform,” included short- and long-term strategies for reducing the numbers of deaths in prisons and jails.

There were also several break-out discussion groups where participants could choose to join colleagues for more in-depth conversations to address these issues. Oversight Coordinator Christin Johnson led the breakout discussion on, “The Role of Oversight Bodies in Investigating, Tracking, and Preventing Deaths in Custody.”

The speakers and participants included oversight practitioners; medical professionals; researchers; people with lived experience; journalists; advocates; corrections officials; academics; litigators; and more. The Commission would like to thank Michele Deitch and all PJIL staff for putting on such an incredible and important conference.

## Current Projects

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## Expenses for the Preceding Month – October

	Cost	Qty	Total	Notes
<b>Office Equipment and Supplies</b>			<b>\$1,288</b>	
Office Furniture			\$0.00	
General Office Supplies			\$0.00	
Staff and Commission Badges			\$0.00	
Staff and Commission Badge Holders			\$0.00	
Cell Phone			\$0.00	
Cell Phone Monthly Plan	\$172.87	2.00	\$345.74	
Wifi Hotspot			\$0.00	
Heroku Monthly Plan - Complaint Management	\$65.00	2.00	\$130.00	
Elastic Cloud Monthly Plan - Complaint Management	\$37.35	1.00	\$37.35	
Other Current Expenditures	\$775.00	1.00	\$775.00	Employment Posting (NACOLE & ACA)
<b>Inter-Island Correctional Facility Travel</b>			<b>\$1,077.48</b>	
Airfare	\$1,001.48	1.00	\$1,001.48	Commission travel
Car Rental	\$76.00	1.00	\$76.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
Per Diem - Misc			\$0.00	
<b>Mainland Correctional Facility Travel</b>			<b>\$88.00</b>	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem	\$20.00	2.00	\$40.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking	\$24.00	2.00	\$48.00	
<b>Memberships + Conferences</b>			<b>\$0.00</b>	
NACOLE (National Assoc. for Civilian Oversight of Law Enforcement)			\$0.00	
National Association of Sentencing Commissions			\$0.00	
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Going Home Hawaii Reentry Summit			\$0.00	
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Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
Baggage Fee			\$0.00	
<b>TOTAL</b>			<b>\$2,453.57</b>	

\* All expenses reflect posted transactions

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# Hawaii Correctional System Oversight Commission

Monthly Oversight Coordinator Report – December 19 2024

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## Death in Custody

- 1) **Late Notice<sup>1</sup>**: On October 20, 2024, a person in custody, male, 34 years old, was found unresponsive in his cell with a sheet around his neck at the Halawa Correctional Facility. Staff immediately cut the sheet from the individual, called 911 Emergency Services, and performed CPR until EMS arrived. The individual was transported to Pali Momi, where life saving measure continued, but unfortunately at approximately 6:04pm, the individual was pronounced deceased by the attending ER doctor. This incident appears to be suicide.
- 2) On Thursday, December 5, 2024, around 2:15am, a person in custody, male, 33 years old, was found unresponsive in his cell with a sheet around his neck at the Halawa Correctional Facility. Staff immediately cut the sheet from the individual, called 911 Emergency Services, and performed CPR until EMS arrived. Around 3:46am, the individual was unfortunately pronounced deceased by the City and County EMT. This incident appears to be suicide, which is the fourth suicide this year.

## Budget Request

The Commission submitted its budget request for Fiscal Years 2026 and 2027. This budget request reflects the office, travel, and personnel needs in order to establish responsible, efficient, and transformative oversight practices in the State of Hawaii.

Initially, the HCSOC requested \$572,749 for FY26 and \$403,217 for FY27 which included a Prison Oversight Specialist, two Research and Policy Associates, a Clerical Assistant, a case management system, consultant costs for a bed utilization study, inter-island and

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<sup>1</sup> The Department notified the Commission in a timely manner, however, the Commission accidentally missed it as there were two deaths that occurred within one day of each other – Oct 20 and Oct 21. The October 21 death was reported in the November, 2024 Oversight Coordinator report.



mainland correctional facility travel, memberships and conferences, and operational expenses. Budget and Finance released their budget recommendations which removed one Research and Policy Associate, a Clerical Assistant, a case management system, and a consultant for a bed utilization study bringing the request down to 172,863 for FY26 and 259,445 for FY27.

The Commission appealed to the Governor’s Office and the case management was incorporated back in the request bringing the final request to 196,863 for FY26 and \$271,445 for FY27. The full request is below:

	<u>FY 26</u>	<u>FY 27</u>
Reentry Oversight Specialist	10,000	10,000
Jail Oversight Specialist	10,000	10,000
Prison Oversight Specialist	48,188	96,376
Research & Policy Associate	38,394	76,788
Inter-island Correctional Facility Travel	17,245	17,245
Mainland Correctional Facility Travel	31,520	31,520
Memberships and Conferences	11,816	11,816
Office Operational Expenses	5,700	5,700
<b>B&amp;F Recommendation</b>	<b>172,863</b>	<b>259,445</b>
Case Management System	24,000	12,000
<b>Governor Decision</b>	<b>196,863</b>	<b>271,445</b>

The Commission looks forward to this upcoming legislative session in hopes of being granted the above funding.

### Tour of Waiawa Correctional Facility (WCF)

On Thursday, November 21, 2024, the Hawaii Correctional System Oversight Commission (the Commission, HCSOC) toured the Waiawa Correctional Facility (WCF) collectively as a group. The tour included two Commissioners, Ron Ibarra and Martha Torney, in addition to Commission staff.

Below are recommendations to be considered by the Department of Corrections and Rehabilitation which stemmed from the HCF tour. The full report can be read at: <https://hcsoc.hawaii.gov/facility-specific-reports/>.

#### Recommendations:

- 1) Increase the Population at Waiawa as Waiawa is One of the Most Rehabilitative Facilities in Hawaii**

The DCR has not fulfilled this recommendation, and in fact, the population numbers at KCF and WCF (both minimum custody) are worse in 2024 than they were in 2023. The same chart below was utilized in the Commission’s November 2024 report regarding the Kulani Correctional Facility tour, but it seems worth repeating for the purpose of highlighting the lack of rehabilitative beds utilized in both KCF and WCF.

Waiawa is one of the most rehabilitative facilities in Hawaii and sits around 50% capacity. As of November 2023, there were around 240 people in custody at Halawa Correctional Facility (HCF) and Saguaro Correctional Facility in Arizona (AZSC) with a custody status of minimum or below. In October 2024, there were around 260.

2023 Hawaii Male Prison Security Classifications							
Male Prison	Community	Minimum	Medium	Close	Maximum	Unclassified	Total Population
AZSC	--	53	455	369	--	--	877
HCF	4	183	435	187	2	11	822
WCF	27	154	--	--	--	--	181
KCF	24	61	--	--	--	--	85

*Source: Hawaii Department of Public Safety Roster, Dated Nov. 13, 2023*

2024 Hawaii Male Prison Security Classifications							
Male Prison	Community	Minimum	Medium	Close	Maximum	Unclassified	Total Population
AZSC	--	77	506	411	--	--	994
HCF	6	179	306	204	6	5	706
WCF	23	113	--	--	--	--	136 - DECREASE FROM 2023
KCF	13	65	--	--	--	--	78 - DECREASE FROM 2023

*Source: Hawaii Department of Corrections and Rehabilitation Roster, Dated Oct. 14, 2024*

- 2) *Expand the Opportunity to be Housed at a Minimum-Security Facility to Those who are Medically Frail*

In general, those with medical conditions that impact their ability to work should not be deprived of living in less restrictive environments and stepping down in preparation for release. However, this recommendation has not been fulfilled.

- 3) **Identify a Vessel to Donate Excess Produce to the Community**

One factor limiting farm production at WCF is the facility's inability to donate excess produce, therefore the Commission recommended that DCR leadership

work with WCF to find an avenue for produce donation in a timely manner (like Correctional Industries, for example). This recommendation has not been fulfilled.

## Tour of Halawa Correctional Facility (HCF)

On Thursday, December 5, 2024, the Hawaii Correctional System Oversight Commission (the Commission, HCSOC) toured the Halawa Correctional Facility (HCF) collectively as a group. The tour included four of the five Commissioners – Mark Patterson (Chair) Martha Torney, Ron Ibarra, Mark Browning, in addition to Commission staff.

Below are recommendations to be considered by the Department of Corrections and Rehabilitation which stemmed from the HCF tour. The full report can be read at:

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

### Recommendations:

**1) Increasing non-security staffing must be a priority for transitioning to a rehabilitative and therapeutic system.**

Last year, the two main staffing shortages that the Commission learned about were in the Learning Center and social work. At the time, education was down three full-time teachers, one secretary, and two workline positions leaving one full time employee to run all educational programs. Additionally, the facility had eight (8) social work vacancies which resulted in high caseloads (80+ people per social worker) for the existing social workers.

During the Commissions visit, it was confirmed that there are no social work vacancies, and that education vacancies had gone down from four vacancies to two (education supervisor and office assistant). The Commission congratulates the Department on their success with aggressive recruitment tactics for filling these imperative positions.

**2) Permanently close the Special Needs Facility.**

Although the Special Needs Facility is closed now, it is unclear if that is a permanent decision.

**3) Prioritize and expedite Capital Improvement Projects to repair electricity and the perimeter fence.**

Both projects have been funded and are currently being executed.

**4) Expand the Correctional Industries worklines to include specific training in skilled trades that would lead to gainful employment after incarceration.**

This recommendation has not been fulfilled.

At some point, there used to be an electrical and plumbing workline that helped keep the facility maintained. The electrician union previously came to the facility and trained people in custody, and then people leaving prison would have an income-generating trade and connections to the unions and jobs in high demand.

However, that program has not existed for some time. It would benefit the Department to work with skilled trade unions to train individuals in plumbing, electrical, welding, HVAC, etc. This would not only create opportunities for individuals to earn gainful employment upon release, but also help the facility with desperately needed maintenance concerns. Correctional Industry worklines can assist in upkeeping the facilities while learning skills that are at the core of the Hawaii Correctional Industry work.

**5) Increase training and support for uniformed staff.**

This recommendation has not been fulfilled.

To expedite and stay current on uniformed staff training, consider placing or training certified instructors to be onsite full-time at Halawa. This would allow the facility to train staff more efficiently in a way that corresponds to the facility's schedule and specific needs. Also, consider updating the training academy curriculum to better prepare staff for their actual roles onsite at facilities.

**6) Increase training and support for case/unit managers to better meet the population's needs upon release.**

This recommendation has not been fulfilled.

Related to recommendation one above, the role of social workers and unit managers is vital to successful rehabilitation and reentry for people in custody. The Commission is aware that many people in custody are released to the community from Halawa. Here, it would be helpful to identify and offer additional training to support the critical role these staff members assume. Staff should stay current on local and national best practices in their field. The crucial role of these staff members and the importance of a mindset dedicated to supporting people in custody and their success should be included in the training.

**7) The Department should support legislative efforts towards Compassionate Release or transfer to a more appropriate medical setting for the severely ill.**

The DCR has refused to support or stay neutral on compassionate release. Instead, the DCR has testified against compassionate release legislation.

People housed in the infirmary need intensive medical and/or psychiatric services and would be better served in a different setting other than a prison. Most individuals on the medical side are not in a physical state to potentially cause harm to another and do not appear to cause a risk to public safety. Additionally, the care for these individuals is particularly expensive for the Department, staff-intensive, and causes strain on the facility overall.

## Current Projects

### *Corrections Staff Survey and Report*

Consistent with the Commission's mandate to investigate complaints at correctional facilities, the HCSOC staff are focusing on an all-encompassing staff survey to better

understand the corrections environment; enhance data collection capacities to promote transparency and accountability; and recommend evidence-based programs and policies to improve conditions for those working in our jails and prisons.

The Commission is fortunate to have support for this project from the Department of Corrections and Rehabilitation (DCR), the United Public Workers (UPW) Hawaii, the Hawaii Government Employees Association (HGEA), and the cooperation of facility leadership. Although this will be an independent project to distribute and gain perspectives from staff, the HCSOC looks forward to working closely with UPW, HGEA, DCR, facility leadership, and staff on solutions.

Commission staff are currently working on the written report outlining findings and recommendations. The report will be released in January 2025.

### *Reentry Report*

Consistent with the Commission's mandate to work with the Department of Correction and Rehabilitation (DCR) in monitoring and reviewing the comprehensive offender reentry program, HCSOC staff are currently working on a reentry report in accordance with the reentry portion of the Commission's mandate:

- Work with the Department of Corrections and Rehabilitation in monitoring and reviewing the Comprehensive Offender Reentry Program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii Paroling Authority's oversight of parolees. HRS §353L-3(b)(3)
- 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 people in custody on parole when the maximum terms have been served instead of delaying the release for lack of programs and services. HRS §353L-3(b)(4)

The Commission will compile the HCSOC's first reentry report, outlining findings, highlighting best practices, and offering recommendations. The report is due to be published in early 2025.

### *House Concurrent Resolution 23 Task Force*

House Concurrent Resolution No. 23 ([HCR23 HD1 SD1](#)) requests the Hawaii Correctional System Oversight Commission to convene a task force to examine and make recommendations regarding the Hawaii Paroling Authority's existing procedures for setting the minimum terms of imprisonment. Mark Patterson, HCSOC Chair, is chairing this task force.

The HCR 23 Task Force is required to do the following:

- Study whether parole system models used by other states might be suited for Hawaii.
- 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.

The [Council of State Governments](#) (CSG) has been supporting the HCR 23 Task Force. The CSG's 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 Commission has dedicated a page on its website to the HCR23 Task Force: <https://hcsoc.hawaii.gov/hcr23-task-force/>. This webpage has information on the expectations of the task force, members, expected outcomes, partnerships, and meeting information. Meetings will be live-streamed and can be viewed on the Commission's [Facebook](#) page or [YouTube](#) channel.

The task force recently concluded its last meeting on September 12 after having research findings presented from the CSG and the Criminal Justice Research Institute (CJRI). A report on findings from the task force meetings and potential recommendations will be released soon.



## Expenses for the Preceding Month – November

	Cost	Qty	Total	Notes
<b>Office Equipment and Supplies</b>			<b>\$256</b>	
Office Furniture			\$0.00	
General Office Supplies			\$0.00	
Staff and Commission Badges			\$0.00	
Staff and Commission Badge Holders			\$0.00	
Cell Phone			\$0.00	
Cell Phone Monthly Plan	\$172.87	1.00	\$172.87	
Wifi Hotspot			\$0.00	
Heroku Monthly Plan - Complaint Management	\$65.00	1.00	\$65.00	
Elastic Cloud Monthly Plan - Complaint Management	\$18.17	1.00	\$18.17	
Other Current Expenditures			\$0.00	
<b>Inter-Island Correctional Facility Travel</b>			<b>\$548.72</b>	
Airfare	\$137.18	4.00	\$548.72	Commission travel
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
Per Diem - Misc			\$0.00	
<b>Mainland Correctional Facility Travel</b>			<b>\$0.00</b>	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
<b>Memberships + Conferences</b>			<b>\$0.00</b>	
NACOLE (National Assoc. for Civilian Oversight of Law Enforcement)			\$0.00	
National Association of Sentencing Commissions			\$0.00	
NACOLE Virtual Training			\$0.00	
Going Home Hawaii Reentry Summit			\$0.00	
Hawaii Friends of Restorative Justice			\$0.00	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
Baggage Fee			\$0.00	
<b>TOTAL</b>			<b>\$804.76</b>	

\* All expenses reflect posted transactions procured

## General Office Information

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

Website: <https://hcsoc.hawaii.gov>

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

Email: [hcsoc@hawaii.gov](mailto:hcsoc@hawaii.gov)

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

## Monthly Meetings

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting held on December 19, 2024. The next monthly meeting is scheduled to occur on January 16, 2024, at the Leiopapa A. Kamehameha Building, 235 S Beretania St., Room 203, Honolulu, Hawai'i 96813 and online via Zoom. More information can be found on the Commission's webpage here: <https://hcsoc.hawaii.gov/information/>.



**STATE OF HAWAII**  
**HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**  
**E HUIKALA A MA'EMA'E NŌ**  
235 S. Beretania Street, 16th Floor  
HONOLULU, HAWAII 96813  
(808) 587-4160

**Waiawa Correctional Facility (WCF)**  
**December 2023 Site Tour Observations**  
**Date of Report: January 18, 2024**

On Thursday, December 21, 2023, the Hawaii Correctional System Oversight Commission (the Commission, HCSOC) toured the Waiawa Correctional Facility (WCF) collectively as a group. The tour included all Commissioners – Mark Patterson (Chair), Ron Ibarra, Martha Torney, and Mike Town – in addition to all Commission staff.

This report encompasses notes from the Commissioners and will be discussed at a public meeting held on January 18, 2024.

General Observations

Waiawa is home to Hawaii's most intensive substance abuse treatment with a continuum of six different programs:

- Knowledge, Attitudes, Skills, Habits, Behaviors, Opinions, and the X (Unknown) – Factor (KASHBOX) – 12-15 month long intensive program
- Intensive Out Patient (IOP) – 8 months intensive program
- Out Patient (OP) – 4 months intensive program
- Continuing Care – 4 months
- Relapse Intervention Program – 4 months
- Cognitive Skills/Lifestyles Program – 4 months

Commissioners observed discussions between staff and individuals in custody while visiting the facility. The Warden and staff appear to interact well with the people in custody and the facility has an overall feel of rehabilitation and therapeutic practices. Additionally, the Warden and his staff have been creative in running the facility programs and maintaining the facility overall.

Waiawa has an operational capacity of 334. On the date of the Commission's visit, 170 individuals were housed at the facility (51% capacity). The Commission continues to be concerned about the underutilization of minimum beds in the correctional system (Kulani Correctional Facility and Waiawa Correctional Facility). According to a recent review completed after the tour of the Kulani Correctional Facility, there were over 200 males classified as minimum assigned to Halawa and Saguaro in December, 2023 that should have been housed at Kulani or Waiawa where there is more than adequate space.

Commissioners heard from both the Kulani and Waiawa Wardens that people in custody are routinely returned to Halawa because they refuse to participate in required work, treatment, and educational programs. The Medical Unit also reported that some individuals transferred from Halawa are not healthy enough to work and, therefore, returned. The Parole Board is less likely to release a person from medium security than minimum or furlough, which means that those returned to Halawa will most likely prolong their stay in corrections and be less prepared to succeed on parole.

### Medical Unit

The Medical Unit is a spacious and private standalone medical and dental facility. It was well equipped with separate individual rooms for the medical exams, dentist, and optometrist appointments. The dentist and doctor make weekly visits.

Electronic records are up to date, yet the staff continues to maintain hard copies in case the electronic system goes down again. Medical staff are available 24 hours a day during the week, and the medical unit closes at 7:30pm on weekends and holidays. Nine nursing positions are authorized of which only three are filled. Three agency nurses augmented the shortfall. The Commission recognizes that these are difficult positions to fill.

