



STATE OF HAWAII
HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION
E HUIKALA A MA'EMA'E NŌ
235 S. Beretania Street, 16th Floor
HONOLULU, HAWAII 96813
(808) 587-4160

Kulani Correctional Facility (KCF)
November 2023 Site Tour Observations
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On Thursday, November 16, 2023, the Hawaii Correctional System Oversight Commission (the Commission, HCSOC) toured Kulani Correctional Facility (KCF) collectively as a group. The tour included three of the five Commissioners – Mark Patterson (Chair), Ronald Ibarra, and Martha Torney – in addition to the Reentry and Diversion Oversight Specialist and Special Assistant.

This report focuses on and encompasses notes from the Commissioners and will be discussed at a public meeting held on December 21, 2023.

General Observations

Commissioners first met with Acting Warden Benjamin Catriz, the Lieutenant, and Acting Correctional Supervisor. The Commissioners appreciated that all three accompanied them on the facility tour.

The Kulani Correctional Facility has an operational capacity of 160, according to the Corrections Population Management Commission 2001 Annual Report, which set capacities for all State correctional facilities. Kulani was closed in 2009 under the Lingle administration and reopened in 2014. Since then, the Department of Public Safety has listed the operational capacity at 200. At the time of the Commission's visit, 88 people in custody were housed at Kulani. With a rated capacity of 160 people, the population of 88 represents 55% of facility occupancy. When calculating this occupancy rate utilizing the operating capacity of 200, the facility is at 44% of operational capacity.

In terms of staffing, of the 50 authorized Adult Correctional Officer (ACO) positions there are nine vacancies. The Acting Correctional Supervisor is currently the only Social Worker at the facility.

Kulani houses men with a custody status of minimum or lower. The Commission found that although Kulani is classified as a minimum, it is managed and run like a medium security-level facility. The Commission found that facilities operating at a higher security level than their designation are true system-wide for the state of Hawaii. For example, Halawa is a medium, yet it

is managed as a maximum. To learn more about the Hawaii Department of Public Safety Classification system policy, please see Chapter 18, Classification.¹

The focus of the facility is work and programming, along with preparation for furlough and returning to the community. About 80% of people in custody have work line assignments. This is one of the most rehabilitative facilities in Hawaii, and the Commission believes the facility is being underutilized—especially with the impending transition to the Department of Corrections and Rehabilitation—and can be more of a contributor to the overall mission of the Hawaii Prisons.

It appears that staff treat people in custody with respect, and people in custody respond with respect toward staff also.

Furlough Limitations

The Commissioners were very surprised to learn that people in custody must have \$300 saved to be eligible for participation in Hawaii Community Correctional Center's (HCCC) work furlough program at Hale Nani. Work lines can range from two to six hours a day and pay \$.25 per hour. **If a person in custody worked 6 hours a day, five days a week, it would take 40 weeks or 10 months, to earn that amount:**

- \$300 divided by \$.25 cents/hr.=1200 hrs.
- 1200 hrs. divided by 6 hrs./day=200 days
- 200 days divided by 5 days a week=40 weeks

This calculation would exclude using any earnings to satisfy restitution orders, purchase necessities through store order, or send money to families. HCCC requires the greatest amount of savings to move to furlough. While OCCC requires \$100, MCCC requires \$50, and KCCC requires zero. The Commission finds the need to have savings to enter some furlough programs thwart progress towards reentry.

Maintenance

The facility is well kept despite its age. The staff were courteous and professional and seemed responsible. It was clean, and the bathrooms and shower areas were well-maintained. The facility has working CCTV cameras. The site of the facility is spacious as it is set on over 250 acres.

Medical

Medical staff described the Kulani population as one with stable health. To be housed at Kulani, people in custody must be able to work and not have any health problems that would require regular access to physicians or could be exacerbated by altitude. Two staff are assigned to medical during the weekdays, with mixed use of state employees and agency nurses to fill these positions. After 3:00 PM and on weekends, phone consultations with a state doctor will address any medical problems.

