



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

Oversight Coordinator Monthly Report
Date of Report: August 17, 2023

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

The Oversight Coordinator monthly reports are released on the third Thursday of each month to align with monthly Commission meetings where this report is publicly discussed.

Maui Fires

The Commission is heartbroken by the destruction and devastation caused by the Maui wildfires. When news of the wildfires broke, the Commission immediately contacted the Department of Public Safety to ensure there was an emergency evacuation plan in case the fires expanded toward the Maui Community Correctional Center (MCCC). The Commission was provided with a copy of the evacuation plan. The Commission has been informed that all of those who live and work in the MCCC are safe.

Additionally, the Commission has been informed that the Warden has allowed additional phone time and assistance to people in custody to help alleviate any anxiety or concerns over what has occurred. The Warden also ensured that mental health providers were down on the floor of the living units for individuals in custody to confide in. The Commission is thankful for the compassion expressed by MCCC Warden Lianne Endo.

In-Custody Deaths

On July 27, 2023, a person in custody at Halawa Correctional Facility (HCF), male, 84 years old, was pronounced deceased at a nearby hospital due to terminal illness. Although his death is considered to be from natural causes, both the Honolulu Police Department and the Department of Public Safety's Internal Affairs unit have been notified and will conduct their respective investigations.

Actions Taken

Facility Tours

Part of the HCSOC mandate is to *facilitate the correctional system transition to a rehabilitative and therapeutic model*. To better understand rehabilitative and therapeutic programs and transitional housing options currently being offered in Hawaii, HCSOC staff met with community-based services providers and toured several transitional housing communities on Oahu, including:

- Women in Need (WIN)
- The First Life After Prison (First LAP)
- Residential Youth Services and Empowerment (RYSE)
- Fernhurst Residence, YWCA
- Kinai ‘Eha

We will be highlighting the work of some of these organizations in the coming months. The HCSOC wishes to extend special thanks to the leadership, staff, and residents at each of these organizations for their expertise and hospitality.

Additionally, the Oversight Coordinator, Chair, and Senator Brandon Elefante and his staff toured Halawa Correctional Facility on July 26. The Oversight Coordinator extends special thanks to all facility staff for their cooperation, expertise, and professionalism.

Sequential Intercept Model Mapping Workshop

On August 2-3, HCSOC staff attend the Sequential Intercept Model Mapping Workshop offered by the Substance Abuse and Mental Health Services Administration (SAMHSA) in partnership with Pū‘ā Foundation, Department of Public Safety, Department of Human Services, Judiciary/Women's Court, Hawaii Paroling Authority, and the Partners in Development Foundation. The focus of the workshop was responding to the needs of Hawaii Justice-Involved Women from the Women's Community Correctional Center and the Women's Court on Oahu. Through the two-day workshop, we learned Sequential Intercept Model (SIM) basics and mapped its application in Hawaii, established state-wide priorities, and created an action plan to move forward. We are grateful for the opportunity to attend and work together with different partners to create better outcomes for justice-involved women.

National Association on Sentencing Commissions 2023 Conference

On August 7-9, the Oversight Coordinator and Chair attended the [National Association on Sentencing Commissions \(NASC\) 2023 Conference](#). The conference theme was “*The More Things Change, the More They Stay the Same? Challenges Faced by State Criminal Justice Systems and Approaches to Reform, 1993 to 2023.*” The conference covered various topics surrounding approaches to reform, reducing recidivism, transparency in sentencing and much more. The conference helped the Coordinator and Chair prepare for their roles within the HCR23 Task Force by learning more about approaches to sentencing reform. The description of the conference is below:

“States are facing some of the same problems they faced when NASC was originally formed thirty years ago: following two decades of decreasing crime rates, the trend has

reversed in recent years and concerns about prison-overcrowding and the cost of incarceration persist. These issues are combined with concerns about the disparate treatment in the criminal justice system—largely by race—and the reality of collateral consequences of a criminal record. Rather than the similar response of states in the 1990s, states seem to be taking a variety of approaches to address these contemporary challenges. This takes many forms, including: the evaluation of existing guidelines, the creation of sentencing guidelines where none existed, or the change from a determinate to an indeterminate sentencing system (or vice versa). Given that some of the challenges today mirror those of thirty years ago, this conference gives us the opportunity to reflect upon our past efforts:

- Did any criminal justice reforms of the 1990s have their desired effect? What were they and why were they successful?
- What were the unintended consequences of the ‘tough on crime’ reforms? Were there later reforms designed to address these unintended consequences?
- What are some of the lessons from the earlier reform? How can those be used to prevent repeating mistakes of the past?”

Justice-Involved Homeless Intergovernmental Collaboration

[Going Home Hawai'i](#) (GHH) has taken the initiative to develop a strategy for intergovernmental collaboration meetings leading up to a Reentry and Restoration Summit in August 2023. The summit will take place on August 23, 2023, in Kona. Attendees can expect a day filled with informative sessions, engaging workshops, and networking opportunities. GHH is expecting 250 community partners and like-minded allies to come together for a chance to hear from leaders and top experts in the field of reentry services. The summit is designed to provide support and resources for justice-involved individuals and will focus on reentry and restoration, and how to successfully transition into community. The summit is intended for individuals, businesses/business owners, faith communities, and community organizations who seek to make meaningful contributions to community-based reentry programs and corrections reform.

The summit agenda includes:

Plenary Speakers:

- Dr. Jamee Miller, Founder, Ekolu Mea Nui: Ho'iwai - A Pono Framework for Success After Incarceration
- Dr. Kimo Alameda, Psychologist and Community Advocate: Healthcare and Community Reintegration
- Heather Lyons, Executive Director, Corporation for Supportive Housing: FUSE & The Justice-Involved Homeless

Lunch will include a special showing of the local documentary, "Beyond Bars: Prison Women Speak". A Cannes International Film Festival award-winning film directed by Tadia Rice, featuring stories of women incarcerated in Hawai'i.

Additionally, there will be five breakout sessions after lunch:

1. Supportive Housing (Ballroom) Sharon Hirota, Manager, Community Engagement Division, Office of Housing & Community Development & James Koshiba, Governor's Coordinator on Homelessness
2. Community Safety (Conf Rm 1) Chief Ben Moszkowicz, Hawaii Police Department & Christin Johnson, Coordinator, Hawaii Correctional System Oversight Commission
3. Career Pathways (Conf Rm 2) Denise Pacheco, Office Manager, Department of Labor & Industrial Relations, Workforce Development Division & Dr. Marilyn Brown, Professor Emeritus, University of Hawaii Hilo, Sociology Department.
4. Healthcare (Conf Rm 3) Dan Mistak, Acting President & Director of Healthcare Initiatives for Justice Involved Populations, Community Oriented Correctional Health Services & Heather Lusk, Executive Director, Hawaii Health & Harm Reduction Center
5. Equity (Conf Rm 4) Carrie Ann Shirota, Policy Director, American Civil Liberties Union-Hawaii & Iopa Maunakea, Executive Director, Kanaka O Puna-Men Of PAA



House Concurrent Resolution 23 Taskforce

[HCR23 HD1 SD1](#) requests the Hawaii Correctional System Oversight Commission to convene a task force to examine and make recommendations regarding existing procedures of the Hawaii Paroling Authority setting the minimum terms of imprisonment. Mark Patterson, HCSOC Chair, will be chairing this task force.

The Council of State Government (CSG) agreed to work in partnership with the Hawaii Correctional System Oversight Commission on House Concurrent Resolution 23. The

CSG's Justice Center is a national, nonprofit, nonpartisan organization that represents state officials in all three branches of government. Their mission is to provide research driven strategies to increase public safety and strengthen communities.

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

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

How the CSG Justice Center 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.