Medical staff informed the Commission that another exam room would be helpful in providing care to people in custody and complying with HIPPA. If the population increases to its rated capacity, medical staff will also need to expand the nursing staff further and add another exam room to meet the needs of the population properly.

There is no infirmary at the facility. Yet, during the COVID-19 crisis, the facility created an isolation unit within Building 4 for those possibly exposed to COVID. The isolation unit is a dorm-like setting with a washer and dryer inside the space. After potential exposure, people in custody would be isolated in the space for at least five days. However, if a new individual was admitted, all others in the space had to extend their stay until all isolated people in custody had been there for at least five days. Overall, the facility reported that individuals did not mind being in the space since it was spacious and had everything they needed.

Waiawa's COVID medical isolation is in shipping containers situated near the Medical Unit. There were four single wet cells, with a shared single shower. The work put into this area was impressive—a roof was created above the shipping containers to keep the direct sun off, a plumbing chase added behind the containers, and an ACO station directly opposite. The extensive work in this area changed the image from ordinary shipping containers to a therapeutic space with high ceilings.

The facility leadership did not have to use the shipping container for housing as there has been no positive COVID cases. Also of note until the containers were properly retrofitted and until a post is made to assign an officer specifically to the containers. Additionally, the facility was fortunate to only have two small outbreaks before the container arrived and did not need the containers during that timeframe. The Commission appreciates the facility's innovative solution to creating a separate covid-exposure placement within Building 4 until the shipping containers can be properly

staffed by an ACO. WCF is a clear example of a facility that strives to follow local and federal standards of corrections.

### Food Service

The kitchen was large, clean, well ventilated, and well equipped, with everything in working order. The refrigerator and freezer temperatures were appropriately maintained (gauges were operational). The kitchen was being cleaned by the workline during the Commission's visit. There was no food left out and no broken tiles, as seen in many other facilities. Additionally, Commissioners heard from a few people in custody who expressed their content with the food quality.

While touring the kitchen, Commissioners heard from an individual in custody who was concerned that the 25 cents per hour for kitchen worklines was not adequate to purchase much through store order. Prices for store orders have risen and are comparable to regular prices in the outside world. However, the wages of those incarcerated have not been raised. The rising cost of commissary items has been cited as a problem in many states' correctional systems.

Additionally, Commissioners heard that individuals assigned to the kitchen workline live in Building 6 yet are not allowed to return to the dorm between meals. Rather, they are posted to the outdoor pavilion second level from 8:00 to 10:30 AM and 12:30 to 2:30 PM, with little to do except watch TV or play board games. A number of people in custody complained about lack of access to education, library, or other programs during this downtime between kitchen shifts. The Commission recognizes that this is due to staffing shortages at the facility.

### Library

Currently, there is no Librarian at Waiawa, although on occasion, the Halawa Librarian will come to help. Therefore, the law library is run by Adult Correctional Officers (ACO) four days a week who cannot assist or advise people in custody. Instead, individuals in custody use online programs to research legal issues. The Commission does not agree with this practice but recognizes that a prison-based Librarian position is difficult to fill.

The recreational library, open three days a week, was well stocked. Commissioners were impressed that the Warden worked with the local United States Postal Service who agreed to donate undeliverable magazines to the library for the people in custody. The volume donated is remarkable, providing reading material on a wide variety of subjects. This benefits USPS as they do not need to store the old magazines and benefits the facility by providing people in custody and staff access to a plethora of magazines.

### Education

The Education Building was a large building with five classrooms open five days per week. Most education was computer-based, with GED preparation and testing commonly used. A variety of other online courses could be accessed, although there were no college courses available.

The Commission had the opportunity to speak with a person in custody on the education workline. He shared a monthly newsletter designed, written, and illustrated by people in custody at WCF. November's newsletter was ten pages with a theme of gratitude incorporated throughout.

Individuals who worked on the newsletter were extremely proud of their work and grateful for their opportunity to put it together.

There was a six-week carpentry program operating in conjunction with the University of Hawaii. Commissioners were told that upon completion, participants are granted direct entry to the Hawaii Carpenters Union as apprentices. Ten individuals are admitted to each cycle of the program. The Commission agrees that this is a fantastic program for successful reentry efforts.

### Workline

There are numerous worklines at WCF including food service, education, farming, hydroponics, aquaponics, auto mechanics, culinary arts, community service, and more. Pay for work is determined through a tiered system and depends on the work location. Pay ranges from \$.25 to \$1.00 per hour.

### Farm Program

Waiawa has a large farm program – the farm facility is 8 acres and includes produce, aquaponics, and hydroponics – in operation, but the Commission did not have time to visit the site. However, the staff had noted that they would appreciate having more people at WCF so they could have more workers on the farm.

The farming program used to be significantly more robust than it is now. It is currently operating at 20% for a few main reasons:

1. There are vacancies in the farm supervisor and manager positions because the pay is too low, considering the necessary qualifications, particularly for the manager, and the comparable salary in the community. DHRD reports to DCR that there have been no applicants.
2. Any produce beyond 20% would be wasteful because it will not be used at WCF or other facilities and cannot currently be donated/sell. The facility needs a Correctional Industries (CI) as a vessel to donate/sell food. Also, the farm looks to grow produce that procurement doesn't have a contract for, limiting what they can produce, and farm-to-table stopped during the pandemic.

### KASHBOX

In 1998, two new buildings (Buildings 9 and 10) opened at Waiawa to house the Department's KASHBOX treatment program. The buildings are surrounded by a chain link fence and separated from the other housing areas. The fence gates are not locked, at least during the day, but make it clear the area is restricted to program participants. Building 10 is designated for the 12-month residential treatment program, the other for day treatment programs and mixed-use housing. Those in the residential program have limited contact with other people in custody.

Upon completion of the residential portion of their care, individuals are mainstreamed into the general population and attend day treatment in the afternoons. The Commission was informed that the program is seriously understaffed at this time with only two employees. It is not for the lack of trying to fill positions, but rather qualified substance abuse counselors are difficult to find, especially for a correctional setting and especially for the pay that is offered by the state.



At the time of the Commission's visit, those recently transferred to Waiawa were housed in Building 9. It was unclear if this was for general orientation or for those entering KASHBOX. Individuals in that unit were not yet assigned a work detail to earn money.

#### Building 4

Building 4 was the only housing unit the Commission visited. The space could use some modernization and updates as there were multiple missing louvers in the windows and overall conditions were sparse.

As noted at the beginning of this report, there were far too many empty beds. It appeared that transfers from Halawa Correctional Facility are minimal. The 27 individuals assigned to Building 4 were awaiting transfer to the Oahu Bridge continuing care program, furlough programs statewide, or nearing parole release. The Commission met various people who had been waiting three months at that point to transfer to OCCC furlough. The transfer packets had been submitted to downtown, but the individuals were stuck in a holding pattern. Many were assigned to community services work lines at \$1.00/hour.

Building 4 had many video stations available for contacting family and others authorized. WCF is also one of the few facilities that has in-person contact visits (since March, 2022). The Commission appreciates WCF successful efforts to reinstate in-person contact visits post-COVID.

#### **Recommendations:**

**1) Increase the Population at Waiawa as Waiawa is One of the Most Rehabilitative Facilities in Hawaii**

Commissioners heard from both the Kulani and Waiawa Wardens that people in custody are routinely returned to Halawa because they refuse to participate in required work programs. The Parole Board is less likely to release a person from medium security than minimum or furlough, which means that those returned to Halawa will most likely prolong their stay in corrections and be less prepared to succeed on parole. The Department should determine factors that contribute to this problem and how to resolve it, perhaps through technical assistance at the national level or from private foundations.

**2) Expand the Opportunity to be Housed at a Minimum-Security Facility to Those who are Medically Frail**

The Medical Unit reported that some individuals transferred from Halawa are not healthy enough to work and, therefore, returned. This is an area the Department should carefully review. Substance abuse treatment is often a requirement to be eligible for parole, yet minimum custody individuals with medical problems that preclude them from work details do not have the opportunity to participate. In general, those with medical conditions that impact their ability to work should not be deprived of living in less restrictive environments and stepping down in preparation for release.

**3) Identify a Vessel to Donate Excess Produce to the Community**

One factor limiting farm production at WCF is the facility's inability to donate excess produce. The Commission recommends DCR leadership work with WCF to find an avenue

for produce donation in a timely manner. There are many people and communities in need of food in Hawaii. Providing produce to these groups will benefit the recipients with fresh, healthy produce and offer a sense of pride and purpose for people in custody.



**STATE OF HAWAII**  
**HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**  
**E HUIKALA A MA'EMA'E NŌ**  
235 S. Beretania Street, 16<sup>th</sup> Floor  
HONOLULU, HAWAII 96813  
(808) 587-4160

**Kauai Community Correctional Center (KCCC)**  
**March 2024 Site Tour Observations**  
**Date of Report: April 18, 2024**

On Thursday, March 21, 2023, the Hawaii Correctional System Oversight Commission (the Commission, HCSOC) toured the Kauai Community Correctional Center (KCCC) collectively as a group. The tour included three of the five Commissioners – Mark Patterson (Chair), Martha Torney, Mark Browning in addition to the Oversight Coordinator and staff. This report encompasses notes from the Commissioners and will be discussed at the monthly public meeting held on April 18, 2024.

General Observations

The rated capacity of KCCC is 128, and during the tour, the headcount of the facility was 117 individuals (96 males, and 21 females). It is important to note that the Cabins, noted below, are not included in the rated capacity as there is no fire suppression equipment immediately available and no second exit from the cabins. The Weekly Population Report for Monday, March 25, 2024, indicates that 47.8% of the KCCC jail population are pretrial inmates. Sentence Felons (22 individuals) were excluded from this calculation.

The Commission is tasked with re-evaluating the rated capacity of each correctional facility but currently does not have the staff to support this effort.

KCCC staff provided access to the Commission without any hesitation or issues. Commissioners were able to speak to individuals in custody throughout the facility, and individuals in cells within Module A, Module B, and the shipping containers.

Ongoing Construction Projects

There were two critical construction projects underway during the Commission's visit: 1) the sewer main in front of the facility had burst, preventing the utilization of three holding cells adjacent to the administration area, and 2) the water main by the highway being serviced. The Commission was informed that the water main construction has resulted in the delay of much needed remodel of the kitchen.

Module A

Module A is the oldest part of the facility, opened in 1977, and is made up of four, three-cell units. Each three-cell unit has a very small dayroom that opens into a larger central dayroom. During the Commission's last visit, half of Module A was being renovated. The renovation is completed now; however, the Commission noted the new shower area in Module A had water pooling in the center

of the room. It seems this project should not have been accepted as complete until such problems were resolved.

The law library is located in Module A, a male-only unit, potentially causing access restrictions for females. However, access to the law library is not a complaint the Commission has received from individuals at KCCC.

### Module B

Module B was added in 1986 and is a unique space with six large cells of approximately 157 square feet each, allowing a rated capacity of four inmates assigned to each cell. However, three double bunks (bed for six individuals) were found in the cell that the Commissioners had visited (Cell B-1). The individuals assigned to Cell B-1 were deeply concerned with the time spent in their cells. They claimed they were confined to the cell for 22-hours per day.

The dayroom is quite large, but again, all individuals were locked in their cells during the Commission's visit. It is unclear how often they are allowed outside of their cells. Additionally, the facility placed steel shutters over the cell door windows, limiting any sight outside of the cell. Staff claimed this was for security reasons.

There was water leaking into the dayroom out of Cell B-2, but it was unclear what was causing the leak.

### Module C

Module C, opened in 1997, is an L-shaped building with two large dormitories joined by a multipurpose room in the center and a bathroom for each wing. Each dorm is divided into cubicles with half-walls. The building was under renovation during the Commission's March 2023 visit, and renovations are now complete. All windows were replaced, and the bathrooms were renovated. The unit was clean, and individuals had considerable freedom of movement within the unit.

There is a secure recreation yard available outside of Module C, which was in use when the Commissioners arrived.

### Cabins A-C

Cabins A, B and C were originally built as temporary housing for Kauai residents after Hurricane Iniki. The cabins were moved to the facility between 1993 and 1995 as temporary housing but continue to be used today. These units were not included in the 2001 capacity report as they do not meet fire code—no fire suppression system and no second exit.

Cabins A and B, which house men, have an outside lanai that serves as the dayrooms for those units. Cabin C, which houses women, had a lanai that was enclosed to increase the number of beds, leaving the women no dayroom space. Per the Commission's recommendation after the last visit in March 2023, a small lanai was added to Module C to ensure the women are afforded a dayroom/outdoor space comparable to the men. However, the Commission was informed by the women housed in Cabin C, and staff that the women are given limited access to the lanai since male worklines sometimes pass by in the surrounding areas. The facility must ensure incarcerated women have the same access to dayroom and recreation space as men.

### Shipping Container Housing

The shipping containers in front of the administration area were originally used for new intakes and active COVID-19 cases but are now being used as a secure housing unit for the women.

The cells were larger than similar cells at OCCC, and one cell that was opened had three double bunk beds in it (six beds total). Although each cell had a small window in the door, the windows were covered. Therefore, no natural lighting was available in the cells.

The shower was located outside, across from the cells, and movement to showers can be observed by people in custody in Module C, the recreation yard, and a small visiting area. Netting is placed over the fence surrounding the shower area, yet it is still obvious that others can see figures that pass the netting. There was no Adult Correctional Officer (ACO) assigned specifically to the container area as there is no specifically assigned post to the shipping containers, and it is unknown how often the cells are checked.

There was no dayroom available to the women, resulting in more time spent in their cells.

### Suicide Watch Observation Cells

Three holding cells are located within the Administration area of Module A, with observation windows along a hallway. These are multipurpose cells for administrative segregation and suicide watch. The holding cells were not operable during the tour due to the sewer issue noted above.

### Kitchen

The facility-wide kitchen and mess hall for Module C and the cabins are located in a separate building that is in dire need of replacement. The floors in the kitchen and mess hall were worn through to bare wood in some areas and completely gone in other areas. Plywood had been temporarily laid down to cover missing floorboards, but they were flimsy and extremely dangerous to walk on. The dangerous condition of the floor in the kitchen and mess hall could easily result in serious injury to staff and people in custody. A new floor must be laid as soon as possible.

It is important to note that during the March 2023 tour, the Commissioners noted the same issues and concerns, but were told that the kitchen was soon scheduled to be replaced. Now, work cannot start until the water main is repaired, a project currently underway but moving ahead very slowly. Commissioners were informed that a module system is to be installed behind the existing kitchen which will then be removed, and a kitchen and chow hall will be built. The conditions have worsened since the Commission's 2023 tour, and it is obvious that nothing has been done to remedy the situation. The condition of the structure has degraded so significantly that the ability of staff to manage and provide quality meals is in question.

One Commissioner noted that the kitchen is in such despair, that it should be closed entirely and alternative means of providing meals be considered.

### Staffing Shortages

Staff burnout was extremely evident during the tour. This appears to be due to severe staffing shortages, consistently long work hours (consistent 16- and 24-hour shifts), and being tasked with multiple posts and multiple roles. For example, the gate post is expected to manage the shipping containers and the furlough population. In reality, those should be three separate posts for three

separate officers, however, one officer is expected to run all posts without mistakes. Pure exhaustion has been more evident in KCCC than in any other facility. The Commission believes that KCCC staff are doing the best they can, but they have been forced to work in these same conditions for far too long, and relief is needed as soon as possible.

#### Facility Worklines

The Commission was informed that KCCC is not paying individuals to work on worklines. The Commission addressed this with the Warden while on site and were informed that the facility believes it is more rehabilitative not to pay people in custody such low wages (25 cents an hour, per policy), and instead, believes it's best for people in custody to give back to the facility and community by volunteering their time on worklines. The facility sees 25 cents an hour pay as disrespectful.

Although the Commission agrees that wages are extremely low per policy, it is not acceptable to deviate from policy, particularly when the deviation may affect the opportunity to buy commissary items or make phone calls, or video visits. Additionally, this puts an additional disparity on the community members as they will be the ones who send in money for people in custody to partake in commissary, phone calls, or video visits.

#### Restraint Chair and WRAP Chair

The Commission was quite taken aback to discover both a Restraint Chair and a WRAP chair (which uses straps to fully immobilize the body) in the security office of the facility. These restrictive restraints are at the highest level on the use of force continuum. Restraint and WRAP Chairs have caused serious harm to people in custody, resulted in death, and have been subjected to lawsuits in many states. It is an area ripe for misuse and litigation.

Staff in the facility were not aware of any policy governing the use of the chairs but claimed that staff were trained in how to use the Restraint and WRAP Chairs. When questioned, the Warden said he believed there was a policy but was unable to provide one to the Commission as he had to leave the facility for a meeting.

When either chair is used, no log is maintained while an individual is restrained. Of even more concern, the Commission was informed that when either restraint chair is utilized, the individual strapped to the chair is placed back in their cell and checked every thirty minutes or so until the individual calms down. The Commission was informed that the chairs are mostly utilized when an individual is kicking or banging the cell door to protect the individual from injury and the cell from destruction.

#### **Recommendations to be considered by the Department of Corrections and Rehabilitation:**

- 1) Immediately cease any usage of the Restraint Chair and WRAP Chair until, at minimum, a policy is developed and approved by the Attorney General to protect the state from liability.**

If the Department of Corrections and Rehabilitation intends to continue use of such restraints mechanisms, it is imperative that a policy be developed and approved by the Attorney General to protect the State from liability.



The policy must include, at a minimum:

- Under what conditions may the restraint be used (**never for punishment**);
- Who must approve the use of the restraint (should be Warden, Deputy Warden, Chief of Security);
- Health Care must be informed and determine any medical risk in the use of the restraint;
- Placing an individual in the chair must be filmed, as with cell extraction;
- The individual should be checked on a regular basis (every 10 minutes) to ensure there is no medical problem and blood is circulating;
- There is a time limit for use of the restraint, such as two hours;
- An individual placed in the chair due to mental health issues (such as harm to self or others) must have medical and mental health approval; and,
- A log maintained for the duration of the restraint.

**2) The shipping container units outside Module 5 must not be used until there is a specific post made for that area to ensure there is staff in the immediate vicinity at all times.**

The Commission found that the shipping containers in front of the administration area did not have an ACO in the vicinity due to there being a lack of post assignment. Instead, the front gate officer is assigned to watch the shipping containers in addition to their normal duties. The Department places itself at considerable risk by not posting an ACO in the immediate vicinity whenever any of the cells are occupied. The shipping containers must have a designated post and otherwise not be used as an ACO cannot be guaranteed to be in the immediate area whenever a cell is occupied.

It is, therefore, recommended that KCCC not use these units unless it can post an ACO in the immediate area whenever any cell is occupied. It should be noted that the Commission posted a similar recommendation one year ago in March 2023, however, the issue has not been addressed.

