



STATE OF HAWAII
HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION
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Hawaii Correctional System Oversight Commission
Oversight Coordinator Monthly Report
Date of Report: December 15, 2022
Updated: May 17, 2023 (see page 5)

Commission Chair
Mark Patterson

Commission Members
Hon. Ronald Ibarra (ret.) Martha Torney
Hon. Michael Town (ret.) Theodore Sakai

Oversight Coordinator
Christin M. Johnson

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

New Department Leadership

On December 1st, 2022, Governor Josh Green announced that Tommy Johnson is the new Director of the Department of Public Safety. On December 12th, 2022, Tommy Johnson announced the temporary assignment of Mick Hoffman as the Deputy Director for Corrections. The Coordinator wishes to send a warm congratulations to both in their new roles and looks forward to working together.

In-Custody Death

On Friday, December 9, 2022, at 11:15pm, a registered nurse (R.N.) at Halawa Correctional Facility (HCF) found a person in custody, male, 73 years old, unresponsive

with no pulse, in his cell within the infirmary. This individual had a Do Not Resuscitate (DNR). Medical staff called 911 Emergency Medical Services (EMS).

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. If the EMR cannot be fixed, the Coordinator recommends immediate purchase and implementation of a new medical record system.

Actions Taken

Facility Tours

Facilities Toured:

- Hawaii Community Correctional Center (HCCC) – December 12th

The Oversight Coordinator extends special thanks to all facility staff for their cooperation, expertise, and professionalism. Please note a lack of tours have taken place since the November meeting due to holiday travel and illness. The Coordinator fully intends to conduct more consistent tours.

Justice-Involved Homeless Intergovernmental Collaboration

Commissioner Patterson, Commissioner Sakai, and Oversight Coordinator Johnson met with Going Home Hawaii leadership on October 12th to discuss concerns regarding justice-involved homeless individuals, specifically within the jail and prison system. 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.

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

Mana Wahine Ekolu 2022

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

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

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 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. As of this report, the Department has informed the Commission that they are working with the Mainland Branch to see if adjustments can be made. The Commission will continue to follow up to receive a final response. The November 29th 2022 letter is attached to this report.

Response to Department Regarding Correctional Working Group

On October 25th, 2022, Max Otani released a response to the Corrections Working Group report. In this letter, Otani delineates his differences with the findings, conclusions and recommendations contained in the Corrections Working Group Report. He also comments on actions or perceived actions of the Commission regarding our position on the development of the New OCCC. These comments appear to be based on misunderstandings of events that led to the Commission's position. As they are written, they appear to be misstatements that should be clarified. Attached to this report is a letter dated December 15th 2022 sent to Tommy Johnson, Director of Public Safety that includes Otani's comments and the Commission's concern and response.

Department of Public Safety Positive Highlights

The Coordinator asked the Department of Public Safety to send information on positive accomplishments. Below are a few highlights from November and December.

Employee and Team Awards:

- 2022 Team of the Year – HCCC Mental Health Unit
- 2022 Manager of the Year – Russell Dela Cueva – Institution Food Service Manager 2
- 2022 Employee of the Year – Hal Alejandro – Capital Improvements Coordinator

Swift and Efficient Facility-wide COVID-19 Pandemic Response

Since the beginning of the pandemic, the facilities have had to deal with COVID-19 outbreaks due to the transient nature of the populations they serve. Every holiday season (Nov-Dec) since 2020 there is an increase in COVID in the community which translates to unavoidable outbreaks inside the correctional facilities. With so many variants spreading around the nation and the state, it is unavoidable. However, the facilities anticipate this and through their pandemic planning they quickly isolate and quarantine their facilities, increase testing and decrease spread to the most vulnerable in the population. The decreased movement also assures less physical or close contact between staff and inmates which decreases the transmission to staff. As a result of their quick and efficient response, the outbreak period is substantially shorter, with no major illnesses reported.

Chaminade's Associate Degree Program at Halawa

In 2021 the Department of Public Safety partnered with Chaminade University to give Halawa Correctional Facility inmates an opportunity to earn a college degree through the Second Chance Pell Grant Program. This was the first time this was offered in the State of Hawaii. Courses like Accounting and Introduction to Business are offered to inmates. In addition, they are offered general education courses like History, Poetry and Drama, Criminal Justice and Communications.

There are currently 8 inmates working towards their associate degree in Business Administration. They will finish at the end of the Spring 2023 semester.

WCCC GED and Culinary Program Graduations

A graduation ceremony is being held this month at WCCC for four women who completed the GED program and received their diplomas. Within this past year, there have been 16 GED graduates.

There was also a culinary graduation for three women who graduated from the Kapiolani Community College Culinary Arts Program. They are taught to create 5-star quality cuisine by working their way through beginner, intermediate and advanced level classes to make it to graduation day. They receive a culinary program completion certificate from the KCC and also earned 14 credits that appear on their University of Hawaii transcripts. The program is expanding to the Waiawa Correctional Facility in 2023.

