



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

Hawaii Correctional System Oversight Commission
Oversight Coordinator Monthly Report
Date of Report: January 19, 2023
Revised: March 30, 2023 (see page 3)

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

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

In-Custody Death

On Sunday, December 25, 2022, at 8:50pm, medical staff at Halawa Correctional Facility (HCF) found a person in custody, male, 87 years old, unresponsive with no pulse, in his cell within the infirmary. Medical staff administered CPR and called 911 Emergency Medical Services (EMS). At approximately 10:02pm, the individual was pronounced deceased by the attending physician.

Electronic Medical Record (EMR) Down since June 2022

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

- 1) Patient safety and health is at risk without a functioning EMR.
- 2) EMRs are necessary to ensure consistency in care across multiple providers.
- 3) EMRs ensure medications are appropriately administered and documented to lessen risk to patient's health and tracking of medication used, especially when being transferred across facilities.

- 4) From a cost perspective, EMRs reduce time spent on documentation as there are often templates and order sets to improve efficiency.
- 5) Additionally, this is massive liability for the department.

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

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

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

On January 6th, 2023, the Director Tommy Johnson responded that PSD shares the Commission's concerns and have been working with the vendor to address this matter and we have also been meeting weekly internally to do whatever we can on this end to get the system up and running. Director Johnson included various updates to restore the current system, and search for another vendor to secure a new system. The commissions letter and Department of Public Safety’s full response is attached to this report.

Actions Taken

Facility Tours

Facilities Toured:

- Halawa Correctional Facility (HCF) – December 28th, 2022 (*grievance meeting*)
- Hawaii Community Correctional Center (HCCC) – December 29th, 2022
- Hawaii Community Correctional Center (HCCC) – December 12th, 2023

The Oversight Coordinator extends special thanks to all facility staff for their cooperation, expertise, and professionalism.

Justice-Involved Homeless Intergovernmental Collaboration

Going Home Hawai’i has taken the initiative to develop a strategy for intergovernmental collaboration meetings leading up to a Reentry Housing Summit in April 2023. The Coordinator and Commission will be an active part in the intergovernmental collaboration and staff will attend the upcoming Reentry Housing Summit planned for spring 2023.

Since 2004, the Hawai'i Island Going Home Consortium has been leading efforts to provide innovative and culturally responsive reentry and reintegration services to justice-involved individuals, their families, and communities. The Going Home Consortium consists of more than 50 public and private entities and their representatives with a network of over 300 state and national partners. Going Home Hawai'i is a 501(c)3 nonprofit organization and the governing fiscal body for the Hawai'i Island Going Home Consortium. The Commission is proud to partner with going Home Hawai'i.

Saguaro Correctional Center Limited Legal Call Schedule

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

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

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

HCCC Conditions Update

This section is following a report from September 2nd, 2022, highlighting serious issues and concerns regarding inhumane conditions at HCCC. The Coordinator has continued to make biweekly trips to HCCC; however, the biweekly commitment was not followed during November due to holiday travel and illness.

Overcrowding

On January 17th, 2022, three buildings at HCCC (Punahale, Komohana and Waianuenue) in addition to covid-housing had a head count of 235 while the facility has a design capacity of 126. This puts the facility at a 187%¹ occupancy rate. Although this occupancy rate has been decreasing since the September 2nd visit when the rate was 170%, it is 9% higher than November's numbers when the headcount was 224 (178% occupancy rate).²

¹ This number reflects the correct operational capacity limit in accordance with the Corrections Population Management Commission 2001 report. Previous reports noted three buildings at Hawaii Community Correctional Center (Punahale, Komohana and Waianuenue) had a head count of 235 while the facility has a capacity of 152. Therefore, the previous report noted the facility occupancy rate being 155%. The correct design capacity is 126, putting the correct occupancy rate at 187%.

² This number reflects the updated percentage to reflect the correct operational capacity limit in accordance with the Corrections Population Management Commission 2001 report. Previous report noted "8% higher than November's numbers when headcount was 224 (147% occupancy rate)."

A massive portion of HCCC are pretrial detainees which means they have not been sentenced for a crime. Much of this population is homeless and/or have a mental health diagnosis. This is an ongoing effort to address the overcrowding concerns with the judiciary, and this will continue to be reported on.

Safety and Security Concerns

The facility is currently undergoing construction to improve housing conditions by completely replacing each of the cell doors in Punahale to prevent the use of padlocks on the cell doors. All units have been completed outside of two cells. The Multipurpose Room 1 (also commonly referred to as the “fishbowl”) is currently closed for construction. Once the multipurpose room is opened back up, it will be used for indoor recreation which consists of card/board games, tv, and general time out of cell.