**3) Immediately prioritize the construction and replacement of the KCCC kitchen as it poses a dangerous threat to individuals or staff being hurt due to its desperate condition.**

The floors in the kitchen and mess hall were worn through to bare wood in some areas and completely gone in other areas. Plywood had been temporarily laid down to cover missing floorboards, but they were flimsy and extremely dangerous to walk on. The dangerous condition of the floor in the kitchen and mess hall could easily result in serious injury to staff and people in custody. A new floor must be laid as soon as possible.

**4) Remove the window covers of the shipping container windows to allow natural light.**

The Commission found that the shipping container cells had a slab of material completely blocking the windows to ensure women in the cells were not seen by men in custody. In accordance with American Correctional Association (ACA) Standard 4-ALDF-1A-16: *All inmate rooms/cells provide the occupants with access to natural light by means of at least three-square feet of transparent glazing, plus two additional square feet of transparent glazing per inmate in rooms/cells with three or more inmates.* Therefore, the Commission recommends removing the window covers to ensure access to natural light.

It should be noted that the Commission posted a similar recommendation one year ago in March 2023, however, the issue has not been addressed.

**5) Ensure individuals in the facility are receiving the most out-of-cell time possible in alignment with a rehabilitative and therapeutic environment.**

Individuals in Module B claimed to be locked in their cells for 22-hours per day. This, by definition, is considered restrictive housing, also sometimes referred to as solitary confinement. Additionally, it was unclear if women who are housed within the shipping containers get any type of recreational time outside of their cells.

If the Department of Corrections and Rehabilitation is serious about the transition to a therapeutic and rehabilitative system, it is imperative to ensure individuals are not locked down within their cells for such extended periods of time.

Therefore, daily schedules should be posted in all housing units for transparency regarding programming and out of cell time. This allows individuals in custody to anticipate what is to come, and to hold the staff accountable and ensure programming is completed in a consistent manner.

**6) Ensure that incarcerated women in Cabin C have access to outdoor space, specifically, the Cabin C lanai that was built for that exact purpose.**

Due to overcrowding, Cabin C's lanai was enclosed to increase the number of beds to house women, leaving the women no dayroom or outdoor space. Men housed in Cabin A and B, however, still have an open and functioning lanai that they can use at their leisure. Per the Commission's recommendation after the last visit in March 2023, a small lanai was added to Module C to ensure that women are afforded a dayroom/outdoor space comparable to the men. The Commission applauded this effort; however, the Commission was informed by the women housed in the Cabin and staff, that the women are given limited access (if any) to the lanai since male worklines sometimes pass by in the surrounding areas.

The facility must ensure incarcerated women have the same access to dayroom and recreation space as men.

**7) Ensure that individuals who work on the facility worklines are being paid accordingly, by Department policy.**

The Commission was informed that KCCC is not paying individuals to work on worklines. Although the Commission agrees that wages are extremely low per policy, it is not acceptable to deviate from policy, particularly when the deviation may affect an individual's opportunity to buy commissary, phone calls, or video visits. Additionally, this places an added burden on the community members as they will be the ones who send in money for people in custody to purchase commissary or make phone calls or video visits. Therefore, KCCC must pay individuals who work on the workline their appropriate wage per Department policy.

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



STATE OF HAWAII | KA MOKU'ĀINA O HAWAII  
**DEPARTMENT OF CORRECTIONS  
AND REHABILITATION**  
*Ka 'Oihana Ho'omalu Kalaima  
a Ho'oponopono Ola*  
1177 Alakea Street  
Honolulu, Hawaii 96813  
808-587-1288

**TOMMY JOHNSON**  
DIRECTOR

**Melanie Martin**  
Deputy Director  
Administration

**Pamela Sturz**  
Deputy Director  
Correctional Institutions

**Sanna Muñoz**  
Deputy Director  
Rehabilitation Services  
and  
Programs

No. \_\_\_\_\_

May 9, 2024

Mark Patterson, Chair  
Hawaii Correctional System Oversight Commission  
235 S. Beretania Street, 16<sup>th</sup> Floor  
Honolulu, Hawaii 96813

RE: Response to Recommendations by the Hawaii Correctional System Oversight Commission from tour of the Kauai Community Correctional Center (KCCC) on March 21, 2024

Dear Chair Patterson:

The following responses to the commission's seven (7) recommendations made following a tour of KCCC on March 21, 2024, is provided for the commission's Information, review, and records:

- 1) Immediately cease any usage of the Restraint Chair and WRAP Chair until, at minimum, a policy is developed and approved by the Attorney General to protect the state from liability.**

If the Department of Corrections and Rehabilitation intends to continue use of such restraint mechanisms, it is imperative that a policy be developed and approved by the Attorney General to protect the State from liability.

The policy must include, at a minimum:

- Under what conditions may the restraint be used (never for punishment);
- Who must approve the use of the restraint (should be Warden, Deputy Warden, Chief of Security);
- Health Care must be informed and determine any medical risk in the use of the restraint;
- Placing an individual in the chair must be filmed, as with cell extraction;



- The individual should be checked on a regular basis (every 10 minutes) to ensure there is no medical problem and blood is circulating;
  - There is a time limit for use of the restraint, such as two hours;
  - An individual placed in the chair due to mental health issues (such as harm to self or others) must have medical and mental health approval;
- and,
- A log maintained for the duration of the restraint.

**RESPONSE:** See COR.10.11.01 (Restraint and Seclusion (Clinically Ordered)). Three (3 – KCCC, HCF, & WCCC) of DCR's eight (8) facilities have one (1) restraint chair. Last use of a restraint chair was done on October 25, 2023, and ordered by a licensed mental healthcare professional. Both HCF and WCCC have never used their restraint chairs. Staff at all three (3) facilities (KCCC, HCF, and WCCC) with a restraint chair have received appropriate training in the use of the chair. Although, the DCR is not required to obtain approval of the Attorney General's office on any of its policies, out of an abundance of caution, a copy of the above cited policy was provided to the AG's office for review.

- 2) The shipping container units outside Module 5 must not be used until there is a specific post made for that area to ensure there is staff in the immediate vicinity at all times.

The Commission found that the shipping containers in front of the administration area did not have an ACO in the vicinity due to there being a lack of post assignment. Instead, the front gate officer is assigned to watch the shipping containers in addition to their normal duties. The Department places itself at considerable risk by not posting an ACO in the immediate vicinity whenever any of the cells are occupied. The shipping containers must have a designated post and otherwise not be used as an ACO cannot be guaranteed to be in the immediate area whenever a cell is occupied. It is, therefore, recommended that KCCC not use these units unless it can post an ACO in the immediate area whenever any cell is occupied. It should be noted that the Commission posted a similar recommendation one year ago in March 2023, however, the issue has not been addressed.

**RESPONSE:** There is no module 5 at KCCC. There is normally an ACO posted there near the modular housing units just outside of the facility's main entrance where the Warden's office is located. However, when we are short staffing, we are not always to have an ACO posted directly outside of the modular housing units, but close enough to address issues of concern. This is a temporary measure. What would the commission have the department do. Viable recommended solutions would be best.



- 3) Immediately prioritize the construction and replacement of the KCCC kitchen as it poses a dangerous threat to individuals or staff being hurt due to its desperate condition.**

The floors in the kitchen and mess hall were worn through to bare wood in some areas and completely gone in other areas. Plywood had been temporarily laid down to cover missing floorboards, but they were flimsy and extremely dangerous to walk on. The dangerous condition of the floor in the kitchen and mess hall could easily result in serious injury to staff and people in custody. A new floor must be laid as soon as possible.

**RESPONSE:** The department has already prioritized the KCCC kitchen floor replacement. DAGS Job No. 14-27-5728 in the amount of \$4,469,698.00 was awarded to Kitsap Construction, LLC (contractor is MEI construction) and work will begin shortly.

- 4) Remove the window covers of the shipping container windows to allow natural light.**

The Commission found that the shipping container cells had a slab of material completely blocking the windows to ensure women in the cells were not seen by men in custody. In accordance with American Correctional Association (ACA) Standard 4-ALDF-1A-16: All inmate rooms/cells provide the occupants with access to natural light by means of at least three-square feet of transparent glazing, plus two additional square feet of transparent glazing per inmate in rooms/cells with three or more inmates. Therefore, the Commission recommends removing the window covers to ensure access to natural light. It should be noted that the Commission posted a similar recommendation one year ago in March 2023, however, the issue has not been addressed.

**RESPONSE:** The modular housing units were outfitted with window covers to safeguard the privacy of the women in our custody, in compliance with normal and acceptable standards. When there is no male movement near and/or around the female occupied modular housing units, the window coverings can be removed. This decision was made to prevent any potential visual intrusion from male inmates.

**We take the Commission's recommendations seriously and have made efforts to address them within the scope of our capabilities and limited housing space.**



**5) Ensure individuals in the facility are receiving the most out-of-cell time possible in alignment with a rehabilitative and therapeutic environment.**

Individuals in Module B claimed to be locked in their cells for 22-hours per day. This, by definition, is considered restrictive housing, also sometimes referred to as solitary confinement. Additionally, it was unclear if women who are housed within the shipping containers get any type of recreational time outside of their cells.

If the Department of Corrections and Rehabilitation is serious about the transition to a therapeutic and rehabilitative system, it is imperative to ensure individuals are not locked down within their cells for such extended periods of time.

Therefore, daily schedules should be posted in all housing units for transparency regarding programming and out of cell time. This allows individuals in custody to anticipate what is to come, and to hold the staff accountable and ensure programming is completed in a consistent manner.

**RESPONSE:** The Module B incident appears to be an isolated occurrence and not reflective of KCCC standard practices. We are committed to ensuring the safety and well-being of all individuals in our custody and care, and we will monitor and enforce protocols to prevent such incidents from recurring moving forward

I understand HSCOC's concerns regarding out-of-cell time, particularly for female inmates housed in the Q modular housing unit. While the specific details provided in the report may not fully represent the reality of our programming, I assure you that we prioritize out-of-cell time as part of our rehabilitative and therapeutic approach.

**6) Ensure that incarcerated women in Cabin C have access to outdoor space, specifically, the Cabin C lanai that was built for that exact purpose.**

Due to overcrowding, Cabin C's lanai was enclosed to increase the number of beds to house women, leaving the women no dayroom or outdoor space. Men housed in Cabin A and B, however, still have an open and functioning lanai that they can use at their leisure. Per the Commission's recommendation after the last visit in March 2023, a small lanai was added to Module C to ensure that women are afforded a dayroom/outdoor space comparable to the men. The Commission applauded this effort; however, the Commission was informed by the women housed in the Cabin and staff, that the women are given limited access (if any) to the lanai since male work lines sometimes pass by in the surrounding areas. The facility must ensure incarcerated women have the same access to dayroom and recreation space as men.

**RESPONSE:** The decision to enclose Cabin C's lanai was driven by overcrowding concerns, necessitating the optimization of available space to accommodate the housing needs of female inmates.



While we acknowledge the importance of outdoor recreation for all individuals in our custody, it's crucial to consider the unique dynamics of KCCC. Cabin C's proximity to Cabins A & B (Male Housing) and the maintenance shop presents logistical challenges in providing unrestricted access to the lanai, especially given our strict communication policy between male and female inmates.

Despite these constraints, we are committed to ensuring that women in Cabin C have opportunities for outdoor recreation. While it is true that their access may be limited compared to male inmates, efforts have been made to facilitate their use of the lanai and pavilion for outdoor space whenever feasible. However, it's essential to balance safety and security concerns with providing recreational opportunities.

The facility has been instructed to consider installing some type of portable and moveable barrier that can be used to temporarily block the view of the lanai when in use by female offenders, such as a large weather resistant curtain type barrier.


**7) Ensure that individuals who work on the facility work lines are being paid accordingly, by Department policy.**

The Commission was informed that KCCC is not paying individuals to work on work lines. Although the Commission agrees that wages are extremely low per policy, it is not acceptable to deviate from policy, particularly when the deviation may affect an individual's opportunity to buy commissary, phone calls, or video visits. Additionally, this places an added burden on the community members as they will be the ones who send in money for people in custody to purchase commissary or make phone calls or video visits. Therefore, KCCC must pay individuals who work on the work line their appropriate wage per Department policy.

**RESPONSE:** DCR Director, Tommy Johnson has instructed the Deputy Director for Correctional Institutions to immediately ensure inmates participating on facility work lines receive the appropriate hourly compensation. It should be noted, all inmates are provided with 1 free 5-minute phone call per week, which includes video visits regardless of if they have funds in their account or not.

Following the Commission's review of the department's responses should the commission have any questions and/or request additional information, please don't hesitate to contact me.

Sincerely,

  
Tommy Johnson  
Director



**STATE OF HAWAII**  
**HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**  
**E HUIKALA A MA'EMA'E NŌ**  
235 S. Beretania Street, 16<sup>th</sup> Floor  
HONOLULU, HAWAII 96813  
(808) 587-4160

**Hawaii Community Correctional Center (HCCC)**  
**May 2024 Site Visit Observations Report**  
**Date of Report: June 20, 2024**

On Friday, May 10, 2024, the Hawaii Correctional System Oversight Commission (the Commission, HCSOC) toured the Hawaii Community Correctional Center (HCCC). The tour included Chair Mark Patterson and the Interim Oversight Coordinator/Reentry & Diversion Oversight Specialist, Cara Compani. During the tour, the Commission was granted access to all areas of the facility and was able to communicate with all people in custody they asked to speak with and those who wanted to talk with the Commission. Due to inclement weather, the Commission did not have the opportunity to tour the Hale Nani Annex.

General Observations

The total Hawaii Community Correctional Center (HCCC) headcount on May 10 was 298, with 258 males and 40 females. HCCC has a capacity of 226 and is currently organized into five housing units, with a sixth unit, Kaumana, scheduled to complete construction and open shortly. These housing units are located across two primary sites: the Punahale site and the Hale Nani Annex site. The Punahale site, the main jail location, comprises three housing units: Punahale, Komohana, and Waiuanue, with the new unit Kaumana also part of this site. The Hale Nani Annex site contains two housing units: Hale Nani Mauka, the Sentenced Male Housing Unit for men on furlough preparing to reenter the community, and Makai, designated for the female general population.

The Punahale unit, with an official rated capacity of 22, currently houses 100 individuals, resulting in an occupancy rate of over 250% (explained further in the Punahale section below). The Komohana unit, designed to hold 64 individuals, currently has a population of 83, leading to an occupancy rate of approximately 130%. The Waiuanue unit has a capacity of 40 beds and presently houses 54 individuals, resulting in an occupancy rate of 135%. The Hale Nani Makai Annex for women, which has a capacity of 40 beds, currently houses 30 individuals, resulting in an occupancy rate of 75%. The main Hale Nani unit, with a capacity of 80 beds, currently has a population of 31, resulting in an occupancy rate of 39%.

Please note, all capacities for this report were pulled from the 2002 Corrections Population Management Report, which is the most recent official capacity report available.<sup>1</sup>

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<sup>1</sup> Corrections Population Management Commission, Annual Report, Dec. 2001, available here: [report2001.pdf \(hawaii.gov\)](http://report2001.pdf(hawaii.gov))

## Punahele

The Punahele unit at HCCC is a special needs housing unit for individuals who cannot be housed in the general population. It accommodates people with acute mental illness, those on lockdown for misconduct violations, individuals with severe health problems, new admissions, and those on medical isolation or quarantine. The unit also houses women who are not part of the general population at Hale Nani Annex. Most individuals in Punahele are classified as Medium to Maximum custody.

The building also contains the Administration Offices, Watch Commander's Office, Health Care Unit for Medical and Mental Health services, Intake Processing, Records Unit, Transportation Unit, and a video conference room for virtual court hearings. However, the medical space remains inadequate for the population and staff.

According to the Corrections Population Management Commission 2001 Annual Report, Punahele's design capacity is 22. However, it currently houses 100 individuals, resulting in significant overcrowding.

The unit is divided into three sections:

### **Housing Units and Multipurpose Room:**

The Punahele housing unit has two sections, with an official capacity of 22. Twelve cells are located in a module setting, with four pods of three cells each and a shower surrounding a common space. These cells range from 59 to 62 square feet, the smallest in the Hawaii correctional system. Another ten cells, each 59 square feet, are located along an L-shaped corridor, with one shower shared by all ten cells. Additionally, 14 men are housed in the multipurpose room within Punahele. Altogether, that is 12 cells designed for 12 people in the module setting, 10 cells designed for 10 people in the L-shaped setting, and the multipurpose room with a rated capacity of zero because it was not designed to house people.

On the date of the Commission's visit, 62 people were housed in the 22 cells, and 14 people were housed in the multipurpose room, totaling 76 people in an area designed for 22, leading to an occupancy rate of approximately 345.45% for the housing unit portion of Punahele.

### **Corridor Housing**

There are a few cells in the hallway near Medical. Due to their corridor location, it does not appear that these were designed for long-term housing. One cell was a dry cell, meaning it had no toilet or access to water, and is not appropriate for long-term housing. Three men and five women were housed in cells in the medical corridor. The occupancy rate cannot be calculated because there is no official rated capacity for this space.

### **Modular Unit**

The Department of Public Safety used funding during COVID-19 to acquire and retrofit a modular unit with four cells, also described as a shipping container, for isolation. While there is no official design capacity, based on the square footage, there should not be more than two people per cell.



During the current visit, 11 men and five women were housed in the four cells. The five women housed in one cell had one three-tiered bunk bed and two mattresses on the floor (both close to the toilet). The cells used for male housing had three to four individuals per cell, with a two or three-tiered bunk bed and a mattress on the floor. Some of the people housed here had serious health issues. These are not suitable for long-term housing due to overcrowding, poor circulation, no food slot, limited light, and small windows with low visibility for staff.

The severe overpopulation in Punahale highlights the need for immediate attention to manage the facility's capacity and improve conditions for its occupants. Housing vulnerable populations, such as those with acute mental illness, severe health problems, or those on medical isolation or quarantine, in these overcrowded conditions exacerbate their challenges. The lack of adequate space, light, and proper facilities can lead to deteriorating mental and physical health. Additionally, Punahale continually needs maintenance, including repairs for leaks. The Commission was informed that this maintenance is currently at the bidding stage.

The Commission spoke with individuals housed in Punahale. The most significant concerns from people in custody at Punahale revolve around the overcrowding and length of time spent in these living conditions.

#### Komohana

The Komohana housing unit, which opened in 1998, has 32 cells with a rated capacity of 64 (designed for two people per cell). It is a two-story unit with wet cells around the perimeter and a large open dayroom in the center. These individuals' custody status ranges from community to medium. The building also includes the Mental Health Office, Warden Select Office, and a court video conference room for virtual court hearings.

On the Commission's tour date, this unit housed 83 pretrial general population males who were medically cleared and awaiting their court hearings. This resulted in an occupancy rate of approximately 130% (83 people in custody/64 capacity). There were two to three people per cell in the unit.

The Commission spoke with several people in custody in Komohana, and no serious concerns were noted. During the Commission's time on the unit, one tier was in their cells while people from the other tier were in the common area watching TV and sitting at shared tables.

