



# Hawaii Correctional System Oversight Commission

Monthly Oversight Coordinator Report – December 21 2023

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## Introduction

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 publicly posts 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.

## Death in Custody

No deaths in custody this past month.

## Correctional Facility Tours

### *Kulani Correctional Facility (KCF) Tour*

In accordance with the Commission's mandate to oversee the State's correctional system, on Thursday, November 16, 2023, directly following the HCSOC public meeting, the Commissioners, Reentry and Diversion Oversight Specialist, and Special Assistant toured the Kulani Correctional Facility (KCF). After the tour, the Commissioners compiled their notes encompassing their impressions and offered recommendations including:

- 1) Begin Offering In-Person Visitation
- 2) Increase the Population at Kulani: This is one of the most rehabilitative facilities in Hawaii
- 3) Remove the Monetary Eligibility Requirement for Furlough Participation at all Furlough Sites
- 4) Reinstate Transportation Shuttle for Staff

These recommendations will be discussed during the December 21, 2023 public meeting. The full KCF Site Visit Observation report can be found on the Commission's website at: <https://hcsoc.hawaii.gov/facility-specific-reports/>.

## National Association of Civilian Oversight of Law Enforcement (NACOLE) 2023 Conference

Consistent with the Commission's mandate to conduct an ongoing study and investigation of the operation and the administration of correctional system laws in effect in other states or countries, the Commission and staff participated in a national conference hosted by the National Association of Civilian Oversight of Law Enforcement (NACOLE). Stretching over three days from November 12-14, the comprehensive, informative, and inclusive

Annual Conference addressed both skills training and current and emerging topics within corrections and oversight of corrections systems.

Chair Mark Patterson, Commissioner Martha Torney, and Oversight Coordinator Christin Johnson attended the 29<sup>th</sup> Annual Conference in Chicago, Illinois. Collectively, the three attended the following forums:

- Executive Leadership Training (*specific for the Oversight Coordinator*)
- An Approach to Reform: An Overview of the Chicago Oversight System
- Development of a Complaint Manual
- National Resource Center for Correctional Oversight
- How Collective Bargaining Impacts Oversight: A Case Study on the Road to Independent Investigations
- Comparison of Correctional Oversight Models (*Oversight Coordinator Christin Johnson was a panelist*)
- In Good Conscience: The Art and Science of Getting Fired for Doing the Right Thing
- The Impact of Oversight in Juvenile Justice Systems
- Protecting the LGBTQIA Community in Correctional Facilities
- Opportunities to Improve the Food Environment in Correctional Facilities
- Effective Oversight of the Grievance Process in Jails and Prisons: Key Trends and Recommendations for Change

Additionally, Commissioner Mike Town and Oversight Coordinator Christin Johnson participated in a virtual training forum through NACOLE which took place on December 5 and 6. The trainings modules included:

- Effective Practices for Monitoring Implementation of Laws, Rules, and Directives
- Death in Custody: A Public Health Approach
- What Civilian Oversight Learn Can Learn from College Education Programs in Prisons
- Prison and Jail Litigation
- Expanding Oversight with PREA
- Maintaining the Momentum: Strategies & Lessons for Sustaining Progress in the Growth of Prison Oversight (*Oversight Coordinator Christin Johnson and State Representative Gregg Takayama were panelists*)

## Reentry and Diversion Strategic Plan

Consistent with the Commission's mandate to oversee the reentry system and help the Department transition to a therapeutic and rehabilitative system, a Reentry and Diversion Strategic Plan was developed to guide the Commission's work. This document aims to demonstrate how the HCSOC will approach the reentry and diversion work directed by the Commission's mandate, outline the components used to create the plan, and highlight the intention and focus of the HCSOC work in both reentry and diversion.

This Reentry and Diversion Strategic Plan is integrated into the larger HCSOC agency-wide Strategic Plan and broken down into specific priority areas, with reentry and diversion

at the forefront. This plan is a living document and will likely change as the Commission learns more and moves forward with its work.

The plan is available on the Commission's website: <https://hcsoc.hawaii.gov/strategic-plan/>.

## House Concurrent Resolution 23 Task Force

### *Overview*

House Concurrent Resolution No. 23 ([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, is chairing this task force.

### *Upcoming Meetings 2024*

- January 11, 9am-12pm
- March 15, 9am-12pm
- June 6, 9am-12pm
- September 12, 9am-12pm

The Commission has dedicated a page on its website to the HCR23 Task Force: <https://hcsoc.hawaii.gov/hcr23-task-force/>. This webpage has information on the expectations of the task force, members, expected outcomes, partnerships, and meeting information. Meetings will be live streamed and can be viewed on the Commission's [Facebook](#) page or [YouTube](#) channel.

## Project Updates

### *Case Management System*

Consistent with the Commission's mandate to investigate complaints at correctional facilities, the Coordinator has been working diligently with [Thoughtworks](#) to custom design a case management system to intake, organize, and respond to complaints received by the Commission.