The space in the medical unit is adequate, orderly, and clean. People in custody who require suicide-watch are transported to HCCC for that purpose.

¹ Available at: <https://dps.hawaii.gov/policies-and-procedures/pp-cor/>

Library

Recreational Library

The recreational library was well-stocked, orderly, and open three hours a day, three days a week. Recreational reading books were cataloged and well organized. People in custody may take up to five books and three magazines back to their dormitory and exchange them for new reading material as needed. When the Commission visited Dorm 6 (see description below), it was evident that most people in custody take advantage of having books and magazines available to them in their living units.

There is a high demand for trade books, such as agriculture, automotive, animal husbandry, carpentry, cooking, etc. People in custody are exploring possible work opportunities when released.

Law Library

The law library was spacious, clean, and orderly. Law books were adequate for post-conviction relief, including Rule 40. The law library provides access to Hawaii Revised Statutes, Hawaii Digest, and one book on prisoner rights information. The librarian utilized a form to schedule appointments for use of the law library and had about three to four uses per month. The librarian certainly was very interested in helping people in custody and providing resources. Copies cost \$.25 per page.

Mess Hall

The mess hall was a large room adjacent to the kitchen. It was neat and clean. The room can also be used for viewing videos, including informative videos on subjects such as PREA requirements.

Kitchen

The kitchen was spacious and well-equipped with appliances in working order. People in custody were cleaning the kitchen at the time the Commission arrived. The refrigerator and freezer built-in temperature gauges no longer worked but were replaced with interior gauges—temperatures were appropriate. The kitchen was well stocked, and the fresh vegetables were inviting.

Dorm 6

The Commission visited Dorm 6, one of the original lava rock living units from the 1940's. Since Kulani's population is less than 50% of the operational capacities, not all dorms were in use, and Dorm 6 was not crowded.

The Commissioners spoke with two people in custody watching TV in the day room who had different opinions about Kulani. One had transferred from Halawa Correctional Facility and liked the freedom of movement at Kulani but would prefer more opportunities to work. The other had recently returned from Saguaro Correctional Center and found Kulani lacked the level of activities he participated in on the Mainland. There was too much idle time at Kulani from his point of view.

Many people in custody were in the bunk area, some playing games or reading, others having conversations. The bedding was adequate and kept the men warm at night.

In the group shower, the floor tiles were missing, and there was a smell that could indicate mold. The showers could be upgraded.

Visitation

Visitation takes place in a large separate building near the entrance gate. The visiting schedule is extremely limited – Saturday and Sunday from 8am-9am or 12pm-1pm. At the beginning of Covid, contact visits were terminated and have yet to be restored. Staff and leadership informed the Commission that this cessation continues today as a security measure to keep contraband out. Although, the Commissioners were also told that a recent incident involving over ten people in custody stemmed from drugs left outside the perimeter wall, not through the visiting room.

The Commission is concerned about the lack of in-person visits and the visitation procedure—including the effect of these policies on families and children, and limiting connection with the community, especially as people in custody are nearing release.

Over the past month, the HCSOC has received numerous calls from community members whose family members and loved ones are incarcerated at Kulani. The concerns expressed by the community focused on limited opportunities for connection with people in custody:

Family members and loved ones expressed frustration that visits cannot be scheduled in advance due to the limited number of visitors who are accepted. HCSOC staff were told that if there are more than five people in custody with visits, all subsequent visitors who arrive to the facility are turned away until a later time slot (8am can be changed to noon). Also, Commission staff has been told that visitors, including children, are not allowed to use the restroom during visitation. If someone needs to use the restroom, visitation will end.

Additionally, Commission staff were told that people in custody are allowed one phone call per day in the evening, not to exceed 15 minutes, and people in custody are entitled to a maximum of one paid video visit or one non-contact visit (not both) per weekend. There are no video visits or in-person visits during the week.