#### Waiuanuenue

Waiuanuenue is a freestanding, secure building located on the Waiuanuenue Avenue side of the property. The housing unit, which opened in 1990, consists of two dormitory-style units, Dorm A and Dorm B, each with four cubicles measuring between and a dayroom.

Waiuanuenue A-side houses sentenced individuals either awaiting transfer to Halawa Correctional Facility or serving sentences of one year or less, and the Waiuanuenue B-side accommodates pretrial individuals. The unit has a rated capacity of 40 but housed 54 males at the time of the tour, resulting in an occupancy rate of 135%.

The Commission spoke with several people in custody in Waianuenue and noted no serious concerns, though overcrowding resulted in some individuals sleeping on mattresses on the floor. During the tour, most individuals were either watching TV in the common space or reading in their beds.

The building also includes offices for the Grievance Officer, Administrative/PREA Officer, and Admin Lieutenant and is adjacent to the Waianuenue Education and Law Library Building.

### Ongoing Construction Projects

*Kaumana*, the new housing unit at HCCC, is nearing completion on the site of the old 1909 jail. This two-tier living unit consists of 24 cells designed to accommodate two people each, providing a total capacity of 48 individuals. It includes six showers, some of which are ADA compliant, and an enclosed outdoor recreation area open overhead. Additionally, the unit features several rooms that staff can utilize as offices or medical spaces. While *Kaumana* is much needed to alleviate some of the overcrowding issues at HCCC, it will not completely resolve the issue. Even adding 48 beds to the rated capacity at the main jail site, the total rated capacity is 174 (22 at Punahale + 40 at Waianuenue + 48 at *Kaumana* + 64 at *Komohana*), with a current population at the main jail site of 237.

The HCSOC acknowledges recent facility updates highlighting the progress made in maintenance and infrastructure improvements at HCCC. The new intake area is now complete and functional, and upgrades to telephone and data lines for Punahale and Hale Nani Annex have been finished. The *Komohana* Shower Remodel, light fixtures, and valve replacements are fully operational. The Division 11/17 Security Electronic Doors and Camera Project and the Waianuenue Electrical/Mechanical HVAC upgrades have also been completed, along with the Punahale Site Exterior Lighting Remodel, effectively illuminating the entire site.

Ongoing projects include the Punahale Front Office/Lobby Remodel. The Remodel has left the facility without a front entrance for several months; a tent is currently being used. Additionally, during the remodel, staff are currently using three porta-potties placed in front of the facility and sharing one mixed-use restroom (which is also used for people in custody). Significant work remains to address the facility's aging infrastructure and overall conditions.

The Department of Corrections and Rehabilitation (DCR) updated the Commission. The Department originally requested funding for 96 beds (two 48-bed dormitories), but the legislature only approved a single 48-bed unit. In addition, the Department recently requested funds to conduct a site selection survey for a Kona jail, as 34% of HCCC's population is from the Kona side of the Big Island, but no funding was provided.

### Custody Status

The Commission also reviewed the Hawaii Department of Corrections and Rehabilitation's daily population count dated May 13, 2024 (the Monday following the Commission's visit). The following provides an aggregate view of the custody status of individuals at HCCC, excluding the 29 sentenced men on furlough at Hale Nani. This exclusion is because Hale Nani does not represent a true jail population, as jails typically hold individuals who are awaiting trial, pretrial detainees, and those who have been sentenced to incarceration for less than one year.



The status of individuals at HCCC is as follows, these were pulled directly from the population count.

*Pretrial Felon: 166*  
*Probation Violation: 46*  
*Sentenced Felon Probationer: 21*  
*Sentenced Felon: 19*  
*Pretrial Misdemeanant: 16*  
*Other: 15*

Additionally, among the 182 pretrial population (pretrial felon, pretrial misdemeanor), 81 have been in custody for more than six months.

The breakdown of the security classifications, excluding those at Hale Nani, is as follows: 198 are classified as Medium, 58 as Community, 13 as Minimum, 8 as Unclassified, and 6 as Maximum.

#### Lack of Basic Necessities for Jail Operations

Although the Commission has reported on this before, it is important to highlight again here, HCCC lacks many necessities to make it a fully functional jail. The facility lacks a proper segregation unit, a proper protective custody unit, a proper mental health unit, an appropriate space for those on safety and suicide watch, a proper infirmary, a perimeter fence, and a proper female housing unit. This makes managing the population an extremely difficult task for all staff who work at HCCC.

The facility was originally built over 60 years ago. It is old, antiquated, and outdated, and these infrastructure deficiencies and the needs of the populations cannot be adequately addressed in this current facility.

#### Visitation

Currently, there is no in-person visitation, and this has been the case for almost four years (initially due to COVID-19, then due to construction). In-person contact visits are imperative for maintaining relationships with family, friends, and communities. The Commission recommends beginning in-person contact visits as soon as the construction is complete.

#### Facility Highlights

The HCSOC wishes to highlight specific practices at HCCC. Historically, the 704 evaluation process, which determines a defendant's mental fitness to stand trial, experienced significant delays, particularly on Hawaii Island. These delays were exacerbated by the evaluators being based in Oahu, resulting in wait times that could stretch up to nine months. During the COVID-19 pandemic, the HCCC mental health team introduced telehealth for 704 evaluations, reducing wait times from nine months to about one week. This improvement led to legislation mandating telehealth access for examiners, ensuring that evaluations could be conducted promptly and efficiently. However, ongoing mental health population growth and staffing constraints pose risks to the process, making it crucial to maintain and enhance these telehealth capabilities.

The success of the expedited 704 evaluation process underscores the importance of robust inter-agency collaboration. The relationships cultivated with various stakeholders, including the

Judiciary, the Department of Health, and the Court Evaluation Branch, have been instrumental in reducing evaluation times and improving overall efficiency. The mental health team's proactive communication with other agencies also facilitates the quick transfer of individuals requiring higher levels of care. This collaboration ensures that people in custody are evaluated and transferred promptly and timely, significantly improving their outcomes. Moving forward, it is essential to continue fostering these relationships and enhancing cooperation with other agencies. The Commission wishes to highlight what is possible for the facility and Department as a result of innovative thinking and dedication.

Also, despite being extremely busy, the staff at HCCC were and continue to be courteous and helpful. The Commission recognizes the tremendous dedication and hard work of the staff at HCCC despite the significant challenges they face. Operating with limited resources, understaffing, and facility design and occupancy issues, the staff consistently demonstrate commitment to their roles. They maintain their responsibilities even though the facility needs repairs and updates and experiences many incidents.

The HCSOC also recognizes HCCC's leadership for their responsiveness related to ongoing HCSOC recommendations. Ultimately, this facility has been placed in a very difficult situation with the number of people admitted into the jail, given the facility's capacity, design, and staffing levels. The HCSOC acknowledges the staff and leadership for their efforts and dedication.

#### Follow-up on Previous Commission Recommendations

Hawaii Community Correctional Center (HCCC) has resolved several critical issues previously reported by the HCSOC. Resolved concerns include the removal of padlocks on cell doors, improved visibility through cell windows, and the installation of bedframes and bunk beds. Access to essential items like clothing, bedding, undergarments, and menstrual pads has also been secured, and outdoor recreation has been restored.

Several areas show improvement but still require further action. Suicide and safety-watch protocols have improved, with the facility no longer using dayroom spaces and instead using dry cells in the medical corridor (Federal Performance Based Detention Standards, Rev. 11, May 2022, B.6 Incident Health Care, B.6.1.f & B.6.1.g, pg. 21). While better than before, this arrangement is still not ideal.

Further facility maintenance is a necessity. DCR updated the Commission that the Department has comprehensive maintenance plans, but requests for maintenance and Capital Improvement Projects funding are provided at levels lower than requested. As such, the Department is consistently shifting funds from planned preventive maintenance projects to emergency repairs.

Unresolved concerns that require attention include facility overcrowding, which remains a significant issue, including the use of overcrowded modular unit cells and dry cells for long-term housing. Additionally, housing women in dry cells does not meet the Federal Performance Based Detention Standards (Federal Performance Based Detention Standards Rev. 11, May 2022, F.4 Prison Hygiene, F.4.1, pg. 48). And although this is not an issue specific to HCCC or DCR, individuals in custody reported not having been to court for over six months and being unable to

identify their defense lawyers (Right to a speedy trial & Federal Performance Based Detention Standards, Rev 11, May 2022, G.2 Access to the Courts and Legal Materials, G.2.1, pg. 50).

Recommendations to be considered by the Department of Correction and Rehabilitation:

**1) Reduce Overcrowding through System-wide Population Reduction Efforts**

The most significant issue at HCCC remains overcrowding, particularly in Punahale, where vulnerable populations, such as those with acute mental illness and severe health issues, as well as new admissions, are housed. Even with the opening of the new unit, the facility will remain overcrowded. Addressing this requires a State and Third Circuit-wide priority on safely reducing the jail population. DCR alone cannot resolve this issue; instead, it must involve a coordinated system-wide effort.

All justice partners, including the Judiciary, Office of the Public Defender, Office of the Prosecuting Attorney, Probation, the Department of Health, and Corrections and Rehabilitation, must work both individually and collectively to safely reduce the jail population. On Hawaii Island, a coordinated approach is essential.

**A. Further Diversion Initiatives.** The Commission supports ongoing and new diversion initiatives on the Big Island to address the needs of justice-involved individuals. The Commission is aware that this is in process and supports the furtherance of these and other diversion initiatives.

**B. Work Together Reduce Pretrial Time.** As of May 2024, there were 81 pretrial detainees who had been in custody at HCCC for more than six months. Consider a Third Circuit-wide goal – Judiciary, Prosecutor, Public Defender, and criminal defense attorney – to reduce timelines for all cases, aiming to expedite both felony and misdemeanor proceedings and reduce the time people spend in HCCC pretrial.

**C. Population Analysis.** To safely divert people and support successful transitions post-incarceration, it is essential to understand individual needs. The Commission asks the Department of Corrections and Rehabilitation to consider a population analysis with the following information in a confidential, non-identifying manner: *demographic data, mental health and substance use data, key health indicators, housing data, employment, and income status*. This information will be used to determine what services and support are needed, what is currently provided and available within the community, and where the gaps are. There is a strong community network, including providers, throughout Hawaii Island, but more data is needed to link people to services and support these efforts effectively.

**2) Enhance Programming Opportunities and Reduce Idle Time**

In addition to facility overcrowding, people in custody have too much idle time and limited access to programming. The Commission witnessed this idle time and recommended the following:

**A. Re-establish and Expand Programming Opportunities.** Re-establish programming opportunities at pre-COVID levels and then expand opportunities. Bring more programs back into the facility from community service providers. Community partnerships and programs are essential to enhance the facility's ability to manage operational issues.

1. Consider a mentor/mentee program to serve those transitioning back to the community from both the main jail and Hale Nani, and allow mentors access to individuals pre-release to prepare for the transition. The Commission was updated that a successful program used to exist funded by a Bureau of Justice Assistance (BJA) Second Chance grant. Going Home Hawaii is an excellent resource for this initiative.

**B. Increase Voluncore Training Opportunities.** Offer regularly scheduled continuous Voluncore training opportunities for community service and program providers.

### 3) **Optimize New Housing Unit Utilization**

The new housing unit should be assessed and utilized to balance current housing priorities and serve the needs of different populations. This includes decreasing overcrowding, especially in Punahale, better serving vulnerable populations, including the mental health population, creating a proper space for women, and allowing for necessary facility maintenance. With the completion of the new housing unit, it's crucial to consider how it can support the largest issues within the facility.

To begin, consider using the new housing unit for short-term housing movement that will support necessary maintenance throughout the other housing areas, allowing for the rotation of housing for essential maintenance issues.

During the Commission's talk stories with HCCC staff, many recommended moving the mental health population to the new unit, transforming it into a dedicated mental health housing unit. The new unit includes suicide-resistant features, group space, and recreational areas suitable for this population. Currently, the mental health population is around 45 people, and these cases are not in a single unit, while the capacity of the new housing unit is 48. This move would help decrease overcrowding in Punahale, create more space for women in the main facility, and relocate others from inadequate spaces, significantly improving living conditions.

It should be noted that even with the addition of these 24 new cells, accommodating up to 48 more people, the true jail population will still exceed capacity, necessitating continued population reduction efforts.

### 4) **Expedite Punahale Front Office/Lobby Remodel Completion**

It is essential to complete the new Front Office/Lobby remodel to ensure that staff needs are adequately met, including proper restroom facilities. Currently, staff are using porta-

potties placed in front of the facility or sharing one restroom for all staff, which is a multi-purpose restroom. The Commission recommends that all necessary parties assist in expediting the completion of this project to provide appropriate facilities for staff.

**5) Expand Furlough Utilization at HCCC**

Currently, 31 men are in the HCCC furlough program despite the capacity to accommodate up to 100 participants. Identifying and addressing the roadblocks to furlough is crucial to allow more individuals to benefit from these programs and move through the correctional system. While the Commission acknowledges that custody status is not the only factor in furlough determinations, it is a significant one. Notably, 34 individuals at Kulani Correctional Facility have community status, which is required for furlough. It is important to examine why more people in custody are not in furlough at HCCC and other sites.



**STATE OF HAWAII**  
**HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**  
**E HUIKALA A MA'EMA'E NŌ**  
235 S. Beretania Street, 16<sup>th</sup> Floor  
HONOLULU, HAWAII 96813  
(808) 587-4160

**Maui Community Correctional Center (MCCC)**  
**June 2024 Site Visit Observations Report**  
**Date of Report: July 18, 2024**

On Thursday, June 20, 2024, the Hawaii Correctional System Oversight Commission (the Commission, HCSOC) toured the Maui Community Correctional Center (MCCC) collectively as a group. The tour included three of the five Commissioners—Mark Patterson (Chair), Martha Torney, and Ronald Ibarra—in addition to the Interim Oversight Coordinator/Reentry and Diversion Oversight Specialist and Special Assistant. The Commission was granted access to all areas of the facility and was able to communicate with all people in custody who wanted to speak with the Commission.

The Commission is very pleased to report a significant, 28%, decrease in the population over the past year. With a rated capacity of 301, in 2023, there were 299 people in custody housed at MCCC versus 215 people in custody during the most recent tour. This provided the facility with much-needed breathing room and even allowed for Dorms 4 and 5, with a total rated capacity of 32 beds, to be taken offline and staff assigned to those housing units to be utilized elsewhere.

The reduction in population has led to notable changes within the facility's population. In 2023, 15% of the population was female (45 of 299), yet today it stands at 20% (43 of 215), which is of concern. The share of the pretrial population has decreased, though, from 54.8% in 2023 (164 of 299) to 44.1% in 2024 (95 of 215).

General Observations

Warden Liane Endo and staff conducted the tour. The Commission was once again impressed with the cordial relationship that exists between staff (both uniform and civilian) and those who are incarcerated. The Commission was provided unfettered access to people in custody both in the housing units and at their work assignments.

The Commission is concerned with the amount of time people in custody are generally confined to cells and the overall idleness of the population. The people in custody generally reported that outside recreation is very limited.

There continue to be substantial staffing shortages on both the uniformed and civilian sides of staffing. This remains problematic for staff and people in custody.



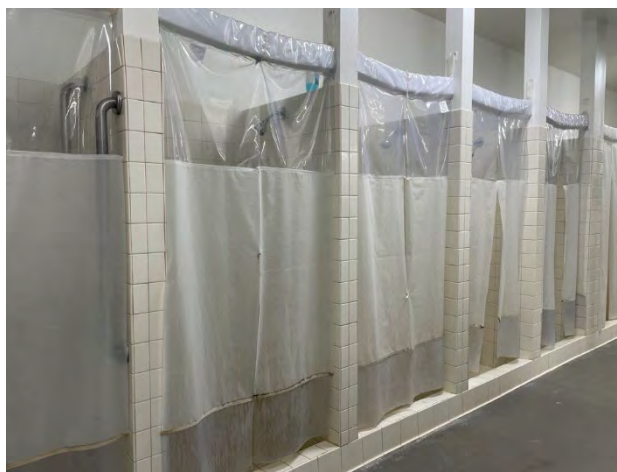
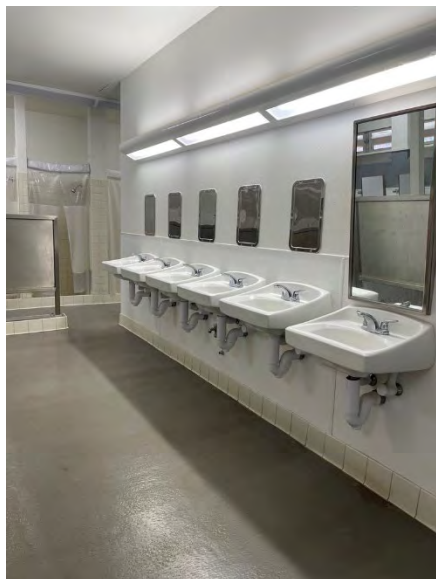
### Physical Plant

The physical plant of the MCCC includes housing units and necessary operational areas. The utilized housing units consist of five dormitories—Dorm 1, Dorm 2, Dorm 3 (housing women), Dorm 6, and Dorm 7—and six modules—Module A, Module B, Module C, Module D, Module 3, and Dayrooms (Module 3 and Dayrooms house women). The facility also includes key areas such as the kitchen, medical unit, education, library, and holding area.

Overall, the facility was very clean and well-maintained, especially considering its age and, in comparison to other jails in Hawaii. However, the facility is still in need of updates and proper funding for those updates. There are several critical maintenance updates underway, and there are additional areas in need of maintenance or construction, including the staff dining room – part of the floor was missing and the space needs better lighting.

### Dorms 6 and 7

This structure houses men and has a central dayroom, bathrooms, and an activity room that is also used for meals. Each dorm has a capacity of 50 people in custody. Dorm 6 had five people in custody assigned to work furlough; Dorm 7 had 20 sentenced people in custody who participated in various worklines throughout the day. During the Commission’s 2023 tour, the Commission noted the very poor condition of the bathroom and shower area. Over the past year, the entire area was renovated with all new equipment, walls, and floors. It was most impressive.



People in custody freely interacted with each other in their assigned dorms, yet they were not provided with playing cards and board games to alleviate idleness. Televisions are available in the units but not turned on during our visit. Outdoor recreation time was very limited, some mentioning they believe other living units had more outdoor time.

The people in custody also expressed concern that programs and classes were too limited to prepare them for life in the community. People in custody indicated that there were not enough programs (“we sit here and do nothing”), very little release preparation, and no connections to necessary services and programs for successful reintegration, leading to a lack of hope. They emphasized the

need for more programs and were especially interested in reentry preparation and learning trades, such as plumbing and carpentry.

It was very disappointing that only five people in custody were participating in work furlough. According to the June 17 population spreadsheet, there were 14 sentenced felon males assigned to MCCC, some of which *may be recently sentenced* awaiting transfer to Halawa Correctional Facility. The Commission does note that another two people in custody were on extended furlough, living and working away from the facility.

