

# YEAR IN REVIEW

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

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Oversight Coordinator  
July 20, 2023

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## Introduction

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

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

## Year in Review – One Year Since the Commission Gained Staff

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

The Commission's mandate includes four core functions:

1. Oversee the State's correctional system and have jurisdiction over investigating complaints at correctional facilities and facilitating a correctional system transition to a rehabilitative and therapeutic model;
2. Establish maximum inmate population limits for each correctional facility and formulate policies and procedures to prevent the inmate population from exceeding the capacity of each correctional facility;
3. Work with the Department of Public Safety in monitoring and reviewing the comprehensive offender reentry program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii paroling authority's oversight of parolees. The Commission may make recommendations to the Department of Public Safety, the Hawaii paroling authority, and the legislature regarding reentry and parole services; and
4. Ensure that the comprehensive offender reentry system under Chapter 353H is working properly to provide programs and services that result in the timely release of inmates on parole when the maximum terms have been served instead of delaying the release for lack of programs and services.

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

## Expanding the Commission’s Capacity

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

### Facility Tours Conducted

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

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

## Elevating Legislative Priorities

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

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

## Increasing Support during Legislative Session

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

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

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

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

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

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

SEQ #	HB300 CD1				HB300 GM					
	FY24		FY25		FY24		FY25			
	Perm	Temp	Perm	Temp	Perm	Temp	Perm	Temp		
104-001						4.00	534,388	4.00	534,388	A

EXECUTIVE REQUEST:  
ADD POSITIONS AND FUNDS FOR LEGAL SERVICES (ATG100/EB).  
\*\*\*\*\*  
**LEGISLATURE CONCURS.**

DETAIL OF GOVERNOR'S REQUEST:  
(1) PERM OVERSIGHT COORDINATOR (#124094; 1.00; 175,056)  
(1) PERM SPECIAL ASSISTANT TO THE OVERSIGHT COORDINATOR (#124096; 1.00; 60,000)  
(1) PERM REENTRY SPECIALIST (#992408; 1.00; 71,016)  
(1) PERM RESEARCH AND POLICY ANALYST (#124095; 1.00; 71,016)  
INTRA-STATE TRAVEL (25,000)  
OUT-OF-STATE TRAVEL (21,000)  
MEMBERSHIP AND DUES (7,100)  
SPECIAL PROJECTS AND CONSULTATION (100,000)  
TELEPHONE (2,000)  
OFFICE SUPPLIES (2,200)

EXECUTIVE REQUEST:  
ADD POSITIONS AND FUNDS FOR LEGAL SERVICES (ATG100/EB).  
\*\*\*\*\*

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(1) PERM RESEARCH AND POLICY ANALYST (#124095; 1.00; 71,016)  
INTRA-STATE TRAVEL (25,000)  
OUT-OF-STATE TRAVEL (21,000)  
MEMBERSHIP AND DUES (7,100)  
SPECIAL PROJECTS AND CONSULTATION (100,000)  
TELEPHONE (2,000)  
OFFICE SUPPLIES (2,200)

However, Governor Josh Green graciously stepped in to ensure the Commission will function for at least another year. The amount confirmed by the Governor's Office for the Commission for FY24 funding from the Governor's discretionary funds will be \$413,388. This includes staff

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

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

### Legislative Symposium

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

### House Concurrent Resolution 23 Taskforce

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

## Publishing Reports

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

### Annual Reports

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

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

### Oversight Coordinator Monthly Reports

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

#### **2023**

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

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

## **2022**

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

### **Facility-Specific Reports**

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

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

### **Strategic Plan**

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

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

### **Other**

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

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



## Elevating the Commission’s Work Through Media

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

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



Instagram



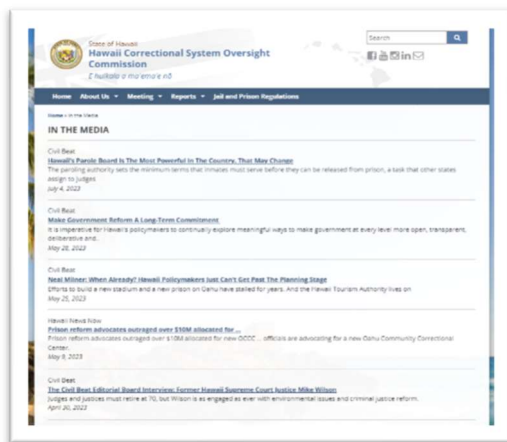
Facebook



YouTube



Website



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

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

## Increasing Accountability by Tracking Issues

### Priority Incidents

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

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

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

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

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

### Conditions of Confinement

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

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

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

### Saguaro Correctional Center Limited Legal Call Schedule

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

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

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

#### Electronic Medical Record (EMR) Down since June 2022

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

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

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

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

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

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

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

#### Hawaii Community Correctional Center (HCCC) Conditions

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

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

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

## Building Local Community and Nationwide Partnerships

#### Facility Tours with Stakeholders

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

#### Justice-Involved Homeless Intergovernmental Collaboration

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

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

#### Mana Wahine Ekolu 2022

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

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

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

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

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

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

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

#### Criminal Law Forum 2022

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

#### Prison and Jail Innovation Lab 2023 Conference

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

## Securing Partnerships

#### Thoughtworks

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

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

#### UCSF Amend

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

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

## Council of State Government

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

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

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

How the CSG Justice Center Will Assist:

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

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

## Moving Forward with Strategy

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

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

### Oversight

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

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

#### Strategies:



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

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

Strategies:

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

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

Strategies

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

Rehabilitation

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

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

Strategies:

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

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

Strategies:

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

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

Strategies:

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

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

### Population Limits

*Establish maximum inmate population limits for each correctional facility and formulate policies and procedures to prevent the inmate population from exceeding the capacity of each correctional facility.*

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

#### Strategies:

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

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

#### Strategies:

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

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

#### Strategies:

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

### Reentry

*Work with the Department of Public Safety in monitoring and reviewing the comprehensive offender reentry program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii paroling authority's oversight of parolees. The Commission may make recommendations to the Department of Public Safety, the Hawaii paroling authority, and the legislature regarding reentry and parole services; and ensure that the comprehensive offender reentry system under Chapter 353H is working properly to provide programs and services that result in the timely release of inmates on parole when the maximum terms have been served instead of delaying the release for lack of programs and services.*

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

### Strategies:

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

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

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

Strategies:

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

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

Strategies:

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

Hiring of Staff

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

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

Conclusion

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