Having no-contact visits and limited opportunity for phone calls at a minimum-security facility contradicts successful rehabilitative and reentry practices. Many of these individuals spend years incarcerated in medium security facilities on Oahu and Arizona to then come back to the Big Island in the final stages of a sentence and are still not able to have contact visits. The Commission finds this problematic. At this time, very few visitors come up to the facility. The Commission believes that non-contact visits discourage families from coming to the facility.

Minimizing contact visits to stop the flow of contraband into the facility with no evidence is not a good enough reason to cancel all in-person visits. Other measures should be enacted as a counterstrategy to combat prison contraband rather than eliminating all in-person visits.

Industrial Areas and Work Line

Due to time constraints, the Commission did not have the opportunity to tour the industrial areas, but instead drove by. There was a lot of heavy equipment available and a large automotive maintenance area.

There was not enough time to discuss in depth the type of work lines and industries available. However, Kulani Correctional Facility did provide us with written information about the work lines available. According to that information, work line is a major focus at Kulani and offers people incarcerated there the opportunity to learn additional skillsets. Work lines include janitorial, food service, agriculture, education, garage, housing, recreation, laundry, utility, conservation, and orientation. Additionally, there is a Zoo work line to assist with cleaning and maintenance.

Farm

The facility grows its own produce and, as a result, provides fresh produce for all of Kulani and most of HCCC. This is a great utilization and cultivation of the farm, and the produce was clearly a source of pride for both the staff and people in custody.

Due to time constraints, the Commissioners did not visit the farm or the agriculture program on this most recent visit. However, HCSOC staff did recently tour the Agricultural/Horticultural program. **HCSOC Staff found the agriculture program to be one of the most impressive and rehabilitative programs** and aspects of the facility and the Hawaii Department of Public Safety overall. The farm manager—who holds a Ph.D. in this field and serves as a teacher and mentor to the student workers—also shared that this work aligns with the State’s sustainability initiative to support the environment and land and serves as a cost-savings mechanism.

People in custody, who are student-workers on the farm, learn skills that can be replicated after release—including hydroponics, harvesting, poultry management, and much more—and this program and working with the land provides an opportunity for healing and hope.

According to the farm manager, last year they:

- Grew almost 15 tons of food, harvested nearly 17,000 eggs, and diverted an equivalent amount of facility-generated waste through composting;
- Had no incidents or misconduct reports and have low recidivism rates among student-workers;
- Had four student-workers attain their GED as a result of applying the math skills they learned through their work on the farm; and
- Customized farm-to-table menus and created routines/rotations for diverse crops that coincide with the mess hall menu.

The Kulani farm also serves as a research farm, testing, recording, and perfecting existing crops.

This program is about the food and the impact on the student-workers individually and as a group. Furthering this program and sentiment can assist with the Department-wide transitions to Corrections and Rehabilitation, as this program serves as an example of a genuinely rehabilitative model.

Education and Programming

Due to time constraints, the Commissioners did not have the opportunity to visit the education and programming space. However, the Commission was informed that the facility does offer GED classes, Sex Offender Treatment Programs (SOTP), and college classes, among others. At the time of the Commission’s visit, no visible programs were operating, giving a sense of dead or idle time.

Recommendations:

1) Begin Offering In-Person Visitation and Expand Access to Phone Calls

People housed at Kulani are approaching their release dates and a time of transition back to the community. This timeframe is critical for success, and contact visits and connections support a rehabilitative humanizing approach and successful transition. According to a 2021 report from the Prison Policy Initiative, *In-person visitation is incredibly beneficial, reducing recidivism and improving health and behavior.*²

The Commission recommends that Kulani reinstate in-person visitation with secure and humane security guidelines that can simultaneously aid rehabilitation and decrease contraband. The Commission also recommends Kulani offer additional opportunities for people in custody to access phone calls. Both can significantly support people in custody, their family members, friends, children, and facility staff.