The Commission will be hosting a community outreach event on September 11 for those who wish to express their thoughts to the Chair before the first task force meeting. The first meeting is scheduled for September 12 and more information regarding this task force can be found on the Commission's website here: <https://hcsoc.hawaii.gov/hcr23-task-force/>.



Breaking Cycles: Re-Envisioning A Health, Housing, And Corrections Continuum

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 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 scheduled for October 10-11 from 8:30am-4pm and will be held at the Laniākea — YWCA O'ahu. More information will be available as we continue to finalize speakers and other important details.

Access to Courts

On May 4, 2023, the Commission submitted a letter to the Hawaii Supreme Court Chief Justice regarding a lack of access to attorneys due to people in custody not knowing who their attorney is. The details of the letter can be found in the [May Oversight Coordinator Monthly Report](#). The Oversight Coordinator has been working with the Judiciary to find potential solutions to curve this issue. This will continue to be reported on until resolved.

Expenses for the Preceding Month

Note: No expenses as general funds were not made available for the month of July.

EXPENDITURE COSTS - July 2023

	Price/Item	Qty	Total	Notes
Office Equipment and Supplies			\$0	
Office Furniture			\$0	
General Office Supplies			\$0	
Staff and Commission Badges			\$0	
Staff and Commission Badge Holders			\$0	
Cell Phone			\$0	
Cell Phone Monthly Plan			\$0	
Wifi Hotspot			\$0	
Inter-Island Correctional Facility Travel			\$0.00	
Airfare			\$0	
Car Rental			\$0	
Daily Per Diem			\$0	
Lodging+Tax			\$0	
Ground Transportation			\$0	
Airport Parking			\$0	
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	
NACOLE (National Assoc. for Civilian Oversight of Law Enforcement			\$0	
National Association of Sentencing Commissions			\$0	
Airfare			\$0	
Car Rental			\$0	
Daily Per Diem			\$0	
Lodging+Tax			\$0	
Ground Transportation			\$0	
Airport Parking			\$0	
TOTAL			\$0	

General Office Information

Mailing Address: Hawaii Correctional System Oversight Commission
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Honolulu, HI 96813

Website: hcsoc.hawaii.gov

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

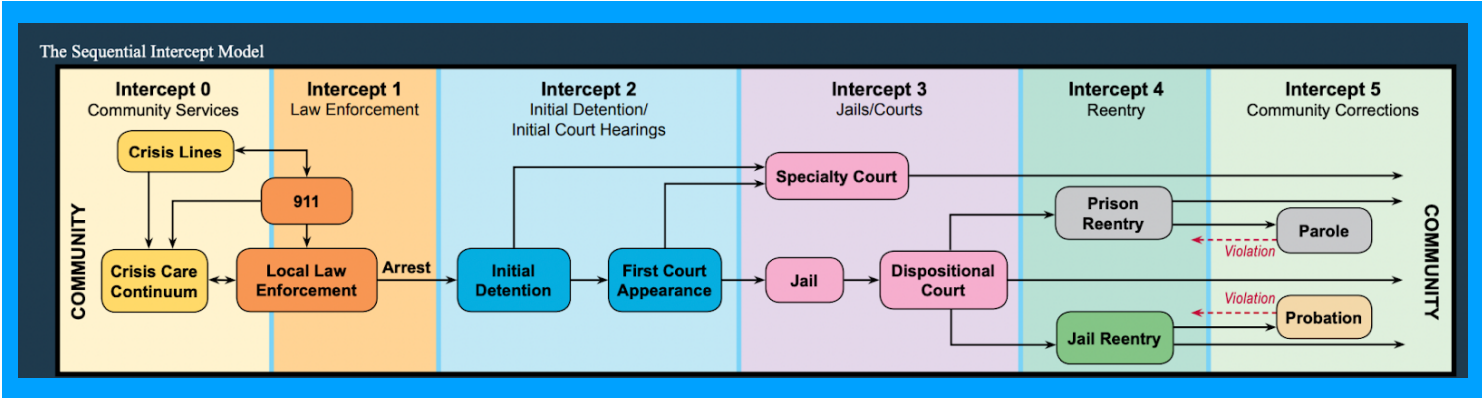
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Hawaii Correctional System Oversight Commission Monthly Meetings

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting held on August 17, 2023. The next monthly meeting is scheduled to occur on September 21, 2023, at the Department of Labor and Industrial Relations (DLIR), 830 Punchbowl Street Room 310, Honolulu, Hawaii'i 96813 and online via Zoom. More information can be found on the Commission's webpage here: <https://hcsoc.hawaii.gov/information/>.