Heroes and Helpers (Formerly called Shop with a Cop)

Sheriffs and Corrections Officers participated in this year's annual Heroes and Helpers. They attended Saturday events throughout December at Walmart and Target. This year they were in Mililani, Salt Lake, Kunia and Hilo. The Sheriffs and ACOs are paired up with children to shop for whatever they want using a \$50 gift card from the store. Many of the kids end up wanting to buy things for their family. There were actually more volunteers than kids this year, so they had to double up the volunteers (2 ACOs or LEOs with 1 kid).

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. The most recent tour was on December 12th, 2022.

Overcrowding

On December 12th, 2022, three buildings at HCCC (Punahele, Komohana and Waianuenue) in addition to covid-housing had a head count of 238 while the facility has a design capacity of 126. This puts the facility at a 189%¹ occupancy rate. Although this occupancy rate has been decreasing since the September 2nd visit when the rate was 170%, it is 11% higher than November's numbers when the headcount was 224 (147% occupancy rate).²

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.

¹ This number reflects the correct operational capacity limit in accordance with the Corrections Population Management Commission 2001 report. Previous report noted three buildings at Hawaii Community Correctional Center (Punahele, Komohana and Waianuenue) had a head count of 238 while the facility design has a capacity of 152. This puts the facility at 158%.

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 "10% higher than November's numbers when headcount was 224 (147% occupancy rate)."

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. Four units have been completed, and one unit is currently in progress. Once construction is finished, this will ease the usage of the Multipurpose Room 1. During the most recent visit on December 12th, there were sixteen men housed in the Multipurpose Room 1. This indicates little change from the November report.

Lack of Programs and Basic Services

No update since November report - People in custody within Punahale have reported that they have received new uniforms in addition to soap and hygiene products. However, people in custody in Waianuenue reported that they have not received any new uniforms and their uniforms were visibly ripped and in terrible shape. Additionally, the individuals reported that they do not receive any responses when they file grievances.

Department's Response: Waianuenue received all new uniforms in March of 2022. It was the first housing unit we exchanged. Uniforms for Waianuenue are available on a daily basis. New uniforms are issued as originally planned. The concern has been, when these uniforms were issued our old supply of uniforms, T-shirts, and shorts were not taken away. Inmates are using old issued clothing that were cut and torn either by the inmate and/or wear and tear. Jump suits are available and are being issued daily. Staff has indicated that when the air conditioning is not always operating to its capacity and the housing unit is hot. Therefore, inmates are using old damaged issued supplies.

Inmate grievances are being designated and answered in a timely manner. Designated staff has been identified for upcoming training period on December 21, 2022, this may assist staff with the issuing of grievances and routing to Honolulu staff for review. The grievances will then be processed and mailed back to HCCC for remedies, further review and written response. Investigations are assigned if warranted.

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. During the tour on November 15th, there was one individual behind the door of 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. During the December 12th tour, there were no individuals on suicide or safety watch.

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

During the most recent tour on December 12th, the shipping container housed 19 individuals. Five people in the first, four in second, five in the third cells, and five people in the fourth cell. These cells have a triple bunk bed in each cell meaning one to two individuals had a mattress on the floor. The first cell did not have working lights. Due to a lack of windows and natural light, the cells were completely pitch black. 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.

Recreation

Same update as November report - 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 Oversight Coordinator stopped in the visit room on November 15th and saw wooden construction in progress to create permanent non-contact visit spaces. The Coordinator is deeply concerned about this new construction given how important and impactful in-person contact visits are for rehabilitation. As of December 12th, the construction was still not completed, though the facility believes construction will be finished this week. 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, 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](#)

Hiring Processes

Reentry and Diversion Oversight Specialist – The HCSOC is looking to hire a [Reentry and Diversion Oversight Specialist](#). This position was posted on the Commission’s website on November 1st. Please check the website for the posting at <https://hcsoc.hawaii.gov/job-opportunities/>. For further questions, please contact the Oversight Coordinator at christin.m.johnson@hawaii.gov.

Expenses for the Preceding Month

Below is a breakdown of November expenses.

	Price/ Item	Quantity	Total	Notes
Office Equipment and Supplies			\$1,496	
General Office Supplies			\$0	
Staff and Commission Badges	\$120	11.00	\$1,320	
Staff and Commission Badge Holders	\$16	11.00	\$176	
Cell Phone			\$0	
Cell Phone Monthly Plan			\$0	
Wifi Hotspot	\$350	1.00	\$350	NETGEAR Nighthawk M6 Pro - 1GB
Inter-Island Correctional Facility Travel			\$264.62	
Airfare	\$155	1.00	\$155	Travel for 11/15 & 12/15
Car Rental	\$72	1.00	\$72	11/15
Daily Per Diem	\$20	1.00	\$20	
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	
Lodging+Tax			\$0	
Ground Transportation			\$0	

Hawaii Correctional System Oversight Commission Monthly Meetings

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting held on December 15, 2022. The next monthly meeting is scheduled to occur on January 19, 2022, at 9am. Meetings are held in person at the Department of Labor and Industrial Relations (DLIR) 830 Punchbowl Street, Room 313 Honolulu, HI 96813, or online via Zoom. More information can be found on the Commission's webpage here <https://hcsoc.hawaii.gov/meetings/>.