The case management system will not only allow staff to organize complaints received, but it also autogenerates demographic information from those in custody. It will support the Coordinator and staff in prioritizing projects based on specific complaint types at each facility. Additionally, the system enables staff to identify the complaint types and send a response letter with information related to the specific complaint type. The system is being finalized and will launch by the end of the year. The Commission is so grateful for all of the time and work the Thoughtworks team has put into this project.

### *Staff-Focused Survey and Report*

Consistent with the Commission's mandate to investigate complaints at correctional facilities, the HCSOC will be focusing on an all-encompassing staff survey to better understand the corrections environment; enhance data collection capacities to promote

transparency and accountability; and recommend evidence-based programs and policies to improve conditions for those working in our jails and prisons.

The survey that will be utilized was created under the Urban Institute's Prison Research and Innovation Initiative (PRII), supported by Arnold Ventures. The survey has been distributed in facilities throughout five states and was developed using participatory research methods, elevating the voices and perspectives of correctional staff. Vermont had a particularly successful survey launch with a response rate of 70% at the Southern State Correctional Facility. It is the Commission's goal to gather as much, if not more, participation.

The survey, available electronically or on paper, is anonymous and confidential. After collecting results, the Commission will hold talk stories with staff to create recommendations for improving health, safety, the work environment, and concerns most important to staff. For the paper surveys, Commission staff will be distributing and collecting paper surveys on the following dates:

- Wednesday January 3 - OCCC
- Thursday January 4 - WCF
- Friday January 5 - OCCC
- Monday January 8 – KCF
- Tuesday January 9 – WCCC
- Wednesday January 10 – MCCC
- Friday January 12 – KCCC
- Monday January 15 - HCCC
- Tuesday January 16 – HCF

The Commission is fortunate to have support for this project from the Department of Public Safety, the United Public Workers (UPW) Hawaii, the Hawaii Government Employees Association (HGEA), and the cooperation of facility leadership. Although this will be an independent project to distribute and gain perspectives from staff, the HCSOC looks forward to working closely with UPW, HGEA, the Department of Public Safety, facility leadership, and staff on solutions.

## Expenses for the Preceding Month – November

	Price/Item	Qty	Total	Notes
<b>Office Equipment and Supplies</b>			<b>\$256</b>	
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	\$173	1.00	\$173	
Wifi Hotspot			\$0	
Heroku Monthly Plan - Complaint Management	\$65	1.00	\$65	
Elastic Cloud Monthly Plan - Complaint Management	\$18	1.00	\$18	
<b>Inter-Island Correctional Facility Travel</b>			<b>\$236.29</b>	
Airfare	\$89	1.00	\$89	11/16 Commission Meeting
Car Rental	\$123	1.00	\$123	
Daily Per Diem			\$0	
Lodging+Tax			\$0	
Ground Transportation			\$0	
Airport Parking	\$24	1.00	\$24	
<b>Mainland Correctional Facility Travel</b>			<b>\$536.81</b>	
Airfare			\$0	
Car Rental			\$0	
Daily Per Diem	\$326	1.00	\$326	9/27-9/29 (CMC)
Lodging+Tax	\$193	1.00	\$193	9/27-9/29 (CMC)
Ground Transportation	\$18	1.00	\$18	9/27-9/29 (CMC)
Airport Parking			\$0	
<b>Memberships + Conferences</b>			<b>\$220.00</b>	
NACOLE (National Assoc. for Civilian Oversight of Law Enforcement)	\$110	2.00	\$220	Training (Christin Johnson & Michael Town)
National Association of Sentencing Commissions			\$0	
Going Home Hawaii Reentry Summit			\$0	
Airfare			\$0	
Car Rental			\$0	
Daily Per Diem			\$0	
Lodging+Tax			\$0	
Ground Transportation			\$0	
Airport Parking			\$0	
<b>TOTAL</b>			<b>\$1,249</b>	

## General Office Information

Mailing Address: Hawaii Correctional System Oversight Commission  
 235 S Beretania Street, 16<sup>th</sup> floor  
 Honolulu, HI 96813

Website: <https://hcsoc.hawaii.gov>

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

Email: [hcsoc@hawaii.gov](mailto:hcsoc@hawaii.gov)

Social Media: [YouTube](#)  
[LinkedIn](#)  
[Facebook](#)  
[Instagram](#)

## Monthly Meetings

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting held on December 21, 2023. The next monthly meeting is scheduled to occur on January 18, 2024, at the Leiopapa A Kamehameha Building aka State Office Tower, 235 S Beretania Street, Room 204, Honolulu, Hawai'i 96813 and online via Zoom. More information can be found on the Commission's webpage here: <https://hcsoc.hawaii.gov/information/>.