2) Increase the Population at Kulani as Kulani is One of the Most Rehabilitative Facilities in Hawaii

Kulani is one of the most rehabilitative facilities in Hawaii and sits around 50% capacity. As of November 2023, there are 240 people in custody at Halawa Correctional Facility (HCF) and Saguaro Correctional Facility in Arizona (AZSC) with a custody status of minimum or below. Minimum or below is the custody status necessary for Kulani and Waiawa (see the green highlighted sections in the chart below).

	Hawaii Male Prison Security Classifications						
Male Prison	Community	Minimum	Medium	Close	Maximum	Unclassified	Total Population
AZSC	--	53	455	369	--	--	877
HCF	4	183	435	187	2	11	822
WCF	27	154	--	--	--	--	181
KCF	24	61	--	--	--	--	85

Source: Hawaii Department of Public Safety Roster, Dated Nov. 13, 2023

Although some of the 240 people may not be suitable for Kulani due to reasons beyond custody classification, it is reasonable to believe that most would be transfer eligible. The Commission recommends that the Department transfer eligible individuals at Halawa and

² Leah Wang, Prison Policy Initiative, *Research roundup: The positive impacts of family contact for incarcerated people and their families*, Dec. 21, 2021, available at: https://www.prisonpolicy.org/blog/2021/12/21/family_contact/

Saguaro, with minimum custody or below, to Kulani and Waiawa Correctional Facilities. Due to the rehabilitative and therapeutic nature of the Kulani, this facility could be better utilized at a consistent capacity close to 100% and certainly over 90%.

In addition to this recommendation supporting better rehabilitative outcomes, this is also a cost savings mechanism as higher security level facilities are more costly. Currently, the state is paying for beds in Arizona and utilizing beds in Halawa—both facilities designed for medium and higher security-level individuals—who could be housed at a lower or no cost at Kulani and Waiawa. Additionally, the Hawaii Paroling Authority prefers to see people step down through minimum facilities and then furlough because it increases the likelihood of success upon release.

3) Remove the Monetary Eligibility Requirement for Furlough Participation at all Furlough Sites

The monetary furlough eligibility prerequisite, requiring up to \$300 in a person’s inmate account—in addition to other furlough requirements—limits the ability of people in custody to participate in furlough programs. The Commission finds this requirement thwarts progress towards reentry and therefore recommends that this financial eligibility requirement be removed.

4) Improve System-wide Movement Through Correctional System

All of the Hawaii male furlough sites are well below capacity—see the *Furlough* chart below. Relatedly, 24 people in custody at Kulani are in community custody status, the status required for furlough—highlighted in blue in the *Security Classification* chart above.

The Commission understands that the furlough sites currently have different eligibility requirements regarding funds and length of time until the parole eligibility date. To improve system movement and opportunity for successful reentry, the Commission recommends that the Department increase furlough participation. This will mean a corresponding policy shift including eliminating any type of financial requirement to participate in furlough.

<i>Facility</i>	<i>Furlough Location</i>	<i>Population</i>	<i>Rated Capacity</i>	<i>Occupancy Rate</i>
<i>HCCC</i>	Onsite	32	100	32.00%
<i>MCCC</i>	Onsite	14	32	43.75%
<i>OCCC</i>	Onsite	120	176	68.18%
	Extended Furlough	15	--	--
	<i>Total</i>	135	176	76.70%
<i>KCCC</i>	Onsite	8	0*	--
	Extended Furlough	9	--	--
	<i>Total</i>	14	0*	--

Source: Hawaii Department of Public Safety Roster, Dated Nov. 13, 2023

Note: KCCC furlough housing does not have an official capacity, therefore, the occupancy rate cannot be calculated.

5) Reinstate Transportation Shuttle for Staff

Before Covid, a transportation shuttle for staff sponsored by the Department eased the cost and lengthy travel to Kulani. The Commission recommends that Kulani and the Department connect with staff to determine if this shuttle would still be beneficial; if so, the Commission recommends it be reinstated to better support staff, their retention, and hiring.