People in custody did share the amount of time once they return to Maui for reintegration to actually go on work furlough: 90 days of in-house programming followed by 90 days of visitation furloughs (i.e., a day or weekend home) prior to placement on work furlough. Some found this delayed their opportunities for parole.

On June 30, 2024, 1,856 male sentence felons were confined by the State of Hawaii; 872 in-state, 984 in Arizona. On that date, a mere 13 male sentenced felons were housed at MCCC—0.7% of the total sentenced felon population. This defies common sense and implies there are serious roadblocks to people in custody returning to their home island for integration. The Commission is mandated to 1) “work with the department of corrections and rehabilitation in monitoring and reviewing the comprehensive offender reentry program,” and 2) “ensure that the comprehensive reentry system...is working properly to provide programs and services that result in the timely release of inmates...” The Commission will work with the Department to conduct a thorough analysis of the incarcerated population and provide the basis for addressing any roadblocks in the system.

#### Dorms 1 and 2

Dorms one and two housed 13 men each, totaling 26 men. The dorms and bathroom areas were clean and functional. Large fans were provided to keep the area as cool as possible (there is no air conditioning in these dorms).

The common complaint of lack of outdoor recreation was brought up again, with people in custody claiming they only get out once or twice a week.

#### Dorm 3

Dorm 3 houses women and is a cinderblock building that was part of the old jail prior to the modules built in the 1970s. It appeared in good condition but was more crowded than the dorms for men.

Outside recreation is restricted to two one-hour sessions per week. The area is concrete so, again, no grassy areas available for people in custody to use. Programs are very limited, currently include NA/AA, parenting, and church. The women requested more education programs and were especially interested in culinary arts which some experienced at the Women’s Community Correctional Facility.

Mail was another issue of contention, with people in custody claiming that mail did not come daily and mail going out is not posted in a timely manner. The women also complained about not being

given adequate time to eat their meals, saying everything is rushed. Women also indicated there are no jobs for pre-trial women at the facility.

The women also asked for better hygiene products, such as soap, toothpaste, and toothbrushes. The Commission has heard complaints about hygiene products from people in custody throughout the State system.

The facility is scheduled to have a new 32 bed women's unit built but ran into construction problems which put the project on hold. Underground ducts were discovered when digging for the foundation began.

#### Module A and B

On the day of the Commission's tour, 51 men in custody were assigned to Module A, and 54 men were assigned to Module B. The men assigned cells in Modules A and B informed the Commission that they were allowed out of their cells for a total of four hours a day in two-hour periods twice a day. The modules have concrete enclosed recreation yards and do not have access to any grassy areas. Again, no playing cards or board games were available for people in custody to use. When the rated capacities were developed, it assumed that people in custody would spend no more than 10 hours a day confined to their cells. In fact, they now spend 20 hours a day in their cell.

A number of cells in Module A were unoccupied as outside contractors were actively working on the air conditioning and plumbing. People in custody were still allowed their limited time in the day room while the work was going on. It was gratifying that the work did not interfere with normal scheduling.

The air conditioning in Module B was broken at the time of the Commission's tour.

People in custody complained about late mail delivery. One person in custody showed the Commission a letter addressed to him from the US District Court dated May 10, mailed from the Court on May 13 and received by the person in custody on June 18, **36 days later**. The letter informed the person in custody that he must respond by June 17, a day before he physically got the letter. Another person in custody was concerned that books he ordered about the "prison legal process" had not arrived. The Commission received complaints about mail delivery from those in other housing units, especially delayed mail that their families informed them had been sent.

Another person in custody complained about not getting proper care for a "shattered wrist." He was required to rewrap his arm by himself daily. One of the Commissioners had experienced a broken wrist that required daily rewrapping, which they could not do by themselves and had to rely on family. The Commission brought this up to the medical staff who understood our concern but claimed they could not see him on a daily basis.

#### Module C and D

On the day of the Commission's tour, four men in custody were assigned to Module C and 11 men assigned to Module D. Module C houses people in custody in administrative segregation. The Commission did not tour Module C due to a COVID-19 positive case in the Module.

Module D houses people in disciplinary segregation. In Module D, people in custody are provided one hour of out-of-cell time per day, and meals are served in the cells. The Commission received several concerns from people in custody housed in Module D:

- Mail takes two to three weeks or longer to be delivered to people in this unit.
- Library requests are taking an exceptionally long time to be fulfilled, several weeks or more.
- People in custody were unable to make legal calls for an extended period of time in May.

Additionally, people in custody who are placed in these units do not have direct access to the grievance or medical request system. In these modules, people in custody must ask for a grievance or medical form and then ask an ACO to place the request in the appropriate box on their behalf. All grievance and 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.

### Module 3 and Multipurpose/Dayroom Cells

On the day of the Commission's tour, 13 women were assigned to Module 3, and 13 women were assigned to the cells in the adjacent housing area, referred to as the dayrooms or multipurpose housing. The most concerning aspect of this area is the cell space. The cells are dark—devoid of natural light or outside views—and devoid of any visual or tactile features that could provide mental stimulation. Additionally, this area has minimal opportunities for physical activity, which can contribute to the mental and emotional strain on the individuals housed there.

Furthermore, the cell windows for staff observation of people in custody are small, and the area is dark, making it challenging to see inside the cells even when standing directly in front of them. This hampers observation and can hinder the ability of staff to monitor the well-being of the women inside. The limited visibility and confined space can pose challenges in ensuring the safety and health of the women housed there.

### Holding/Intake

On the day of the Commission's tour, one man was housed in the holding unit. The cells in Holding are similar to the cells described in the *Module 3 and Multipurpose/Dayrooms Cells* section directly above. The holding cells in the intake area have the same small windows, lack of visibility, and other issues as the Module 3 cells. The cells are dark, devoid of natural light or outside views, and lack any visual or tactile features that could provide mental stimulation. Additionally, there are minimal opportunities for physical activity in this area.

When necessary, these cells are designated for suicide watch. The design of the cells makes observations difficult. The windows are small, cannot be seen from the ACO post, and are challenging to see into even when standing directly in front of the cell. Staff assigned to suicide watch would not be able to keep constant observation from the ACO post. Constant observation would only be possible by placing an ACO directly outside the cell, and even then, it is dark and difficult to see through the small window.

### Education and Library

Given the hour of the Commission's visit, the education classes had ended, and the teacher was showing a movie to the workline for education and library. The education room is well equipped, but there is only one classroom. The library provides computer access to legal materials and has hundreds of fiction and non-fiction books available to the people in custody. Some people in custody go to the library, and others have books delivered to their housing units.

Through education, people in custody can take laptops back to their housing units to continue programming outside of the education area. Although there are a few programs and classes available, more support and funding are necessary to increase programming opportunities for people in custody and to better prepare them for release. Additionally, increasing partnerships with the community to offer classes would greatly enhance the range and quality of educational and rehabilitative programs available.

The MCCC librarian position is in continual recruitment but not filled at this time. The Department's head librarian does site visits to facilities without permanent librarians to assist and relies heavily on people in custody assigned to work in the libraries. With the workline, libraries are kept open when staff is not available.

### Visitation

Currently, there is no in-person visitation, and this has been the case for almost four years (initially due to COVID-19, then due to construction). The facility allows for video visits (at a cost to people in custody) and non-contact visits, preventing any physical contact between people in custody and their loved ones. The non-contact visits are available on weekends from 8 am to 2 pm for a one-hour duration.

In-person contact visits are imperative for maintaining relationships with family, friends, and communities. The Commission recommends beginning in-person contact visits as soon as the construction is complete.

### Medical Unit

Medical and dental services are provided in Module 2, formally one of the original residential modules opened in 1978. Exam rooms and the medical office are former cells. According to the staff, the space is adequate and is neatly kept.

### Kitchen

The kitchen was being worked on during the Commission's tour. The dishwasher had broken down, was being thoroughly cleaned by two hard-working people in custody and was to be repaired the following Monday. Refrigerators and freezers were at the proper temperatures and had adequate space to accommodate airflow. The pantries were orderly. Other repairs that were underway included replacing a steamer, removing a kettle and replacing it with two skillets, and replacing one oven.

The kitchen was very active while the Commission was there, with everyone pitching in to get dinner out.

### Housing Unit Occupancy Rates

Although the Commission is pleased with the population reduction at MCCC and their ability to close dorms 4 and 5, further analysis of the occupancy rates of the different housing units indicates the more restrictive housing units—modules with cells—tend to be at higher capacity, and the housing units designated for women also exhibit higher occupancy rates.

#### *Module Occupancy Rates* (cell, more restrictive housing):

- 1) Module 3 (housing women): Capacity 6, Population 12, 200% occupancy
- 2) Module A: Capacity 48, Population 51, 106% occupancy
- 3) Module B: Capacity 48, Population 54, 113% occupancy
- 4) Module C: Capacity 6, Population 4, 67% occupancy
- 5) Module D: Capacity 6 (assumed, no official rates capacity), Population 11, 183% occupancy

#### *Dormitory Occupancy Rates* (less restrictive housing):

- Dorm 1 & Dorm 2: Combined Capacity 40, Population 26, 65% occupancy
- Dorm 3 (housing women): Capacity 12, Population 18, 150% occupancy
- Dorm 4 & Dorm 5: Currently empty
- Dorm 6 (furlough): Capacity 50, Population 5, 10% occupancy
- Dorm 7: Capacity 50, Population 20, 40% occupancy

Additionally, there are 13 women housed in cells within a multipurpose room.

MCCC's more restrictive housing units, such as Modules A, B, and D, are operating over capacity. Additionally, Module 3 and Dorm 3, which house women, also exceed their capacities significantly, while the furlough occupancy is at only 10%. This indicates a strain on the resources allocated to specific areas and underutilization of less restrictive housing and furlough, highlighting the need for adjustments in housing strategies to better accommodate the population.

It should be noted that all of these occupancy rates are an improvement from the Commission's previous tour in May of 2023. At that time, Module A had an occupancy rate of 156%, and Module B was 163%. Dorms 1 and 2 had a capacity of 160%, and Dorm 3 had a capacity of approximately 167%.

Currently, Module A has improved to 106% occupancy (a decrease of 50 percentage points), and Module B to 113% occupancy (a decrease of 50 percentage points). Dorms 1 and 2 now have an occupancy rate of 65% (a reduction of 95 percentage points), and Dorm 3 has decreased to 150% occupancy (a decrease of about 17 percentage points).

### Custody Status

The Commission also reviewed the Hawaii Department of Corrections and Rehabilitation's population report for the week of our visit from June 2024. The following provides an aggregate view of the custody status of individuals at MCCC, these were pulled directly from the population count.

*Pretrial Felon: 89*



*Probation Violation: 45*  
*Sentenced Felon Probationer: 30*  
*Parole Violation: 16*  
*Sentenced Felon: 15*  
*Pretrial Misdemeanant: 8*  
*Sentenced Misdemeanant: 6*  
*Sentenced Intermittent Felon Probationer: 1*

Additionally, among the 89 *Pretrial Felon* population, 42 have been in custody for more than six months. And no people in the *Pretrial Misdemeanant* population have been in custody for more than six months.

The breakdown of the security classifications, 129 are classified as Medium, 53 as Community, 22 as Minimum, 3 as Maximum, 2 as Close, and 1 as Unclassified.

### Facility Highlights

The Commission wishes to highlight several significant improvements MCCC has made, and key issues addressed over the past year.

### **Occupancy Rates**

The facility has shown remarkable improvement in occupancy rates since the Commission's previous tour in May 2023. The Commission is very pleased to report a significant decrease of 28% in the population over the past year. With a rated capacity of 301, there were 299 people in custody housed at MCCC in 2023 versus 215 people in custody during the most recent tour. This is a significant improvement, making it the only jail that is not severely overcrowded.

### **Dorm 6 & 7 Bathroom Renovation**

Over the past year, the bathrooms in Dorms 6 and 7 have been completely renovated with all-new equipment, walls, and floors. This renovation has greatly improved the living conditions in these dorms, and the Commission was impressed during the tour.

### **Avoiding Modular Housing/Shipping Containers**

Unlike many other correctional facilities in Hawaii, MCCC has avoided using modular housing/shipping containers for temporary or permanent housing. The Commission has noted many issues with using these containers in the past several years, and it is commendable that this facility has found alternative solutions, avoiding these issues altogether.

### Follow-up on Previous Commission Recommendations

The Commission made the following recommendations following the HCSOC May 2023 tour, which have not yet been implemented. The Commission continues to recommend the following:

**Grievance and medical forms and drop boxes should be inside the modules.** In Modules C and D, grievance forms, grievance request boxes, medical request forms, and healthcare request boxes are located outside the modules. People in custody must ask staff for the forms and ask

staff to place the completed forms in their respective boxes. These should be placed inside the modules.

**Fire Safety needs to be prioritized.** Chains and padlocks remain on the doors of Dorms 1 and 2, posing a fire safety issue. These should be removed, and the doors should be equipped with alarms that sound every time they are opened.

**Restrictive housing practices need updating.** People in custody are housed in disciplinary segregation, Module D, for more than 60 days. Sometimes people in custody are placed in disciplinary segregation for 60 days and then provided with a two to three day break before returning to segregation for additional time. This violates the intent of the segregation policy, and research indicates that prolonged segregation negatively impacts a person’s health and well-being.

**Recommendations to be considered by the Department of Corrections and Rehabilitation:**

**1) Increase Programming Opportunities**

People in custody have too much idle time and limited access to programming—including cultural programming—education, and reentry preparation. The Commission witnessed this idle time while onsite, with people in custody spending extended periods in their cells, dorms, or units. Too much idle time can lead to dangerous conditions and decrease mental health and well-being.

Therefore, the Commission recommends the following:

- **Expand Programming:** MCCC should expand programming, education, vocational training, reentry preparation, and cultural-based opportunities. To determine where to begin, ask people in custody what would be most helpful.
- **Community Partnerships:** Establish and further community partnerships to offer some of the opportunities listed in the previous paragraph and set people up for a successful transition back to the community.

**2) Update Recreation to Align with Department Policy and Federal Standards**

The Commission received numerous complaints from people in custody indicating that outdoor recreation time is limited. The Commission recommends MCCC adopt practices and a recreation schedule that align with federal standards and the DCR *Recreation and Leisure* policy and procedures, offering all people in custody at least one hour of outdoor recreation per day and additional out of cell or unit time.<sup>1</sup> This will also assist in decreasing idle time.

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<sup>1</sup> Hawaii Department of Public Safety, Corrections Administration, Policy and Procedure Manual, COR.14.14, *Recreation and Leisure Time*, dated May 12, 2016; and Federal Performance Based Detention Standards, Rev. 11, May 2022, G.6, Recreation, G.6.2, pg. 51, available at: [The Federal Performance Based Detention Standards](#)

**3) Expand Furlough Utilization at MCCC**

It was very disappointing that only five people in custody were participating in work furlough despite the capacity to accommodate at least 50 or more participants. Identifying and addressing the roadblocks to furlough is crucial to allow more individuals to benefit from these programs and move through the correctional system.

The Commission recommends that DCR assess, identify, and resolve systemic issues, resulting in increased furlough participation at MCCC and the other furlough sites. The Commission would like to see furlough occupancy rates close to 100% as it significantly increases the chances of success post-release.

**4) Ensure Timely Mail Delivery**

The Commission heard from numerous people in custody regarding delays in both outgoing and incoming mail delivery. This is particularly concerning for legal matters and maintaining contact and support necessary for reentry. The Commission recommends that MCCC investigate the causes of mail delays and take immediate action to ensure timely mail delivery of both outgoing and incoming mail.

**5) Enhanced Oversight of Disciplinary Segregation**

The Commission continues to hear significant concerns about Module D, the disciplinary segregation unit—delays in outgoing and incoming mail, slow library requests, inability to make legal calls for an extended period of time in May, and stays exceeding 60 days with a day or two policy workarounds.

The Commission urges MCCC to implement enhanced oversight of this unit to ensure compliance with DCR policy and federal standards. Additionally, timely action is necessary to address mail delays, library delays, legal call access, and preventing extended stays in disciplinary segregation.

**6) Reinstate Contact Visits**

Currently, there is no in-person contact visitation, and this has been the case for almost four years (initially due to COVID-19, then due to construction). In-person contact visits are imperative for maintaining relationships with family, friends, and communities. The Commission recommends beginning in-person contact visits as soon as the construction is complete.

**Justice System-Wide Recommendation:**

**7) Reduce Pretrial Time for Felony Cases**

As of May 2024, there were 42 pretrial detainees who had been in custody at MCCC for more than six months. Notably, one person has been in custody at MCCC since 2017, and several people have been there since 2019 and 2020. MCCC, and jails in general, are not

designed for long-term holds, resulting in little to no programming, too much idle time, and little out-of-cell time for extended periods.

The Commission asks the Judiciary, Prosecutor, Public Defender, and criminal defense attorneys to consider establishing a circuit-wide goal to reduce timelines for felony cases—expediting proceedings and minimizing the time people spend in MCCC pretrial to six months. Together, these same stakeholders have significantly decreased the population in the past year and at other times, and this presents another opportunity to make a substantial impact.

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



**STATE OF HAWAII**  
**HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**  
**E HUIKALA A MA'EMA'E NŌ**  
235 S. Beretania Street, 16th Floor  
HONOLULU, HAWAII 96813  
(808) 587-4160

**Oahu Community Correctional Center (OCCC)**  
**July 2024 Site Tour Observations**  
**Date of Report: August 22, 2024**

On Thursday, July 18<sup>th</sup>, 2024, the Hawaii Correctional System Oversight Commission (the Commission, HCSOC) toured the Oahu Community Correctional Center (OCCC) collectively as a group. The tour included three of the five Commissioners – Martha Torney, Ronald Ibarra, and Mark Browning – in addition to the Interim Oversight Coordinator/Reentry & Diversion Oversight Specialist and Special Assistant.

Overall:

*Conditions for Staff*

The Commission recognizes the significant challenges faced by staff at OCCC. Operating with limited resources, understaffing and stressful overtime requirements, as well as dealing with facility design and occupancy issues, staff are forced to endure poor, often dangerous and inhumane, conditions at work. The Commission wishes to emphasize that staff are living and working in the same challenging conditions as the people in custody, which further underscores the need for meaningful change and support.

Staff expressed frustration with the administration, stating that they feel disconnected, receive only directives without meaningful support, and believe that the administration does not prioritize the wellbeing and safety of staff. They remarked that the only noticeable change in the transition from the Department of Public Safety to the Department of Corrections and Rehabilitation, “has been the letterhead.”

Additional staff expressed concern that current overcrowding paired with facility conditions could lead to extremely dangerous conditions including the potential for a riot at the facility.

