

Hawaii Correctional System Oversight Commission
August 17, 2023
Public Comment, Testimony
Jess Heaney, Ohana Ho'opakele
Location: Hilo, HI

VIII. Maui Wildfires

Environmental hazards: HCSOC Tours and Emergency preparedness

- *At the HCSOC July 2023 meeting and Tour reportback, the Commission noted that there was a **lack of emergency preparedness plans, visible maps, known protocol and a padlocked back door (emergency evacuation access)** at MCCC (Maui Community Correctional Center).*
- *Ted Sakai said that the consequences of these hazards “could be devastating.” There has now been a devastating fire in Maui. The “imminent death” which they noted as possible in July, is a now a very present risk.*
- ***Short-term: What will the Commission be doing immediately to protect the wellbeing of people at MCCC and all Hawaii prisons and jails from fire risks and other potential emergencies?***

‘āina preparedness: What does the land look like around the prisons and jails which you tour? Are there fire barriers in the landscape? You have been noting Emergency preparedness plans in your site assessments. We demand that you begin to include an Environmental and ecosystem risk assessment of the prison/jail site itself.

- ***Long-term: We urge you to act on long-term solutions to reduce crowding and minimize the number of people exposed to this awful risk, by reducing the numbers of people in Hawaii’s prisons and jails, what you’ve identified as “overcrowding” and a population crisis.***
 - o *These can all be begun within one year, Examples: Pu’uhonua, removing the power of the Paroling Authority to set minimums, eliminating mandatory minimums, and sweeping ways to get elders and those with chronic illness out of prison.*

Mālama ‘āina: Pu’uhonua Act 117, related to Maui fires

In the wake of the devastating fires on Maui, and the recurrent fires on Big Island, we want to remind the Hawaii Correctional System Oversight Commission of your power to advance Pu’uhonua Act 117. The Pu’uhonua Act 117 plan is alternate sentencing, re-entry, and transitional facility for imprisoned people in their final year of their sentence, which includes a community project component eradicating invasive plant species. This is a fire prevention and land management measure, urgently needed now in this critical era for our climate and our communities. Please act on your power and advance this vital solution—to overcrowding, need for reentry pathways, and ecosystem management.

The demand: we urge the Commission to provide their oversight power to ensure that Pu’uhonua Act 117 happens. Advancing the Pu’uhonua Act 117 must be a priority for this commission. We encourage them to do everything in their power to make Public Safety cooperate with Ohana Ho’opakele , as directed in Section 2 of Act 117. In addition to immediate action this year, we recommend that HCSOC include Pu’uhonua Act 117 in Annual Recommendations and strategic priorities.

- Approved by Hawaii State Legislature in 2012, Act 117 says a Pu’uhonua could facilitate people **“to work in the community on community projects... For example, the island of Hawaii has**

hundreds of acres of invasive plant species...” and people at the Pu’uhonua could help with the eradication of invasive species. Invasive species are fire hazards for all islands and peoples. We need to act upon this today.

- **Invasive grasses and other shrubs can be fire hazards. The Pu’uhonua plan can be one that advances fire prevention efforts.**
- **We could have built a Pu’uhonua on every island since 2012, had DPS and DLNR fulfilled their responsibility.** We could have had teams of people working on community-powered projects that remove invasive, flammable plants like grasses and eucalyptus; and planting native forest and watershed plants. **These very teams we need to prevent another disaster like the fires on West Maui, and the Big Island.**
- **You—the Commission—and We are sitting on a vital community-based, state-based solution.** Literally written, “ways that benefit the state,” meaning ALL People in Hawaii and the infrastructure that should support us. Instead, we are one decade past this solution. **Please support it today.**
- **Since 2012, the Department of Public Safety and the Department of Land and Natural Resources (named as a collaborator in the legislation) have not acted on this valuable community project which not only would “Reduce recidivism, prevent crime, and ensure long-term positive change.”**
- **Ohana Ho’opakele and over 2,000 community members support this measure.** We are ready to bring the Pu’uhonua plan to life.
- **Do not undo the work of the past and skip over this hard-fought for and deeply supported win.** Support us in doing so, and help prevent future tragedies and environmental devastation.
- **It is your job to provide oversight to the Department of Public Safety: Pu’uhonua Act 117 must be an oversight priority—for the healing and rehabilitation of the land and people’s lives and communities.**

Mālama Kūpuna and people with medical needs

- Facts about *kūpuna* and people with disability needs:
 - o According to a [2017 Hawaii News Now article](#), “Nearly 1 in 6 inmates at Halawa Correctional Facility, the state's largest prison, are over 55. Some 13 percent of all Hawaii inmates are 55 and up. And a full 5 percent of the more than 1,000 inmates at the facility are disabled due to age, mobility or cognitive issues.”
 - o [According to a 2018 ACLU report](#), 21% , more than one-fifth, of population of Hawaii’s jails and prisons are *kupuna* at age 50 and older.
- ***Kūpuna* and people with chronic or long-term health conditions could be at a higher risk in environmental or facility emergencies such as fires.** You have noted that there are not adequate emergency preparedness plans for people inside, and we know that our kupuna are a high vulnerability population. You must do everything in your power to reduce the number of kupuna and people with medical needs inside.
- **People in prison settings age at a faster rate than people in free world conditions., clocking people medically 10 years older than their age as people age over 50. Emergency plans must accommodate for *kupuna* age 55 and older,** and the Commission must take seriously its responsibility to our elders and those with disabilities. The safest way to protect the most vulnerable people is through prevention and removing them from harm’s way, i.e. doing everything possible to keep them or get them out of prison.