YOU ARE INVITED - Sequential Intercept Model Mapping Workshop



The Pū'ā Foundation, Dept. of Public Safety, Dept. of Human Services, Judiciary/Women's Court, Hawaii Paroling Authority, with involvement from the Partners In Development Foundation together are leveraging expertise and support from the Substance Abuse and Mental Health Services Administration to present the Sequential Intercept Model (SIM) Mapping workshop. We will focus on responding to the needs of women who are involved in the criminal justice system, especially those at the newly created Women's Court on Oahu, and the Women's Community Correctional Center. This workshop aims to:

- (1) Assist with furthering the delivery of appropriate services, (2) Assist communities in identifying gaps in services, and (3) Assist with optimizing use of local resources and opportunities.**

The SIM Mapping Workshop will bring together diverse groups of criminal justice, behavioral health, and community stakeholders to identify resources for responding to the needs of adults with mental health conditions, and often co-occurring substance use disorder, who are involved or at risk for involvement in the criminal justice system, as well as gaps in services and opportunities for increasing cross-system collaboration and partnerships. SIM Mapping Workshops result in the development of strategies for diverting individuals in the target population out of the criminal justice system and connecting them appropriate community-based treatment providers and support services, including the development of a local systems map that illustrates how individuals enter and move through the criminal justice system, a set of local priorities for change and recommendations, and strategic action plans.

In November 2022 Pū'ā Foundation along with its governmental partnering agencies responded to a national solicitation released by the Substance Abuse and Mental Health Services Administration (SAMHSA) for applications from jurisdictions interested in SIM mapping. The application that was submitted on behalf of a Hawaii team focusing on justice involved women was selected and has been awarded a SIM mapping workshop.

The SIM Mapping Workshop will be held at the St. Stephens Diocesan Center and will take place on August 2nd from 8:30 am - 4:30 pm, and August 3rd from 8:30 am - 1:30 pm. The workshop is being supported by SAMHSA and will be facilitated by SAMHSA's GAINS Center, which is operated by Policy Research Associates, Inc. (PRA). PRA is known internationally for its work regarding adults with behavioral health needs who are involved in the criminal justice system.


date & time

8.2.23 - 8:30 AM - 4:30 PM
8.3.23 - 8:30 AM - 1:30 PM

location

ST. STEPHEN'S DIOCESAN CENTER
6301 PALI HWY, KANEOHE, HI 96744
LOWER CAMPUS CONFERENCE CNTR

LUNCH PROVIDED & LOTS
OF PARKING AVAILABLE

Date/Time	Topic	Presenters/Panelists
Sunday, August 6		
5:00 – 6:30 p.m.	<i>Informal Happy Hour for NASC Members and Guests</i>	Nevada Department of Sentencing Policy, NASC Executive Committee Location: Brooks' Bar and Deck
Monday, August 7		
3:00 – 3:15 p.m.	<i>Conference Welcome</i>	Nevada Department of Sentencing Policy
3:15 – 4:30 p.m.	Keynote Address and Nevada Commission Panel <i>How to Build a Sentencing Commission and Bring Criminal Justice Stakeholders Together</i>	Senior Chief Justice James Hardesty Mark Jackson Aaron Evans Athar Haseebullah
4:30 – 5:15 p.m.	<i>All States Update: Part I of II (Alabama – Minnesota)</i>	Moderator: Michelle Hall
5:30 – 7:00 p.m.	<i>Conference Reception</i> ~With thanks to our sponsor~ 	Zephyr Room, Harveys
Tuesday, August 8		
7:30 a.m.	<i>Breakfast</i>	
8:30 a.m. – 9:45 a.m.	Plenary Session 1 <i>The More Things Change, the More They Stay the Same? Challenges Faced by State Criminal Justice Systems and Approaches to Reform, 1993 to 2023</i>	Niki Hotchkiss David Raybin Carl Reynolds Moderator: Matthew Kleiman
9:45 – 10:00 a.m.	<i>Morning Break</i>	