*Overcrowding and Occupancy Rates*

The overall occupancy rate of the facility currently stands at **113.31%**, with 1,081 individuals housed in OCCC with a rated capacity of 954. However, occupancy rates vary significantly depending on the housing unit and type. There is significant overcrowding in several modules and dormitory-style units. Despite this, the work furlough beds in Module 20 and Laumaka remain underutilized at 57.50% and 62.50% occupancy respectively. Below is a detailed breakdown of the occupancy rates across different housing categories:

*Modules:*

- Module 1: Capacity 48, Population 37, Occupancy 77.08%

- Module 2: Capacity 48, Population 47, Occupancy 97.92%
- Module 3: Capacity 60, Population 56, Occupancy 93.33%
- Module 4: Capacity 24, Population 62, Occupancy 258.33%<sup>1</sup>
- Module 7: Capacity 24, Population 17, Occupancy 70.83%
- Module 8: Capacity 24, Population 14, Occupancy 58.33%
- Module 11: Capacity 48, Population 45, Occupancy 93.75%
- Module 13: Capacity 48, Population 71, Occupancy 147.92%
- Module 17: Capacity 48, Population 71, Occupancy 147.92%
- Module 18: Capacity 72, Population 91, Occupancy 126.39%
- Module 19: Capacity 72, Population 85, Occupancy 118.06%

*Dormitory Style:*

- Annex I: Capacity 100, Population 116, Occupancy 116.00%
- Annex II: Capacity 114, Population 150, Occupancy 131.58%
- Pan Abode Mauka: Capacity 24, Population 41, Occupancy 170.83%
- Pan Abode Makai: Capacity 24, Population 27, Occupancy 112.50%

*Work Furlough (Module 20 and Laumaka):*

- Module 20: Capacity 80, Population 46, Occupancy 57.50%
- Laumaka Work Furlough Center: Capacity 96, Population 60, Occupancy 62.50%

*Custody Status*

The Commission also reviewed the Hawaii Department of Corrections and Rehabilitation's population report for the week of the visit from July 2024. The following provides an aggregate view of the custody status of individuals at OCCC pulled directly from the population count:

- Pretrial Felon: 563
- Probation Violation: 205
- Sentenced Felon: 112
- Sentenced Felon Probationer: 98
- Pretrial Misdemeanant: 65
- Presentence Felon: 22
- Sentenced Misdemeanant: 16
- Sentenced Misdemeanant Probationer: 5
- Other: 12

Additionally, among the 563 Pretrial Felon population, 220 people have been in custody for **more than six months**. No people in the Pretrial Misdemeanant population have been in custody for more than six months.

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<sup>1</sup>When the official total capacity for Module 4 was determined, this module housed severely and chronically mentally ill individuals, and only one person in custody could be appropriately housed per cell, making the capacity 24. Because that specific population was not being housed in this module during the HCSOC visit, the Commission agrees with double celling, making this calculation: Capacity 48, Population 62, Occupancy 129.17%.



### *Security Classifications*

The breakdown of the security classifications, 658 are classified as Medium, 340 as Community, 77 as Minimum, 10 as Unclassified, and 2 as Maximum.

### Meeting with Warden John Schell

The Commission had the opportunity to meet with the OCCC Warden at the beginning of the tour. Warden Schell has focused on professionalizing the staff by bringing outside resources to train staff and working towards American Correctional Association (ACA) accreditation. As the Commission has used ACA standards in the past to guide capacity decisions, this is a welcomed effort. Representatives from ACA were meeting with staff at the time of the Commission's visit.

Since his arrival, Warden Schell has reintroduced Field Training Officers to guide new recruits assigned to OCCC after completion of basic correctional training. This is an important step in acquiring new Adult Correctional Officers with daily operations and effective ways to interact with people in custody.

Warden Schell also discussed the impact of organized gangs on daily operations and assigned a gang intelligence Sergeant to lead the Commission's tour. The Sergeant provided additional information on gang activity during the tour. The Commission was also accompanied by two additional officers. All three staff members were very responsive to the Commission's questions and allowed the Commission to decide which areas and modules to visit.

The Commission was updated that there is currently a greater number of people in custody classified as Maximum security than previously, driven by the number of people in custody participating in gang-related activity within the facility. Module 8 (12 cells) houses the male maximum custody population with 14 people in custody assigned on the day of the tour.

Warden Schell has contracted with Emergent Learning Hawaii Center to provide a program entitled "Acceptance and Commitment," a cognitive behavioral approach to redirect thoughts and teach mindfulness skills. This will start as an eight-week program, and people in custody work one-on-one with staff from the Center each Thursday. As participants progress in the program, they are granted more freedom within the unit, eventually mainstreaming into the general population. During the Commission's visit, Emergent Learning professionals were conducting one-on-one programming with people in custody in Module 8. This is intentionally being offered to Module 8, the maximum custody unit, to provide some programming opportunities and out-of-cell time to this population. The Commission welcomes this effort.

Additionally, Warden Schell updated the Commission that the facility is also considering revamping the large recreation yard to allow for more use, including tournaments.

During a discussion about departmental policies, the Commission was most surprised that Warden Schell did not have access to the Department of Corrections and Rehabilitation (DCR) "confidential" policies and procedures. Wardens are responsible for managing the facilities and upholding policies and procedures. The Commission cannot produce a justifiable reason to restrict

any policy relating to corrections operations, especially given that the policies were available to Wardens in past years.

#### Facility Highlights:

The Commission wishes to highlight several significant improvements OCCC has made, and key issues addressed over the past year:

##### *Pursuit of ACA Accreditation*

OCCC is actively working towards achieving American Correctional Association (ACA) accreditation, a significant step in aligning with recognized national correctional standards. ACA standards cover critical aspects of facility management and operations, promoting safety, security, and guiding operations in every area of the facility. Although there is still work to be done to reach this goal, the Commission fully supports this endeavor and commends the facility's leadership for their commitment. This effort not only enhances the quality of care and management at OCCC but also sets a precedent for other correctional facilities in Hawaii.

##### *Cognitive Behavioral Therapy Program by Emergent Learning Hawaii Center*

The Emergent Learning Hawaii Center is offering the "Acceptance and Commitment" cognitive behavioral therapy program in OCCC's maximum custody unit (Module 8). This program involves one-on-one sessions between people in custody and Emergent Learning Center staff, focusing on fostering individual awareness and mindset shifts. The ultimate aim is to help participants progress toward living in the general population. Given that the maximum custody population has very limited out-of-cell time and interaction with others, this program is particularly vital in providing both programming opportunities and essential out-of-cell time.

##### *Implementation of Field Training Officers (FTOs)*

OCCC has recently established Field Training Officers (FTOs) to mentor and guide new recruits after they complete their basic correctional training. The FTO program enhances the training provided at the academy by offering practical, on-the-job experience, which is essential for building a competent and professional workforce.

##### Relocation of Women to the Women's Community Correctional Center

Women in custody at OCCC will be relocated to the soon-to-be-open new living unit at the Women's Community Correctional Center (WCCC). This move will free up two OCCC modules and about 120 beds, providing the opportunity for expansion of medical and mental health programs for the male population at OCCC. Tentative plans are to use Module 3 (30 cells) as the Health Care Infirmary and Module 2 (24 cells) as the step-down unit from Module 1 suicide watch and critical care for mentally ill people in custody. Both these moves allow the facility to expand much needed services to vulnerable populations.

##### Module 5 (Intake)

Module 5 is used specifically for intake and includes one side for females, and one side for males where they are out of sight from one another. The female side was empty as women had been processed for the day and there were numerous men on the male side. The module was orderly and fairly clean. Staff said they were up to date with inputting data into the Correctional Information System (CIS), although the Commission did not have the time to pull and review records.

During the visit, the vehicle sally port gate outside Module 5 was not closed. The Commission was informed that the sallyport gates had been inoperable for about a month and a half. One of the gates was repaired before the Commission's visit, yet the second gate was wide open as replacement pieces had been ordered, but not arrived. Staff informed the Commission that ACOs from Module 5 physically guard the open side while people in custody in full-body shackles (belly chains, hand cuffs and leg shackles) enter or exit the vehicles.

Regardless, the lack of a secure vehicle sallyport is dangerous, allowing an opportunity for escape.

#### Covid-19 Medical Isolation Unit

The Covid-19 Medical Isolation Unit is located in the shipping containers/modular housing outside of Module 5. On the day of the Commission's visit, this area held people in protective custody and medical isolation. Each cell was equipped with a bunk, had a toilet/sink combo and was air-conditioned. There was one shower outside of the cells. People in custody would have to be escorted to the shower by staff. There was no readily accessible space in the immediate vicinity in which the people in custody could exercise.

Two people in custody were assigned to this space. One was a gang member who was in protective custody and awaiting an assignment to a living unit. He had been there a while and had no complaints about his living conditions. The other person in custody had refused to take the tuberculosis (TB) test and could not be mainstreamed into general population until the test was completed. Additionally, one of the people in this area did test positive for Covid-19.

It should be noted that the Commission was informed that there is an ACO assigned to this location to check on people in custody every 30 minutes. Although, serious deficiencies do still exist:

- 1) There is no communication system (e.g. intercom) within the cells. A person in custody can communicate with staff only by calling out through the metal doors.
- 2) Because each door is individually keyed, an officer would have to go to each door to unlock it during an emergency.

#### Module 8

Module 8 (12 cells) is the maximum unit for males and houses mostly people with gang affiliations. There were 14 people in custody assigned to the unit, with two cells double bunked. The staff is well informed as to gang affiliations and ensures those people in custody assigned to the unit are kept separate from others as necessary.

Emergent Learning Cognitive Behavior Therapy was occurring in this unit during the Commission's tour.

#### Medical Unit/Infirmary

The Medical Unit was orderly and well-staffed. The physical space lacks privacy for medical practitioners who interview and examine people in custody, preventing what should be confidential medical communications. A dentist is available Wednesday and Friday while a doctor is available Monday, Tuesday, and Wednesday.

Physicals for incoming people in custody are done the day they arrive by Registered Practical Nurses (RPNs). The intake physical may result in a clinical referral for those with presenting medical issues. The Nurse Supervisor said all but one of the authorized nurse positions were currently filled, but the position count was inadequate for the size of the facility, so agency nurses were contracted to augment existing staff.

Electronic medical records were functional and up to date, removing serious strain from an already over-burdened staff. Dental records were still paper based. The Commission wishes to highlight the functioning electronic medical records as the Commission has previously reported on the issues associated with this.

The infirmary is most inadequate for a facility the size of OCCC. With five beds, four were assigned at the time of the Commission's visit. The area completely lacks privacy. One of the three toilets was blocked off with what appeared to be laundry. As mentioned above in the *Meeting with Warden John Schell* section above, once the women move out of Module 3 the infirmary will be moved into greatly expanded space. This transition is much needed.

Medical staff indicated a desire to have a separate medical office in the module to see new patients and would like to see this in the plans for the new facility.

#### Holding Unit

The Holding Unit was built in 1936 and, while functional, was clearly archaic. It is three stories with 12 cells on each floor. The front of the cells is made up of metal bars, not walls. Given the openness, there was not excessive noise detected. Forty-two (42) people in custody were housed in the Holding Unit—which has a maximum rated capacity of 60—with some double bunked. The unit was cold with some people in custody wrapped in their blankets to keep warm.

The only reading material people in custody are provided within the Holding Unit are holy books, such as the bible. People in custody in the holding unit reported irregular access to legal calls and daily recreation, and inconsistent mail service, along with no books or reading material.

The outside recreation yard is made up of “cages” for a single individual. These cages, about double the size of a cell, do not have shaded areas to block the sun. Recreation is available in this area from 6 am to 2 pm daily. People in custody are not provided with any equipment to use during recreation, such as a small ball. Staff informed the Commission that most people in custody do large muscle exercises, such as squats and push-ups. People in custody from Module 8, the Maximum Custody unit, also spend their recreation hour in these cages.



Module 3 (female unit)

Module 3 (30 cells) is housing for women –half the module houses those with mental health problems, and the other half general population. Out of cell time is staggered between the two populations, with one hour of outdoor recreation each weekday. The women remain in their cells for the majority of the weekends due to staffing shortages (there are fewer female officers to staff gender-specific posts). Case Managers come to the module every weekday.

There are seven tablets available for the women to share for programming purposes, not enough to provide meaningful activity for 56 women, the number living in Module 3 the day the Commission was there.

The lights are constantly on in the cells designated as suicide watch. The light switches are located inside the cells and staff indicated women would turn them off making it difficult for staff to conduct frequent safety checks. Yet, constant light is not conducive to sleeping. OCCC should find a better way to balance observation with wellbeing, as 24-hour light in suicide cells would adverse effect people held in those cells.

Staff informed the Commission that the water pressure in Module 3 is very low, contributing to inoperable sinks and toilets and no running water. There is also a lack of camera coverage, and cameras are needed to cover dead space. Roaches are present in the cells, sometimes resulting in people in custody sleeping on mattresses on the floor near these roaches. Additionally, the Commission was updated that some individuals have experienced delays of several weeks in accessing bail calls, which has prevented those who could make bail from being released.

### Library

The OCCC Librarian is responsible for the recreational and law library. People in custody are allowed access to the law library with about 150 individuals visiting per month. Ten people in custody is the maximum allowed at one time. Language translation services are also available.

There are tablets in the Modules with access to LexisNexis. Hawaii Revised Statutes, Federal Statutes, and regulations are available along with prison's rights references, DCR policies and procedures, and applicable forms. The cost of copies is \$.25 per page for legal documentation and \$.50 per page for policies and procedures. This cost seems excessive and prohibitive considering most people in custody with facility jobs are making \$.25 per hour. These costs are often absorbed by family members and loved ones.

No people in custody are allowed to visit the recreation library, rather carts are used to bring books to the modules. People in custody can request specific books from a catalogue available to them.

### Module 13

Module 13 (24 cells) housed 71 people in custody, all pretrial, on the day of the Commission's visit, which meant most cells were triple bunked. The longest someone in this unit has been in custody while awaiting trial for a felony charge is three years and eight months, since December 2020. The staff staggers the people in custody for out-of-cell time and many were watching TV during the visit. We entered one of the cells and found, once again, that the windows were covered with something similar to contact paper resembling a wood color preventing any natural light from entering. We had noticed other modules that had similar coverings. Natural light is a requirement under ACA standards.

Outside recreation is provided five days a week from 8:30 to 9:45 AM.

### Annex II

Annex II is a three-story concrete building divided into open bays on each floor, with dormitory-style housing that utilizes bunk beds. On the day of the Commission's visit, 150 men, all of whom were pretrial, were housed in this area, which was designed with a capacity of 114. People in custody progress through the unit, moving from the first to the second, and then to the third floor. During the visit, the Commission walked through the floors, visited the bathrooms, and spoke with the men in this unit.

### Kitchen

The condition of the kitchen is concerning as it was unsanitary, unsafe, and unhealthy.



There is no operable dishwasher, so all washing was done by hand in a garbage can with a hose continually pumping cold water into it and spilling out on the floor (pictured below). A new institutional dishwasher is on order, but it is unclear when it will arrive.

Additionally, the general area was in extremely poor condition. Tiles in the kitchen ceiling were covered in what appears to be black mold, especially in the dishwashing area. Floor tiles were missing in many areas. Tables were missing legs, which were instead supported by broken food trays. Many of the tables and kitchen equipment were rusted and not safe. The mixer has not worked since March 2024.

The food storage area is quite large, and the refrigerators and freezers were at the appropriate temperatures with adequate room for storage. The pantry was roomy, but staff reported the area can get hot which can reduce the shelf life of some products, such as vegetables.

Three out of eight ovens were not working, and although work orders have been submitted to repair them, substantial time has passed without a response.



Used for dishwashing in place of broken dishwasher



Kitchen Ceiling Tiles



Table in Kitchen Supported by Food Trays



Out of Order Appliance



Rusted Kitchen Equipment



Mold on Meal Serving Trays

Visitation:

The visiting area allows for only non-contact visits, preventing any physical contact between people in custody and their loved ones.

**Follow-up on Previous Commission Recommendations**

The Commission made the following recommendations following the HCSOC February 2023 tour, which have not yet been implemented. The Commission continues to recommend the following:

**1) Allows for Natural Light by Removing Wood Covering from all Cell Windows**

Replace wood-covered windows in housing units with to allow natural light, in line with ACA standards. Although some wood coverings have been removed over the past year, wood coverings do still remain on some cell windows. According to ACA Standard 4-ALDF-1A-16, *all inmate rooms/cells must provide occupants with access to natural light through at least three square feet of transparent glazing, plus two additional square feet per inmate in rooms/cells housing three or more individuals.* Therefore, the Commission recommends OCCC continue replacing wood coverings to ensure all cell windows in all modules allow natural light. Compliance with the ACA standards is of particular importance with OCCC moving toward ACA accreditation.

**2) Restoration of Contact Visits**

OCCC has not offered in-person contact visits for four years, initially due to COVID-19. Extensive research underscores the importance and rehabilitative benefits of contact visits for those in custody, as these visits allow individuals to maintain closer connections with their loved ones and communities. The Commission therefore continues to recommend OCCC reinstate contact visits.

**3) Continued Engagement with Criminal Justice System**

The Commission continues to find that much of OCCC's severe overcrowding is linked to individuals with low bails, serious mental health issues, homelessness, and others who are particularly vulnerable to excessive trauma from incarceration. While the Commission

recognizes current engagement efforts by OCCC and DCR leadership and legislative tours, the Commission continues to recommend further stakeholder engagement.

**Additional Recommendations to be considered by the Department of Corrections and Rehabilitation:**

**1) Expand Programming Opportunities**

People in custody at OCCC have too much idle time and limited access to programming, including cultural, education, and reentry preparation. The Commission recommends expanding programming opportunities and community partnerships to reduce idle time and increase programming opportunities. While the facility has made some progress in this area, it is essential to continue and be innovative (even within limited space) to support people in custody and also gain community support and trust.

**2) Prioritize Timely Repair of the Sally Port Gates for Safety**

The sally port gates had been inoperable for about one and a half months. Although one gate was repaired before the Commission's visit, the other remained open. For security reasons, it is crucial to prioritize the timely repair of the sally port so that both gates can close properly.

**3) Prioritize Kitchen Upgrades, Including Dishwasher Repair and Mold-Free Trays**

The kitchen at OCCC is in dire need of updates to ensure sanitary conditions for staff and the kitchen workline, and to provide safe food for the entire facility. Urgent repairs are needed for the dishwasher, along with replacement of ceiling and floor tiles, rusted appliances, and food service trays. Although there are plans for a new facility, these conditions cannot wait until then and must be addressed immediately.

**4) Ensure Facility Wardens and Leadership Have Access to DCR Confidential Policies and Procedures**

The Commission was surprised to learn that Warden Schell did not have access to the Department of Corrections and Rehabilitation's (DCR) "confidential" policies and procedures. The Commission recommends that facility wardens and leadership be granted access to these documents to effectively manage the facility and ensure compliance with departmental policies and procedures.

**5) Expand Furlough Utilization at OCCC**

Although OCCC has the highest furlough participation and occupancy rate, around 60%, there is still the opportunity to increase furlough participation at OCCC for people in DCR custody. Identifying and addressing the roadblocks to furlough is crucial to allow more individuals to benefit from these programs and move through the correctional system. The Commission recommends that DCR assess, identify, and resolve systemic issues around furlough participation. The Commission would like to see furlough occupancy rates near 100% as it significantly increases the chances of success post-release.

