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Hawaii Community Correctional Center (HCCC)
Follow Up on HCCC August 2022 Site Visit Observations
Date of Report: May 18, 2023

On September 2nd, 2022, a special report was released on the conditions of the Hawaii Community Correctional Center (HCCC) due to serious and immediate concern involving the safety of those who work and live at HCCC. The report encompassed initial observations and impressions from the August 25, 2022, tour of HCCC by the Oversight Coordinator, Christin Johnson and by Commissioner Ted Sakai. Since the report was released, the Coordinator has visited HCCC consistently to work with the Department leadership, the Warden, and facility staff to improve conditions that were within their control.

Some conditions, as noted in the initial report, are a system-failure that were not caused by, and cannot be solved by, the Warden or staff at the facility alone. Additionally, many of the below issues took months or years for the conditions to reach their current state and the Commission recognizes it will take time and potential legislative changes for all the issues, particularly overcrowding, to be addressed.

Below is an update of the current conditions at HCCC and the collective changes that have occurred since the August 22, 2022, tour. The Coordinator wishes to thank Director Tommy Johnson who has consistently taken immediate action when concerns are brought to his attention. The Coordinator also wishes to thank Warden Cramer Mahoe and all HCCC staff for their patience in working closely with oversight, and for their commitment to corrections.

Overcrowding

Overcrowding has been a consistent issue for HCCC. On August 25, 2022, three buildings at HCCC (Punahale, Komohana and Waianuenue) had a head count of 259 while the facility has a design capacity of 126 (**205% occupancy rate**). Nearly every cell, each originally designed for one person, had three or four individuals housed. The back area of Punahale had approximately 15 men housed with mattresses on the floor, and the Multipurpose Room 2 “fishbowl” in Punahale had approximately 15 men who had mattresses on the floor. The facility has been using the fishbowl as a housing unit even though the area has no access to running water or toilets. This is comparable to a dry-cell.

The head count has varied throughout the months but has dropped significantly since August 2022. On May 15, 2023, HCCC had a headcount of 232. This puts the facility at a **184% occupancy rate, dropping 21% since August**. Much of this can be attributed to

judges using considerable discretion in refusing to send individuals to HCCC unless deemed necessary.

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. Although overcrowding has decreased, it is clear this is still a substantial issue.

----- **IMPROVEMENT** -----

Shipping Container/Covid-Housing Overcrowding

The Coordinator found immense overcrowding within the medical isolation units, also known as the “shipping container.” Due to Covid-19 quarantine requirements, the Department purchased various shipping containers for housing individuals entering the jails (new admissions). At HCCC, the container was retrofitted to have four cells and, based on the cell size appeared to be made for two people in custody. However, each cell had a three-tiered bunk bed and a minimum of three to four people inside (where present, the fourth individual had a mattress on the floor). The cells had little circulation, no food slot, and a small window with low visibility for officers to see.

The largest challenge for the facility were the quarantine requirements which left officers with a 4-cell space to house individuals coming into the facility for 10-day quarantine which eventually shifted to a 5-day quarantine. Once the quarantine time was shifted to 5-days, it became significantly less common to find four or more individuals in all cells.

The CDC has released new guidelines which includes removing the quarantine requirement, and it is the Coordinator’s hope that the issue of overcrowding these cells will be resolved as they can be utilized for those who have tested positive for Covid-19.

----- **IMPROVEMENT** -----

Housing Women in Dry Cells

During the August 2022 tour, it was clear that HCCC only has two appropriate cells they can use for housing women. Once those cells are full or over capacity, the facility resorts to using dry cells for the additional women. Dry cells are cells that have no toilet, sink, or access to water. Dry cells are meant to be used for a few hours while proper placement is found. Dry cells are designed for temporary holding, never to be used as housing.

Once the two cells are full, there is no plan for housing additional women outside of utilizing dry cells. Therefore, this issue is unresolved.

----- **UNRESOLVED** -----

Suicide/Safety Watch Concerns

During the August 2022 tour, individuals on Suicide Watch were found to be housed inappropriately. HCCC does not have a proper mental health unit or a proper space to house those deemed on Suicide or Safety Watch. Therefore, staff resorted to using the “dayroom”

space behind a door in Punahale in front of four cells for those on suicide or safety watch. This was 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.

However, the Oversight Coordinator has not found individuals in these space since January 2023. Additionally, facility staff have verified that the facility no longer uses the “dayroom space” in Punahale. Instead, the facility uses one of the two dry cells in the Medical Corridor where medical and mental house staff have workstations. Although this is not an ideal outcome due to the lack of bathroom access, the Commission recognizes staff have very little options without a proper mental health unit.

----- **IMPROVEMENT** -----

Padlocks on Cell Doors

During the August 2022 tour, padlocks were found on nearly every cell door in Punahale. Padlocks on cell doors add significant delay in reaching people in custody if there is an emergency (assault, fight, medical emergency, fire, etc.). A combination of staffing shortages, lack of visibility, and padlocks on the cell doors was of grave concern for how often individuals are being checked on and monitored. All doors were fixed within three months of the initial report being released with standard correctional grade supplies.