JOSH GREEN, M.D.  
GOVERNOR



MARK PATTERSON  
CHAIR

CHRISTIN M. JOHNSON  
OVERSIGHT COORDINATOR

COMMISSIONERS  
HON. MICHAEL A. TOWN  
(ret.)  
HON. RONALD IBARRA  
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TED SAKAI  
MARTHA TORNEY

**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

December 5, 2023

**ELECTRONIC TRANSMISSION**

Tommy Johnson, Director  
Department of Public Safety  
1177 Alakea Street  
Honolulu Hawai'i 96813

**RE:** Proposed Action Item for the Department of Public Safety Inspections and Investigations Office

Dear Director Johnson,

Please see the proposal and corresponding rationale for strengthening the Department of Public Safety (Department of Corrections and Rehabilitation) Inspections and Investigations Office outlined below. It is the Commission's duty to identify and investigate serious issues within Hawaii correctional facilities that are dangerous or out of alignment with applicable laws and standards if they come to our attention; However, the main focus of the Commission must be on our clearly mandated responsibilities, as clearly delineated in HRS 353. Moreover, it is not the responsibility of the Commission to operationally fix the issues that are found, although we will continue to follow up on the specific issues that come to attention. Therefore, it is imperative to strengthen the protocols in the IIO and ensure proper training is conducted on a consistent basis to allow the Department to address issues of immediate concern efficiently and effectively.

**Proposal:**

It is strongly recommended that the Department of Public Safety should take immediate action to fully staff and strengthen its Inspections and Investigations Office (IIO). In particular, the IIO needs to be robust in:

- Implementing laws, standards, policies and procedures, and protocols in the area of safety and sanitation in all correctional facilities;
- Developing and implementing an ongoing training program for employees at all correctional facilities, from Wardens to line staff who work in each facility; and
- Developing and implementing an ongoing program of inspections and audits, conducted by each facility on a regular (monthly) basis and by a Department-level team independent of each facility on a quarterly or semi-annual basis.

In addition, the Department must ensure that leadership within the IIO has a strong working familiarity with laws and standards governing safety and sanitation in correctional settings, including OSHA and the National Fire Safety Protection Association, and with inspection and audit methods.

**Rationale:**

The HSCOC's focus should be areas defined by the HCSOC's mandate (HRS 353L):

- 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 minimum terms have been served instead of delaying the release for lack of programs and services.

During the HCSOC tours of correctional facilities, Commissioners and staff observed more than a few safety and sanitation violations. As an official state agency on official business, the Commission has a duty to identify those that the Commission considers to be serious violations. These include:

- Fire safety violations at MCCC;
- Restricted access to medical housing areas at OCCC;
- Lack of staffing for container-cells at OCCC while inmates were housed within;
- Potential rodent infestation at WCCC;
- Dysfunctional temperature gauges at WCCC (also seen at Halawa and Maui);
- Food handling violations at OCCC (lack of temperature control for plated foods).

It is not the function of the HCSOC to operationally fix these kinds of issues. However, if these issues are not addressed and attended to, they will detract from the overall mission of the Department and may lead to litigation for individual incidents and potential conditions of confinement.

The Commission thanks the Department for their immediate attention to this recommendation and looks forward to their response.

Respectfully,



Mark Patterson, Chair

Hawaii Correctional System Oversight Commission

**JOSH GREEN, M.D.**  
GOVERNOR



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December 8, 2023

TO: Mr. Tommy Johnson, Director  
Department of Public Safety  
1177 Alakea Street  
Honolulu, Hawaii 96813

FROM: Mark Patterson, Chair  
Hawaii Correctional System Oversight Commission

Re: Letter of Support for the Waiawa Correctional Facility Plan Review Use and Special Use Permits

Dear Director Johnson:

The Hawaii Correctional System Oversight Commission (HCSOC, the Commission) supports the Department of Public Safety in obtaining a Plan Review Use (PRU) and Special Use Permit (SUP) for the Waiawa Correctional Facility (WCF). The HCSOC recognizes that obtaining the PRU and SUP is essential for the Department of Public Safety's continued operation of WCF.

The Department of Public Safety operates four state jails and four state prisons, and WCF is an integral part of the state correctional system as a whole. WCF is a 334-bed, minimum-security prison for sentenced males. WCF provides an environment that helps individuals successfully re-enter the community from prison as everyone must participate in education or substance abuse treatment programming. WCF is essential to the corrections system as it is one of two minimum-security facilities which allows individuals to flow through the correctional system as they prepare for release. WCF ensures that individuals have the opportunity to be thoroughly re-entered into society to lessen recidivism.

Without WCF, the Department of Public Safety would be severely limited in correctional spaces they can utilize for a more rehabilitative and therapeutic environment. For these reasons, the Commission supports the Department of Public Safety in obtaining a Plan Review Use and Special Use Permit for the Waiawa Correctional Facility.

Respectfully,

Mark Patterson  
Chair