**6) Install Shade for Recreation Cages in the Holding Unit**

The recreation area outside the Holding Unit consists of individual cages, which currently lack shaded areas to protect people in custody from the sun. The Commission recommends installing shade structures, even tarps, to provide protection from sun exposure.

**7) Investigate and Address Concerns from People in Custody at OCCC**

The Commission has received multiple complaints regarding the following issues at OCCC:

- **Roaches in Cells:** Roaches are present in the cells. This poses a health and sanitation concern. **The Commission recommends implementing a pest control plan that effectively and safely eliminates the roach population.**
- **Difficulties in Accessing Bail Calls:** The Commission learned that some individuals have experienced delays of several weeks in accessing bail calls, which has prevented those who could make bail from being released. This delay not only impacts individual rights but also contributes to overcrowding. The Commission urges the facility to establish and confirm a reliable system that allows timely access to bail calls for all eligible individuals and **ensure all people in custody have prompt access to bail calls.**

**8) Ensure Regular Access to Books and Reading Material, Legal Calls, Mail, and Recreation for Those in Holding Unit, including those in Disciplinary Segregation**

People in custody in the holding unit at OCCC reported irregular access to legal calls and daily recreation, and inconsistent mail service, along with no books or reading material. ACA standards require the following access for people in disciplinary segregation:

**Mail:** Inmates in Restrictive Housing can write and receive letters on the same basis as inmates in the general population.

*Source: American Correctional Association (ACA) Performance-Based Standards for Adult Correctional Institutions, 5th ed., March 2021, 4B Restrictive Housing, 5-ACI-4B-20, p. 128.*

**Access to Legal and Reading Materials:** Inmates in Restrictive Housing have access to reading materials.

*Source: American Correctional Association (ACA) Performance-Based Standards for Adult Correctional Institutions, 5th ed., March 2021, 4B Restrictive Housing, 5-ACI-4B-23, p. 129.*

**Exercise Out of Cell:** Inmates in Restrictive Housing receive a minimum of one hour of exercise outside their cells, five days per week, unless security or safety considerations dictate otherwise."

*Source: American Correctional Association (ACA) Performance-Based Standards for Adult Correctional Institutions, 5th ed., March 2021, 4B Restrictive Housing, 5-ACI-4B-24, p. 129.*

**Telephone Privileges:** Inmates in Restrictive Housing are allowed at minimum telephone privileges to access the judicial process and family emergencies as

determined by the facility administrator or designee unless security or safety considerations dictate otherwise.

*Source: American Correctional Association (ACA) Performance-Based Standards for Adult Correctional Institutions, 5th ed., March 2021, 4B Restrictive Housing, 5-ACI-4B-25, p. 129.*

**Access to Programs:** Inmates in Extended Restrictive Housing have access to programs and services that include but are not limited to the following: educational services, commissary services, library services, social services, behavioral health and treatment services, religious guidance, and recreational programs.

*Source: American Correctional Association (ACA) Performance-Based Standards for Adult Correctional Institutions, 5th ed., March 2021, 4B Restrictive Housing, 5-ACI-4B-26, p. 130.*

### **Justice System-Wide Recommendation:**

#### **Reduce Pretrial Time for Felony Cases**

As of July 2024, there were 220 pretrial detainees who had been in custody at OCCC for more than six months. OCCC, similar to other jails in Hawaii and jail in general, are not meant for long-term holds, resulting in little to no programming, too much idle time, and little out-of-cell time for extended periods. The Commission asks the Judiciary, Prosecutor, Public Defender, and criminal defense attorneys to consider establishing a circuit-wide goal to reduce timelines for felony cases—expediting proceedings and minimizing the time people spend pretrial to six months.

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



**STATE OF HAWAII**  
**HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**  
**E HUIKALA A MA'EMA'E NŌ**  
235 S. Beretania Street, 16<sup>th</sup> Floor  
HONOLULU, HAWAII 96813  
(808) 587-4160

**Women's Community Correctional Center (WCCC)**  
**August 2024 Site Tour Observations**  
**Date of Report: September 26, 2024**

In accordance with the Hawaii Correctional System Oversight Commission's (the Commission, HCSOC) mandate to oversee the State's correctional system, on Thursday, August 15, 2024, the Commission toured the Women's Community Correctional Center (WCCC) collectively as a group. The tour included three of the five Commissioners – Mark Patterson, Martha Torney, and Ron Ibarra in addition to the Oversight Coordinator. The Commission had unfettered access to staff and the facility. There were three new buildings under construction: Building A (secure housing), Building B (intake), and Building C (administration) that will be opening in the coming months. The Commission visited Building B, Building C, Olomana Cottage, and Akahi Cottage.

This report encompasses notes from the Commissioners and will be discussed during the Commission's monthly public meeting held on September 26, 2024.

Follow Up on Previous Recommendations

On September 21, 2023, the Commission toured WCCC and released a public report on October 19, 2023, outlining findings from the visit and five recommendations. Below are the five recommendations that stemmed from the October 2023 report in addition to updated findings based on the August 2024 site observations. Overall, the Women's Community Correctional Center has done well in finding solutions to the following recommendations.

**1) Review new construction plans for Building A (secure housing) and implement as many therapeutic and rehabilitative spaces as possible.**

The Commission is pleased to report that the facility leadership prioritized repainting of Building A to better support rehabilitative and therapeutic spaces. Additionally, the facility has a new mural that was funded by the Women's Prison Project. The facility is currently reviewing other spaces where murals can be added and considering additional outdoor spaces for in-person visitation.

**2) Secure desperately needed funding for facility updates.**

The Commission is pleased to report that the medical spaces, infirmary, and kitchen have been upgraded. The bathrooms in Ahiki Cottage are still in need of renovation as the paint has peeled off the walls and floor, but the Commission was informed by people in custody that a janitor cleans the showers and shower drain daily.



**3) Ensure appropriate access to the Law Library, and ease of access to defense attorney information.**

The Commission did not note any concerns with access to the law library since the last visit nor has the Commission received complaints regarding access.

**4) As the Department of Public Safety plans new facilities or housing units, the design should be consistent with the rebuilt and reimagined Ho'okipa Cottage.**

This covers statewide facilities and housing units. This will be monitored as an ongoing recommendation.

**5) Continue and further the current trajectory of leaders at WCCC.**

WCCC has done an impressive job with prioritizing leaders who are focused on rehabilitative and therapeutic practices. Because of this effort, WCCC has an honor dorm, which the Commission believes is the only facility in the State to have this. Additionally, the facility has incorporated kickball and volleyball competitions, and there is a space that is currently being renovated into a gym. Much of the funding for these projects was supported by the Women's Prison Project.

Current Concerns

While touring, the Commission noted a large number of women housed in the infirmary on suicide watch. After inquiring, the Commission learned that since February 2024, WCCC has not had a psychologist on staff. This has caused a very serious backlog of individuals on suicide watch who otherwise would have been removed. The Commission was informed that previously, individuals may have been placed on suicide watch for a few days to a week, depending on their needs and psychological assessment. However, since losing the psych doctor, individuals are left to remain on suicide watch for weeks to months with no indication of when they will be removed.

If someone is placed on suicide watch, policy requires that they are housed individually in each cell and requires constant one-on-one observation from an Adult Correctional Officer (ACO). This creates significant constraints on staffing levels if individuals are placed on suicide watch for longer than they need to be.

WCCC does have two telemed doctors who virtually see patients once per week. However, Commissioners were told that the doctors are not familiar with the patients at WCCC, have a maximum number of individuals they can see per week, and must provide care to the entire facility. Additionally, nursing staff are concerned that telemed doctors are hesitant to release individuals from suicide watch due to potential liability. This issue has created 1) delayed mental health care for the facility, 2) appointments that take significantly longer than having an in-house doctor, and 3) individuals on suicide watch, who may have been cleared otherwise, for particularly long periods of time.

An additional concern is that disciplinary time (required time in segregation) is on pause until individuals are released from suicide watch. Staff informed the Commission that individuals on suicide watch are not permitted to use the phone, including for legal calls or calls to the Ombudsman, which adds to an already restrictive and isolated environment. Given the backlog of patients on suicide watch, the Commission is concerned about the total amount of time spent in isolated settings (suicide watch straight to disciplinary segregation).

Therefore, the Commission recommends:

- **Immediately Prioritize Hiring a Psychologist for WCCC**

Immediately prioritize hiring a psych doctor for WCCC and have other facilities assist with assessing individuals on suicide watch at WCCC in the interim. Psychologists from other facilities can rely not only on the patient and previous mental health records, but on the nurses who spend significant time with those individuals as suicide watch is in the medical unit.

Additionally, the facility should consider limiting or eliminating the requirement for disciplinary segregation time for those on suicide watch who have already spent extended periods of time (2 weeks or more) in an isolated environment with limitations to their families.

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



**STATE OF HAWAII**  
**HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**  
**E HUIKALA A MA'EMA'E NŌ**  
235 S. Beretania Street, 16<sup>th</sup> Floor  
HONOLULU, HAWAII 96813  
(808) 587-4160

**Kulani Correctional Facility (KCF)**  
**October 2024 Site Tour Observations**  
**Date of Report: November 21, 2024**

In accordance with the Hawaii Correctional System Oversight Commission's (the Commission, HCSOC) mandate to oversee the State's correctional system, on Thursday, October 17, 2024, the Hawaii Correctional System Oversight Commission (the Commission, HCSOC) toured Kulani Correctional Facility (KCF) collectively as a group. The tour included three of the five Commissioners – Mark Patterson (Chair), Ronald Ibarra, and Martha Torney – in addition to the Oversight Coordinator, Reentry and Diversion Oversight Specialist and Special Assistant.

This report focuses on and encompasses notes from the Commissioners and will be discussed at a public meeting held on November 21, 2024.

Follow Up on Previous Recommendations

On November 16, 2023, the Commission toured KCF and released a public report on December 21, 2023, outlining findings from the visit and five recommendations. Below are the five recommendations that stemmed from the December 2023 report in addition to updated findings based on the October 2024 site observations.

**Recommendations:**

**1) Begin Offering In-Person Visitation and Expand Access to Phone Calls**

The Commission is pleased to report that KCF has begun offering in-person contact visitation. The following is KCF's current visitation schedule for weekends and holidays:

Visiting Hours: Weekends and Holidays

8:00 – 9:00am

9:00 – 10:00am

12:00 – 1:00pm

1:00 – 2:00pm

It should be noted that the Department is currently working on updating their website to reflect accurate visiting hours.

**2) Increase the Population at Kulani as Kulani is One of the Most Rehabilitative Facilities in Hawaii**

The DCR has not completed this recommendation, and in fact, the population numbers at KCF and WCF (both minimum custody) are worse in 2024 than they were in 2023.

Kulani is one of the most rehabilitative facilities in Hawaii and sits around 50% capacity. As of November 2023, there were around 240 people in custody at Halawa Correctional Facility (HCF) and Saguaro Correctional Facility in Arizona (AZSC) with a custody status of minimum or below. In October 2024, there were around 260.

2023 Hawaii Male Prison Security Classifications							
Male Prison	Community	Minimum	Medium	Close	Maximum	Unclassified	Total Population
AZSC	--	53	455	369	--	--	877
HCF	4	183	435	187	2	11	822
WCF	27	154	--	--	--	--	181
KCF	24	61	--	--	--	--	85

*Source: Hawaii Department of Public Safety Roster, Dated Nov. 13, 2023*

2024 Hawaii Male Prison Security Classifications							
Male Prison	Community	Minimum	Medium	Close	Maximum	Unclassified	Total Population
AZSC	--	77	506	411	--	--	994
HCF	6	179	306	204	6	5	706
WCF	23	113	--	--	--	--	136 - DECREASE FROM 2023
KCF	13	65	--	--	--	--	78 - DECREASE FROM 2023

*Source: Hawaii Department of Corrections and Rehabilitation Roster, Dated Oct. 14, 2024*

The Commission, again, recommends that the Department transfer eligible individuals at Halawa and Saguaro, with minimum custody or below, to Kulani and Waiawa Correctional Facilities. Due to the rehabilitative and therapeutic nature of the Kulani, this facility could be better utilized at a consistent capacity close to 100% and certainly over 90%.

**3) Remove the Monetary Eligibility Requirement for Furlough Participation at all Furlough Sites**

The Commission is pleased to report that the Department has fulfilled this recommendation, and no individuals are required to have any specific amount in their account in order to participate in their respective work furlough programs.

**4) Improve System-wide Movement Through Correctional System**

The DCR has not completed this recommendation, and in fact, the population numbers at KCF and WCF (both minimum custody) and furlough sites across all jails are worse in 2024 than they were in 2023. All of the Hawaii male furlough sites are well below capacity—see the *Furlough* chart below.

The Commission understands that the furlough sites currently have different eligibility requirements regarding funds and length of time until the parole eligibility date. To improve system movement and opportunity for successful reentry, the Commission again recommends that the Department increase furlough participation. This will mean a corresponding policy shift including eliminating any type of financial requirement to participate in furlough.

<i>Facility</i>	<i>Furlough Location</i>	<i>2023 Population</i>	<i>2024 Population</i>	<i>Rated Capacity</i>	<i>2023 Occupancy Rate</i>	<i>2024 Occupancy Rate</i>
<i>HCCC</i>	Onsite	32	21	100	32.00%	21.00%
<i>MCCC</i>	Onsite	14	12	32	43.75%	37.5%
<i>OCCC</i>	Onsite	120	102	176	68.18%	57.95%
	Extended Furlough	15	1	--	--	--
	<i>Total</i>	135	103	176	76.70%	58.25%
<i>KCCC</i>	Onsite	8	~11	0*	--	--
	Extended Furlough	9	11	--	--	--
	<i>Total</i>	14	~22	0*	--	--

*Source: Hawaii Department of Public Safety Roster, Dated Nov. 13, 2023*

*Hawaii Department of Corrections and Rehabilitation Roster, Date Oct. 14, 2024*

**Note:** KCCC furlough housing does not have an official capacity, therefore, the occupancy rate cannot be calculated.

**5) Reinstate Transportation Shuttle for Staff**

This recommendation has not been completed.

As noted above, the Department has fulfilled two recommendations of the five submitted last year. The Commission is deeply concerned as two of the recommendations (Recommendation 2 and 4) are specific to creating a more rehabilitative and therapeutic environment, and ensuring individuals move through the system to be released in a timely manner. It is concerning that not only have the numbers not improved but have instead gotten worse. The Commission hopes the Department will take action on all recommendations and appreciate the Department’s time and commitment to improving Hawaii’s correctional system.



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**E HUIKALA A MA'EMA'E NŌ**  
235 S. Beretania Street, 16<sup>th</sup> Floor  
HONOLULU, HAWAII 96813  
(808) 587-4160

**Waiawa Correctional Facility (WCF)**  
**November 2024 Site Tour Observations**  
**Date of Report: December 19, 2024**

On Thursday, November 21, 2024, the Hawaii Correctional System Oversight Commission (the Commission, HCSOC) toured the Waiawa Correctional Facility (WCF) collectively as a group. The tour included two Commissioners, Ron Ibarra and Martha Torney, in addition to Commission staff.

This report encompasses notes from the Commissioners and will be discussed at a public meeting held on December 19, 2024.

Follow Up on Previous Recommendations

On December 21, 2023, the Commission toured WCF and released a detailed public report on January 18, 2024, outlining findings from the visit. Below are the recommendations that stemmed from the January 2024 report, in addition to updated findings based on the November 21, 2024, site observations.

**Recommendations:**

**1) Increase the Population at Waiawa as Waiawa is One of the Most Rehabilitative Facilities in Hawaii**

The DCR has not fulfilled this recommendation, and in fact, the population at KCF and WCF (both minimum custody) are worse in 2024 than they were in 2023. The same chart below was utilized in the Commission's November 2024 report regarding the Kulani Correctional Facility tour, but it seems worth repeating for the purpose of highlighting the lack of rehabilitative beds utilized in both KCF and WCF.

Waiawa is one of the most rehabilitative facilities in Hawaii and sits around 50% capacity. As of November 2023, there were around 240 people in custody at Halawa Correctional Facility (HCF) and Saguaro Correctional Facility in Arizona (AZSC) with a custody status of minimum or below. In October 2024, there were around 260.



2023 Hawaii Male Prison Security Classifications							
Male Prison	Community	Minimum	Medium	Close	Maximum	Unclassified	Total Population
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KCF	24	61	--	--	--	--	85

*Source: Hawaii Department of Public Safety Roster, Dated Nov. 13, 2023*

2024 Hawaii Male Prison Security Classifications							
Male Prison	Community	Minimum	Medium	Close	Maximum	Unclassified	Total Population
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WCF	23	113	--	--	--	--	136 - DECREASE FROM 2023
KCF	13	65	--	--	--	--	78 - DECREASE FROM 2023

*Source: Hawaii Department of Corrections and Rehabilitation Roster, Dated Oct. 14, 2024*

**2) Expand the Opportunity to be Housed at a Minimum-Security Facility to Those who are Medically Frail**

In general, those with medical conditions that impact their ability to work should not be deprived of living in less restrictive environments and stepping down in preparation for release. However, this recommendation has not been fulfilled.

**3) Identify a Vessel to Donate Excess Produce to the Community**

One factor limiting farm production at WCF is the facility's inability to donate excess produce, therefore the Commission recommended that DCR leadership work with WCF to find an avenue for produce donation in a timely manner (like Correctional Industries, for example). This recommendation has not been fulfilled.



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**Halawa Correctional Facility (HCF)**  
**December 2024 Site Tour Observations**  
**Date of Report: December 19, 2024**

On Thursday, December 5, 2024, the Hawaii Correctional System Oversight Commission (the Commission, HCSOC) toured the Halawa Correctional Facility (HCF) collectively as a group. The tour included four of the five Commissioners – Mark Patterson (Chair), Martha Torney, Ron Ibarra, Mark Browning, in addition to Commission staff.

This report encompasses notes from the Commissioners and will be discussed at a public meeting held on December 19, 2024.

General Findings

During the tour, the Commission's largest concerns revolved around the general restrictiveness of the facility and how the environment impacts the mental health of those in custody and staff. The Commission does want to thank Warden Cluney for notably changing more restrictive practices in the facility by:

- changing the uniforms of those in custody from black and white stripes to solid tans,
- opening and continuously running all available programs/classes in the education building,
- running graduations and inviting family members to those graduations, and
- adding grass to the sides of Mainstreet

However, there is still much improvement to be made. The facility is encased in concrete, and there is very little, if any, color in the housing units and recreation areas. The recreation yards are all concrete with an opening to the sky for sunlight and fresh air. The recreation yards in the Special Holding Unit only allow one individual out at a time, leaving little to do outside of walking around in a circle for fresh air. There is a massive outdoor recreation yard at the back of the facility, however it has not been used in at least 30 years. The yard has a baseball field but was clearly overgrown.