However, during the February 8, 2023, tour of Komohana, the Coordinator found two cell doors with padlocks attached. The padlocks were attached to the handle of the door and officers confirmed that the cell doors are padlocked during the night. This is extremely problematic as it significantly increases response time for officers to access the cell if there is an emergency. The Coordinator addressed this with facility leadership immediately in addition to alerting the Director of Public Safety. During the February 13th, tour, the Oversight Coordinator witnessed staff remove the padlocks and the Coordinator has not witnessed padlocks on cell doors since.

----- **RESOLVED** -----

Lack of Visibility through Cell Windows

During the August 2022 tour, 10 cells in an L-shape in Punahale were in horrendous condition. It was impossible to have a clear view inside the cells as nearly every glass panel was shattered and badly damaged. This was particularly concerning since staff could not see into the cells during their normal rounds. Since the initial report, all windows and doors were replaced with standard correctional grade supplies.

----- **RESOLVED** -----

No Bedframes or Bunkbeds in Cells

During the August 2022 tour, one unit of cells in Punahale (G-Unit) did not have any bunkbeds or bedframes at all – only mattresses on the floor. The Coordinator found that staff removed the bedframes in an attempt to get individuals to stop flooding their cells. The frames were immediately placed back into the cells after the Coordinator addresses the issues with staff during the initial tour.

----- RESOLVED -----

Visitation

During the August 2022 tour, it became apparent that visits were not being afforded. 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 still unclear when in-person visits can occur, but it is clear that visits have not been afforded in years.

Video visits do not suffice as a visiting option due to the cost alone. It is 25 cents per minute to have a video visit, which many people in custody and their families cannot afford.

----- UNRESOLVED -----

Access to Clothing and Bedding

Although not reported in the initial September 2022 report, during the February 2023 visits, the Oversight Coordinator noticed that no one in HCCC had bedsheets. Additionally, people in custody notified the Oversight Coordinator that they did not have underwear, bras (for women), or t-shirts to wear under their jumpsuit-style uniform. The Oversight Coordinator brought these issues up to facility leadership numerous times to no avail. Therefore, the Oversight Coordinator alerted the Director of Public Safety regarding the concern of the lack of undergarments and lack of dignity. The Director took immediate action and had the Deputy Director of Corrections tour with the Oversight Coordinator to address the issues onsite.

During the March visit, the Oversight Coordinator found that blankets and sheets were distributed in addition to bras for women.

However, basic services continued to be an issue. In addition to people in custody not having access to t-shirts, underwear, or jumpsuit uniforms, staff informed the Oversight Coordinator that medical staff had to resort to **giving women adult diapers during menstruation** due to a lack of underwear and lack of menstrual pads to attach to said underwear. Department leadership claimed that women were taking advantage of menstrual pads by wearing them daily, therefore creating a shortage for those who need them. The Department also confirmed that it is the business office making the decision to limit the menstrual pads.

The Oversight Coordinator recommended that medical staff should be the ones distributing menstrual pads and ensuring the facility does not run low. The HCCC Warden agreed and made that change. Additionally, the HCCC Warden went to a local Walmart and bought all underwear that was in stock while they awaited an incoming shipment of underwear, t-shirts, and jumpsuits. The HCCC Warden confirmed that the shipment of clothing arrived on Friday, March 10, 2023, and the facility began to distribute appropriate clothing on March 13, 2023.

According to Department policy COR.17.03:

All inmates shall be adequately clothed during their period of incarceration. At a minimum each inmate shall be issued the following items:

- a. Male uniforms
 - 1) Three pants
 - 2) Three shirts
 - 3) Three T-shirts
 - 4) One pair slippers
 - 5) Three pair underwear (boxer/brief)

- b. Female uniforms
 - 1) Three pants
 - 2) Three shirts
 - 3) Three T-shirts
 - 4) Three brassiere
 - 4) Three underwear (brief)
 - 5) Pregnant inmates - appropriate attire

Since addressing the issue with Department leadership, access to clothing and bedding appear to be resolved.

----- **RESOLVED** -----

Outdoor Recreation

During the August 2022 tour, it was made very clear that individuals were not being afforded their outdoor recreation. This was due to a mix of the overcrowding, lack of staffing, and Covid-19 protocols. However, the facility released a new recreation schedule, and it has been consistently reported that individuals have been let outside for recreation on a daily basis. One individual reported to the Oversight Coordinator that before the August 2022 tour, they had not been let outside in over two years. This issue appears to be resolved.

----- **RESOLVED** -----

Conclusion

Overall, the Coordinator is impressed with the number of improvements that have occurred in the past seven months since the initial tour with Commissioner Ted Sakai. Although there are still improvements to be made at HCCC, the Coordinator believes that HCCC is more in line with the other jails throughout Hawaii. At this time, the Coordinator will transition to touring at least every two months in order to ensure there is time to tour all correctional facilities consistently.