Suicide/Safety Watch

The “dayroom” space behind a door in Punahale in front of four cells is still being utilized on and off for those on suicide or safety watch. On January 18th, there were two individuals behind the door of E Unit and three individuals behind the door in G Unit in Punahale. This is of serious concern due to 1) lack of access to water and toilets, 2) lack of visibility from officer desk, 3) lack of privacy from 12+ people in custody within the cells, 4) no bedframe, 5) no area to store their property, and 6) a complete lack of humane treatment and decency as a whole towards individuals with potentially self-harming ideations and/or actions.

The Commission recognizes the Department’s hardship due to extreme physical limitations of the aging facility, and lack of appropriate space given the immense overcrowding. The Commission will continue to work with the Department to submit appropriate recommendations in addition to working with the legislative and judicial branches of government to highlight the desperate changes needed to be made.

Shipping Container/Covid-Housing

On January 18th, the shipping container housed seven individuals. One person in the first, three people in the second, zero in the third, and three in the fourth cell. These cells have a triple bunk bed in each cell. These containers have consistent issues with working lights. Due to a lack of windows and natural light, the cells are completely pitch black when the lights do not work. An officer must use their flashlight to shine in the cells and see. Unfortunately, people in custody continue to break the light fixtures and it takes time for the facility to continue to address the broken lights.

It is important to note that these cells are used as isolation cells to ensure newly admitted individuals do not have covid. Once the 10-day isolation period is met, individuals can be housed accordingly. There were no individuals in the isolation cells for more than 10 days during the most recent visit.

Recreation

Individuals have reported that they are being allowed outside for recreation. The facility has set a new recreation schedule to equitably allow as many individuals outside for recreation as possible. Due to overcrowding and understaffing, the facility is not meeting

federal standards for daily outdoor recreation. However, individuals in custody have reported that there is improvement.

Visits

Due to the construction, the visit room is currently out of commission and the facility is not offering in-person visits. The construction in the visit room to create permanent non-contact visit spaces is not completed yet. The Coordinator is deeply concerned about this new construction given how important and impactful in-person contact visits are for rehabilitation. The Coordinator was told that the facility is waiting on phones for the non-contact booths. It is unclear when in-person visits can occur.

The Oversight Coordinator continues to monitor the conditions of HCCC, work with community partners, the judicial branch, and the Department of Public Safety to ensure safer conditions that align with federal standards. The Coordinator will continue to report on the conditions of HCCC.

General Office Updates

Below is the office of HCSOC's mailing address, website, email, and social media. As of October 10th, 2022, all mail to and from the Commission is considered privileged mail.

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

Website: hcsoc.hawaii.gov

Submit Testimony: <https://hcsoc.hawaii.gov/submit-testimony/>
(New and allows anonymous submissions!)

Email: hcsoc@hawaii.gov

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

Expenses for the Preceding Month

Below is a breakdown of December expenses.

EXPENDITURE COSTS - December 2022

	Price/Item	Qty	Total	Notes
Office Equipment and Supplies			\$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	
Inter-Island Correctional Facility Travel			\$551.60	
Airfare	\$350	1.00	\$350	Travel for 12/12 & 12/29
Car Rental	\$72	2.00	\$144	
Daily Per Diem	\$20	2.00	\$40	
Lodging+Tax			\$0	
Ground Transportation			\$0	
Airport Parking	\$18	1.00	\$18	
Mainland Correctional Facility Travel			\$0.00	
Airfare			\$0	
Car Rental			\$0	
Daily Per Diem			\$0	
Lodging+Tax			\$0	
Ground Transportation			\$0	
Airport Parking			\$0	
Memberships + Conferences			\$0.00	
Mana Wahine Ekolu 2022 Conference Registration			\$0	
Lodging+Tax			\$0	
Ground Transportation			\$0	
TOTAL			\$552	

Hawaii Correctional System Oversight Commission Monthly Meetings

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting held on January 19, 2022. The next monthly meeting is scheduled to occur on January 26, 2022, at 2pm – this is a special meeting to cover upcoming legislation and will be held virtually. The next monthly meeting is on February 23rd, 2023. Meetings are held in person at the Department of Labor and Industrial Relations (DLIR) 830 Punchbowl Street, Room 313 Honolulu, HI 96813, and online via Zoom. More information can be found on the Commission’s webpage here <https://hcsoc.hawaii.gov/meetings/>.