Overall, the facility has a very restrictive feel, and this is particularly concerning given the rate of suicides in Halawa. Of the four suicides that occurred in 2024, two have occurred at HCF – both individuals were considered close custody (more restrictive custody class). Relatedly, there was a surprisingly large vacancy rate in mental health – 9 total vacancies including five Clinical Psychologists, two Psych Social Workers, and two Office Assistants. Not having Office Assistants forced the current Psych Social Workers to be bogged down with paperwork instead of meeting their clients' needs. Currently, the facility is doing the best it can with one Clinical Psychologist and two Psych Social Workers.

The Commission also toured a basement area of the facility underneath the current medical and mental health unit. This space was cleared out in preparation for construction to expand the medical and mental health areas to the basement. Staff were unsure of the specific plans, and after being questioned by Commissioners, mental health staff made it clear they had not been included in any construction planning or asked about their needs for managing the population. The space was large, but extremely dark and dreary due to lack of windows and lighting. It is unclear how this space could possibly be transformed into a rehabilitative space for those struggling with medical or mental health issues.

Given the Commission's findings, the following is being recommended:

## **Recommendations**

### **1) Incorporate Therapeutic and Rehabilitative Practices Throughout the Facility**

Consider reopening and staffing the large yard so individuals can enjoy grass, fresh air, and sunlight and have an opportunity to look away from concrete. Additionally, consider incorporating murals throughout the housing units and on Main Street for a less restrictive feel. Lastly, consider planting native plants throughout Main Street for additional color and connection to 'āina.

### **2) Include Medical and Mental Health Staff in Future Construction Plans**

Include the medical and mental health team in any plans for construction to ensure a more therapeutic and rehabilitative space. If the mental or medical spaces are extended to the basement, ensure ample natural lighting by adding as many windows as possible and consider bright paint for a less restrictive space.

## Follow Up on Previous Recommendations

On October 19, 2023, the Commission toured HCF and released a detailed public report on November 16, 2023, outlining findings from the visit. Below are the recommendations that stemmed from the 2023 report in addition to updated findings based on December 5, 2024, site observations.

### **3) Increasing non-security staffing must be a priority for transitioning to a rehabilitative and therapeutic system.**

Last year, the two main staffing shortages that the Commission learned about were in the Learning Center and social work. At the time, education was down three full-time teachers, one secretary, and two workline positions leaving one full-time employee to run all educational programs. Additionally, the facility had eight (8) social work vacancies which resulted in high caseloads (80+ people per social worker) for the existing social workers.

During the Commission's visit, it was confirmed that there are no social work vacancies, and that education vacancies had gone down from four vacancies to two (education supervisor and office assistant). The Commission congratulates the Department on its success with aggressive recruitment tactics for filling these imperative positions; however, the Commission hopes the Department will place a strong focus on the need for mental health staff – particularly Psych Social Workers and Clinical Psychologists.

**4) Permanently close the Special Needs Facility.**

Although the Special Needs Facility is closed now, it is unclear if that is a permanent decision.

**5) Prioritize and expedite Capital Improvement Projects to repair electricity and the perimeter fence.**

Both projects have been funded and are currently being executed.

In early 2024, the Department began transferring people in custody from Halawa Correctional Facility (HCF) to Saguaro Correctional Center (AZSC) in Arizona to facilitate timely Halawa facility repairs. This was communicated as a short-term measure, but almost a year later, the roster numbers indicate the additional out of state transfer is still active.

Population at HCF and AZSC

<b>Facility</b>	<b>December 2024</b>	<b>October 2023</b> (previous Commission Tour of HCF)
<b>HCF</b>	725	878
<b>AZSC</b>	939	836

As of December 3, 2024, HCF remains under capacity, with 725 people in custody in a facility designed for 992 (excluding the capacity of the High Needs Facility). Despite assurances that the transfers were temporary, the extended timeline raises concerns about the progress and prioritization of repairs. The HCSOC emphasizes the need to complete these projects promptly and ensure all necessary permits are obtained to relocate people in custody currently at AZSC back to Hawaii, preventing these transfers from becoming long-term out-of-state placements.

**6) Expand the Correctional Industries worklines to include specific training in skilled trades that would lead to gainful employment after incarceration.**

This recommendation has not been fulfilled.

At some point, there used to be an electrical and plumbing workline that helped keep the facility maintained. The electrician union previously came to the facility and trained people in custody, and then people leaving prison would have an income-generating trade and connections to the unions and jobs in high demand. However, that program has not existed for some time. It would benefit the Department to work with skilled trade unions to train individuals in plumbing, electrical, welding, HVAC, etc. This would not only create opportunities for individuals to earn gainful employment upon release, but also help the facility with desperately needed maintenance concerns. Correctional Industry worklines can assist in upkeeping the facilities while learning skills that are at the core of the Hawaii Correctional Industry work.

**7) Increase training and support for uniformed staff.**

This recommendation has not been fulfilled.

To expedite and stay current on uniformed staff training, consider placing or training certified instructors to be onsite full-time at Halawa. This would allow the facility to train staff more efficiently in a way that corresponds to the facility's schedule and specific needs. Also, consider updating the training academy curriculum to better prepare staff for their actual roles onsite at facilities.

**8) Increase training and support for case/unit managers to better meet the population's needs upon release.**

This recommendation has not been fulfilled.

Related to recommendation one above, the role of social workers and unit managers is vital to successful rehabilitation and reentry for people in custody. The Commission is aware that many people in custody are released directly to the community from Halawa. Here, it would be helpful to identify and offer additional training to support the critical role these staff members assume. Staff should stay current on local and national best practices in their field. The crucial role of these staff members and the importance of a mindset dedicated to supporting people in custody and their success should be included in the training.

**9) The Department should support legislative efforts toward Compassionate Release or transfer to a more appropriate medical setting for the severely ill.**

The DCR has refused to support or stay neutral on compassionate release. Instead, the DCR has testified against compassionate release legislation.

People housed in the infirmary need intensive medical and/or psychiatric services and would be better served in a different setting other than a prison. Most individuals on the medical side are not in a physical state to potentially cause harm to another and do not appear to cause a risk to public safety. Additionally, the care for these individuals is particularly expensive for the Department, staff-intensive, and causes strain on the facility overall.



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**E HUIKALA A MA'EMA'E NŌ**  
235 S. Beretania Street, 16<sup>th</sup> Floor  
HONOLULU, HAWAII 96813  
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May 6, 2024

**Memorandum**

To: All Concerned

From: Mark Patterson, Chair  
Hawaii Correctional System Oversight Commission

Subject: Oversight Coordinator Temporary Family Leave and Interim Oversight  
Coordinator Announcement

I am writing to inform you of some temporary changes within our team during the upcoming months. Christin Johnson, the Oversight Coordinator of the Hawaii Correctional System Oversight Commission (HCSOC), will be on temporary family leave from May 6, 2024, to approximately August 9, 2024.

During Christin's absence, Cara Compagni, the HCSOC Reentry and Diversion Oversight Specialist, will serve as the interim Oversight Coordinator.

Please feel free to contact Cara for any matters requiring the Oversight Coordinator's attention. Her contact information is below:

- Phone: 808.517.2830
- Email: [cara.m.compani@hawaii.gov](mailto:cara.m.compani@hawaii.gov)

For any other questions or concerns, please contact me at [mark.patterson@hawaii.gov](mailto:mark.patterson@hawaii.gov).

We appreciate your understanding and cooperation during this transition period.

Thank you for your attention to this matter, and please don't hesitate to reach out to our team.



**JOSH GREEN, M.D.**  
GOVERNOR



**STATE OF HAWAII**  
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235 S. Beretania Street, 16<sup>th</sup> Floor  
HONOLULU, HAWAII 96813  
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**MARK PATTERSON**  
CHAIR

**CHRISTIN M. JOHNSON**  
OVERSIGHT COORDINATOR

COMMISSIONERS  
**HON. R. MARK BROWNING (ret.)**

**HON. RONALD IBARRA (ret.)**

**MARTHA TORNEY**

**HON. MICHAEL A. TOWN (ret.)**

November 18, 2024

The Honorable Josh Green, MD  
Governor, State of Hawaii  
Executive Chambers  
State Capitol  
Honolulu, Hawaii. 96813

Dear Governor Green:

RE: Oversight Coordinator Position with the  
Hawaii Correctional System Oversight Commission

Section 353L-2(a), Hawaii Revised Statutes, requires the Hawaii Correctional System Oversight Commission to submit the names of three nominees for the position of Oversight Coordinator for your review and selection. The Oversight Coordinator shall serve a two-year term and the incumbent, Christin Johnson, is eligible for reappointment. The incumbent's current term expires December 31, 2024.

After interviewing six applicants and giving much consideration to their training and experience, the Commission has chosen the following three nominees for your consideration (in alphabetical order):

Gino Betts  
Terrance Cheung  
Christin Johnson

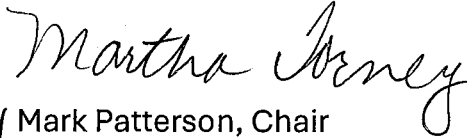
The resumes and cover letters submitted by the nominees are attached.

*November 18, 2024*

*Page 2*

Should you have any questions concerning the selection process for the nominees, please contact me or Commissioner Martha Torney. Our contact information is below.

Very truly yours,



*for* Mark Patterson, Chair  
Hawaii Correctional System Oversight Commission  
mpatterson@dhs.hawaii.gov  
Cell: (808) 228-8295

Martha Torney, Commissioner  
Hawaii Correctional System Oversight Commission  
martha.torney@hawaii.gov  
Cell: (808) 224-7360

c: Brooke Wilson, Chief of Staff  
Office of the Governor

JOSH GREEN, M.D.  
GOVERNOR



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HONOLULU, HAWAII 96813  
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December 9, 2024

Ms. Cathi Ho Schar, FAIA, Director  
University of Hawaii Community Design Center  
2410 Campus Road, Room 101A  
Honolulu, HI 96821

Re: Breaking Cycles: Alternative Model for Rehabilitation and Restorative Justice on  
O'ahu

Dear Ms. Cathi Ho Schar,

The Hawaii Correctional System Oversight Commission (HCSOC) unequivocally endorses the findings and recommendations outlined in the University of Hawaii Community Design Center's (UHCDC) comprehensive report, *Breaking Cycles: An Alternative Model for Rehabilitation & Restorative Justice*. This groundbreaking work provides a transformative vision for correctional reform in Hawaii, and we call upon the Department of Corrections and Rehabilitation (DCR) to ensure its recommendations are embedded in all jail planning without delay or compromise.

The *Breaking Cycles* report addresses critical and long-standing deficiencies within Hawaii's correctional system, including inadequate infrastructure, the absence of trauma-informed design, and the lack of culturally responsive rehabilitation programs. It provides clear, actionable steps to replace the outdated Oahu Community Correctional Center (OCCC) with a facility that reflects modern standards of justice, rehabilitation, and community well-being. The Commission had the opportunity to collaborate closely with UHCDC's team, particularly during the Breaking Cycles Symposium and the subsequent Community of Practice meetings. We are deeply impressed by the team's dedication and the meticulous effort invested in producing this comprehensive report.

The Commission was established to ensure transparency, support safe conditions for employees, people in custody, and detainees, and provide positive reform towards a rehabilitative and therapeutic correctional system, and therefore have a vested interest in the outcome of the *Breaking Cycles* report. This is not merely an optional upgrade but an essential reform to align our system with contemporary corrections principles and community expectations.

We wish to highlight the following imperatives from the report:

**1. Trauma-Informed and Culturally Grounded Design:**

The UHCDC's emphasis on trauma-informed architecture and culturally relevant programming acknowledges the unique needs of Hawaii's incarcerated population, particularly its disproportionate impact on Native Hawaiians. Facilities must reflect restorative justice principles that foster healing and reintegration, not perpetuate cycles of harm.

**2. Comprehensive Continuum of Care:**

The proposed models prioritize diversion, rehabilitation, and reentry strategies that extend beyond incarceration. Integrating health, housing, and social services into correctional planning will mitigate recidivism and promote public safety.

**3. Stakeholder-Driven Approach:**

The robust community engagement underpinning the report ensures the recommendations reflect the voices and needs of those most affected. Ignoring this inclusive process would be a disservice to the community and a breach of public trust.

**4. Urgency of Implementation:**

The report has laid a strong foundation for the immediate development of a Request for Proposal (RFP). Prolonged inaction risks exacerbating existing issues and missing a critical opportunity for reform.

The *Breaking Cycles* report is more than a roadmap; it is a mandate for change. It represents a collective vision for a correctional system that reflects the values of justice, rehabilitation, and community well-being. The DCR must seize this moment to demonstrate leadership and commitment to the people of Hawaii.

We remain committed to supporting the DCR in this endeavor and strongly encourage the timely implementation of the report's recommendations. In doing so, we urge the DCR to uphold its commitment (as noted in the alternative mission statement in the *Breaking Cycles* report) to support community equity, health, safety, and well-being by providing individuals in custody with rehabilitation-focused and culturally competent assessments, relationships, and personnel that address core needs and prevent future harm.

Thank you for this imperative work.

Sincerely,

  
Mark Patterson  
Chair

**JOSH GREEN, M.D.**  
GOVERNOR



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(ret.)

News Release 2024-01

## **PASSING OF FOUNDING COMMISSIONER TED SAKAI HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**

### **FOR IMMEDIATE RELEASE**

March 18, 2024

It is with profound sadness and heavy hearts that the Hawaii Correctional System Oversight Commission share the news of the passing of founding Commissioner, Ted Sakai. Ted, a beloved colleague, and friend, departed from us in the late morning of March 18, 2024.

Ted was a pillar of the Oversight Commission, contributing immensely to the Commission's work as a collegial, compassionate, and knowledgeable Commissioner. Ted dedicated his life to fostering a more humane corrections system, and his compassion for those in need was immeasurable. During his tenure as Commissioner, Ted actively participated in the Oversight Commission's public meetings, conducted thorough facility tours in collaboration with the Oversight Coordinator, and consistently emphasized the imperative for enhancements within the state's reentry system.

Ted will be remembered for his leadership, dedication, compassion, and unwavering commitment to the people of Hawaii, and for the warmth he extended to everyone around him. Ted's absence leaves a void that cannot be filled, and he will be deeply missed by the Oversight Commission, and by all who had the privilege of knowing him.

During this difficult time, the Oversight Commission extends our heartfelt condolences to Ted's family and loved ones. Our thoughts and prayers are with them as they navigate through this profound loss.

JOSH GREEN, M.D.  
GOVERNOR



MARK PATTERSON  
CHAIR

CHRISTIN M. JOHNSON  
OVERSIGHT COORDINATOR

COMMISSIONERS  
HON. R. MARK BROWNING (ret.)  
HON. RONALD IBARRA (ret.)  
MARTHA TORNEY  
HON. MICHAEL A. TOWN  
(ret.)

**STATE OF HAWAII**  
**HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**  
**E HUIKALA A MA'EMA'E NŌ**  
235 S. Beretania Street, 16<sup>th</sup> Floor  
HONOLULU, HAWAII 96813  
(808) 587-4160

News Release 2024-02

## **COMMISSION WELCOMES HONORABLE R. MARK BROWNING AS NEWEST COMMISSIONER**

### **FOR IMMEDIATE RELEASE**

April 16, 2024

The Hawaii Correctional System Oversight Commission is delighted to announce the appointment of the Honorable R. Mark Browning as its newest Commissioner. Governor Green appointed Commissioner Browning on February 27, 2024, and he attended his inaugural Commission meeting, where he was officially sworn in, on March 21, 2024.

Commissioner Browning brings a wealth of experience and a distinguished legal career to the Commission. Prior to his appointment, he served as a First Circuit Court judge, having assumed the position on May 6, 2010. His judicial journey began in 1997 as a district family court judge, during which he notably presided over the juvenile drug court from 2002 to 2010. Before his judicial tenure, Commissioner Browning excelled as a partner at the esteemed law firm Shim Tam Kirimitsu Kitamura & Chang. Additionally, he contributed his legal acumen as a deputy prosecuting attorney for the City and County of Honolulu.

Beyond his judicial duties, Commissioner Browning has been actively involved in various professional and community endeavors, underscoring his commitment to public service. He has served on esteemed boards and committees, including the Project Visitation Advisory Committee, Friends of Foster Kids Board, and Judicial Education Committee, among others. Commissioner Browning is also a distinguished graduate of Northwestern School of Law at Lewis & Clark College.

The Commission is privileged to welcome Commissioner Browning, whose expertise, dedication, and compassion will undoubtedly enrich our team. His appointment reflects our continued commitment to ensuring justice and integrity within our community.

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Media Contact:  
Christin M. Johnson  
Oversight Coordinator  
808-587-4160  
Email: [hcsoc@hawaii.gov](mailto:hcsoc@hawaii.gov)  
Web: [hcsoc.hawaii.gov](http://hcsoc.hawaii.gov)



JOSH GREEN, M.D.  
GOVERNOR



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News Release 2024-03

## **CHRISTIN M. JOHNSON REAPPOINTED AS OVERSIGHT COORDINATOR FOR HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**

### **FOR IMMEDIATE RELEASE**

December 6, 2024

HONOLULU, Hawaii – The Hawaii Correctional System Oversight Commission is pleased to announce the reappointment of Christin M. Johnson as the Oversight Coordinator. Governor Josh Green reaffirmed Ms. Johnson’s vital role in advancing the Commission’s mission to improve accountability, transparency, and effectiveness in Hawaii’s correctional system.

Ms. Johnson has served as Oversight Coordinator since her initial appointment in 2022 and has been instrumental in advancing the Commission’s efforts to address systemic issues within the correctional system, promote humane conditions, and enhance public safety.

“We are thrilled to continue our partnership with Ms. Johnson,” said Mark Patterson, Chair of the Hawaii Correctional System Oversight Commission. “Her dedication, leadership, and unwavering commitment to equity and justice have been critical to our progress, and we look forward to her continued contributions in this pivotal role.”

As Oversight Coordinator, Ms. Johnson plays a central role in conducting system reviews, engaging with stakeholders, and providing evidence-based recommendations to policymakers and correctional leaders. Her work aligns with the Commission’s mandate to foster accountability and implement reforms that promote fairness, rehabilitation, and public trust.

The Hawaii Correctional System Oversight Commission was established to ensure oversight of Hawaii’s correctional facilities and practices, emphasizing transparency, innovation, and a transition to a rehabilitative and therapeutic correctional system. Ms. Johnson’s reappointment signals a continuation of the Commission’s efforts to address the challenges facing the correctional system while prioritizing the well-being of people in custody, staff, and the broader community.

For more information about the Hawaii Correctional System Oversight Commission and its initiatives, please visit [hcsoc.hawaii.gov](https://hcsoc.hawaii.gov) or contact Mark Patterson, Chair.

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Media Contact:  
Mark Patterson, Chair  
Hawaii Correctional System Oversight Commission  
808-228-8295  
Email: [hcsoc@hawaii.gov](mailto:hcsoc@hawaii.gov)  
Web: [hcsoc.hawaii.gov](http://hcsoc.hawaii.gov)