Date/Time	Topic	Presenters/Panelists
Tuesday, August 8 (cont'd)		
10:00 a.m. – 11:15 a.m.	<i>Breakout Sessions – Choose One</i>	
	<p>B1a/ Guidelines Uniformity and Consistency: Are We Deceiving Ourselves? <i>This panel will unpack new research that reveals a significant lack of judicial uniformity on one of the most important guideline sentencing decisions, downward dispositional departures. Panelists will discuss the field's progress toward the goal of uniformity, and grapple with the tension in sentencing systems between balancing the desire for greater uniformity with the desire to retain some meaningful level of discretion.</i></p>	<p>Judge Barbara McDermott Steven L. Chanenson Justice Gordon L. Moore, III Moderator: Rhys Hester</p>
	<p>B1b/ Probation Reform <i>Unintended consequences and constitutional challenges to 2021 probation 'reform' legislation in Virginia.</i></p>	<p>Marcus S. Elam Jody Fridley Judge Patricia Kelly Moderator: Meredith Farrar-Owens</p>
	<p>B1c/ Recidivism <i>This session will discuss recidivism from several angles:</i></p> <ul style="list-style-type: none"> • <i>describe the recent <u>publication</u> "The Limits of Recidivism" by the National Academies (NASEM);</i> • <i>review the United States Sentencing Commission's recent <u>report</u> on "Length of Incarceration and Recidivism" and other research on the effects of incarceration on recidivism; and</i> <p><i>introduce another important NASEM <u>publication</u>, "Reducing Racial Inequality in Crime and Justice," which tackles the complex relationship between racial disparities in crime, and racial disparities in criminal justice involvement.</i></p>	<p>Robert Apel Steven Raphael Moderator: Emily Backes</p>
11:30 a.m. – 12:45 p.m.	<i>Lunch and Rick Kern Memorial Keynote Speaker</i>	Sara Andrews

Date/Time	Topic	Presenters/Panelists
Tuesday, August 8 (cont'd)		
12:45 p.m. – 2:00 p.m.	<p style="text-align: center;">Plenary Session 2 New States</p> <p><i>This session will unpack the sentencing work underway in three states we have not seen at past NASC conferences--California, Colorado, and New Jersey—and describe the work of:</i></p> <ul style="list-style-type: none"> • <i>the California <u>Committee on Revision of the Penal Code</u>;</i> • <i>the Colorado Commission on Criminal and Juvenile Justice, <u>Sentencing Reform Task Force</u>; and</i> <ul style="list-style-type: none"> • <i>the New Jersey <u>Criminal Sentencing and Disposition Commission</u>.</i> <p><i>The panel will feature the collaboration between academia and sentencing policy groups, particularly in California and New Jersey.</i></p>	<p style="text-align: center;">Tom Nosewicz Steven Raphael Robert Apel Ruth Coffman Moderator: Matthew Mizel</p>
2:00 pm – 2:15 p.m.	<i>Afternoon Break</i>	
2:15 p.m. – 3:30 p.m.	<i>Breakout Sessions – Choose One</i>	
	<p style="text-align: center;">B2a/ Sentencing Education <i>Education and outreach for implementation of sentencing guidelines.</i></p>	<p style="text-align: center;">Jody Fridley Linda McBrayer Robert Sisock Moderator: Ryan Meyers</p>
	<p style="text-align: center;">B2b/Long Sentences <i>This breakout session will describe the reality of serving a sentence in excess of 20 years, and unpack two recent efforts examining long sentences:</i></p> <ul style="list-style-type: none"> • <i>“Counting Down: Paths to a 20-Year Maximum Prison Sentence.” Research publications by the Sentencing Project including the <u>Counting Down</u> report, which describes “seven legislative reforms to cap sentences at 20 years and right-size the sentencing structure”;</i> • <i>“How Long is Long Enough?” Reports and recommendations of the Council on Criminal Justice <u>Task Force on Long Sentences</u>.</i> 	<p style="text-align: center;">Ashley Nellis John Maki Randall McNeil Moderator: Carl Reynolds</p>
	<p style="text-align: center;">B2c/ Transparency in Sentencing: <i>Using Data to Reform Nevada’s Complex Sentence Credit Scheme to Promote Reliability and Fairness in Nevada’s Criminal Justice System</i></p>	<p style="text-align: center;">Victoria Gonzalez Jorja Powers Kirk Widmar</p>

Date/Time	Topic	Presenters/Panelists
Tuesday, August 8 (cont'd)		
3:30 – 4:15 p.m.	<i>All States Update Part II of II (Missouri – West Virginia)</i>	Moderator: Michelle Hall
4:15 – 5:00 p.m.	Annual Membership Meeting Executive Committee Member Elections, Financial Report, Other NASC Business	Michelle Hall Nate Reitz Ken Sanchagrin
6:00 p.m.	<i>Dinner on your own</i>	
Wednesday, August 9		
7:00 a.m.	<i>Breakfast</i>	
8:00 a.m. – 9:00 a.m.	<i>NASC Executive Committee meeting</i>	NASC Executive Committee
9:00 a.m. – 10:15 a.m.	Plenary Session 3 Frankel at 50: <i>A Half-Century's Perspective on Criminal Sentences: Law Without Order</i>	Douglas A. Berman Matthew Kleiman Benjamin L. Chanenson Moderator: Steven L. Chanenson
10:30 a.m. – 11:45 a.m.	<i>Breakout Sessions – Choose One</i>	
	B3a/ COVID Releases <i>Outcomes for offenders who were released having their sentences commuted during the COVID pandemic</i>	Ken Sanchagrin Kelly Officer
	B3b/ The Critical Role of Researchers on Sentencing Commissions: <i>Supporting Methodologically Sound and Empirically Driven Recommendations</i>	Jennifer Lanterman Victoria Gonzalez Christine Jones Brady
	B3c/ Alaska's Bans on Plea Bargaining in Perspective <i>This session will explore two periods in time in which Alaska banned plea bargaining: How and to what extent were the bans implemented, what were the immediate and long-term effects on Alaska's criminal justice system, and why were they rescinded?</i>	John Skidmore Brenda Stanfill Judge Trevor Stephens Moderator: Susanne DiPietro

Date/Time	Topic	Presenters/Panelists
Wednesday, August 9 (cont'd)		
12:00 p.m. – 1:30 p.m.	<p align="center">Lunch and Presentation</p> <p align="center">An Approach to Evidence-based Sentencing Review and Policy Options</p> <p align="center"><i>This presentation is a walk-through of Tennessee's Sentencing Review, including the dependencies across the sentencing system, process challenges, and actionable policy options that may improve public safety, rehabilitation and reentry, as well as transparency, proportionality, and fiscal responsibility.</i></p>	<p align="center">Emily Livingston Steven L. Chanenson Jackie Lantsman Katie Orovecz</p>
1:30 p.m.	Adjourn	
2:15 p.m.	<p align="center">Post Conference Activity</p> <p align="center"><i>Meet at the Heavenly Gondola for a 2.4 mile, 15-minute journey from 6000 to 9000 feet for breath-taking panoramic views of Lake Tahoe.</i></p> <p align="center"><i>Adults: \$69</i></p>	<p align="center">Nevada Department of Sentencing Policy, NASC Executive Committee</p>