



Hawaii Correctional System Oversight Commission

Monthly Oversight Coordinator Report – August 22 2024

Contents

Introduction.....	3
Welcome Back	3
Death in Custody.....	3
Tour of Oahu Community Correctional Center (OCCC).....	3
New Oahu Jail.....	5
Corrections Staff Survey and Report	6
Reentry Report	7
House Concurrent Resolution 23 Task Force	8
Expenses for the Preceding Month – July.....	9
General Office Information.....	9
Monthly Meetings.....	10

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.

Welcome Back

The Oversight Coordinator of the Hawaii Correctional System Oversight Commission, Christin Johnson, has officially returned from temporary family leave as of Monday, August 12, 2024.

Death in Custody

There have been no deaths in custody reported to the Commission since the last Oversight Coordinator report (July 18, 2024).

Tour of Oahu Community Correctional Center (OCCC)

On Thursday, July 18, 2024, the Hawaii Correctional System Oversight Commission (the Commission, HCSOC) toured the Oahu Community Correctional Center (OCCC) collectively as a group. The tour included three of the five Commissioners – Martha Torney, Ronald Ibarra, and Mark Browning, in addition to the Interim Oversight Coordinator/Reentry & Diversion Oversight Specialist and Special Assistant.

Below are recommendations which stemmed from the OCCC tour. The full report can be read at: <https://hcsoc.hawaii.gov/facility-specific-reports/>.

Recommendations to be considered by the Department of Corrections and Rehabilitation:

1) Expand Programming Opportunities

People in custody at OCCC have too much idle time and limited access to programming, including cultural, education, and reentry preparation. The

Commission recommends expanding programming opportunities and community partnerships to reduce idle time and increase programming opportunities. While the facility has made some progress in this area, it is essential to continue and be innovative (even within limited space) to support people in custody and also gain community support and trust.

2) Prioritize Timely Repair of the Sally Port Gates for Safety

The sally port gates had been inoperable for about one and a half months. Although one gate was repaired before the Commission's visit, the other remained open. For security reasons, it is crucial to prioritize the timely repair of the sally port so that both gates can close properly.

3) Prioritize Kitchen Upgrades, Including Dishwasher Repair and Mold-Free Trays

The kitchen at OCCC is in dire need of updates to ensure sanitary conditions for staff and the kitchen workline, and to provide safe food for the entire facility. Urgent repairs are needed for the dishwasher, along with replacement of ceiling and floor tiles, rusted appliances, and food service trays. Although there are plans for a new facility, these conditions cannot wait until then and must be addressed immediately.

4) Ensure Facility Wardens and Leadership Have Access to DCR Confidential Policies and Procedures

The Commission was surprised to learn that Warden Schell did not have access to the Department of Corrections and Rehabilitation's (DCR) "confidential" policies and procedures. The Commission recommends that facility wardens and leadership be granted access to these documents to effectively manage the facility and ensure compliance with departmental policies and procedures.

5) Expand Furlough Utilization at OCCC

Although OCCC has the highest furlough participation and occupancy rate, around 60%, there is still the opportunity to increase furlough participation at OCCC for people in DCR custody. Identifying and addressing the roadblocks to furlough is crucial to allow more individuals to benefit from these programs and move through the correctional system. The Commission recommends that DCR assess, identify, and resolve systemic issues around furlough participation. The Commission would like to see furlough occupancy rates near 100% as it significantly increases the chances of success post-release.

6) Install Shade for Recreation Cages in the Holding Unit

The recreation area outside the Holding Unit consists of individual cages, which currently lack shaded areas to protect people in custody from the sun. The Commission recommends installing shade structures, even tarps, to provide protection from sun exposure.

7) Investigate and Address Concerns from People in Custody at OCCC

The Commission has received multiple complaints regarding the following issues at OCCC:

- **Roaches in Cells:** Roaches are present in the cells. This poses a health and sanitation concern. **The Commission recommends implementing a pest control plan that effectively and safely eliminates the roach population.**
- **Difficulties in Accessing Bail Calls:** The Commission learned that some individuals have experienced delays of several weeks in accessing bail calls, which has prevented those who could make bail from being released. This delay not only impacts individual rights but also contributes to overcrowding. The Commission urges the facility to establish and confirm a reliable system that allows timely access to bail calls for all eligible individuals and **ensure all people in custody have prompt access to bail calls.**

8) Ensure Regular Access to Books and Reading Material, Legal Calls, Mail, and Recreation for Those in Holding Unit, including those in Disciplinary Segregation

People in custody in the holding unit at OCCC reported irregular access to legal calls and daily recreation, and inconsistent mail service, along with no books or reading material.

Justice System-Wide Recommendation:

Reduce Pretrial Time for Felony Cases

As of July 2024, there were 220 pretrial detainees who had been in custody at OCCC for more than six months. OCCC, similar to other jails in Hawaii and jail in general, are not meant for long-term holds, resulting in little to no programming, too much idle time, and little out-of-cell time for extended periods. The Commission asks the Judiciary, Prosecutor, Public Defender, and criminal defense attorneys to consider establishing a circuit-wide goal to reduce timelines for felony cases—expediting proceedings and minimizing the time people spend pretrial to six months.

The Commission extends special thanks to the OCCC staff for their time, professionalism, and expertise during the tour.

New Oahu Jail

The University of Hawai‘i Community Design Center (UHCDC) has partnered with the Department of Corrections and Rehabilitation (DCR) to engage stakeholders and community members in developing alternative proof-of-concept visions for the proposed new jail on Oahu. The Commission has been actively collaborating with UHCDC since the inception of their work with DCR on this project.

As part of this ongoing effort, the Commission recently participated in two key events:

1. Friday, July 19, 2024 - In-Person Community of Practice Meeting: UHCDC reviewed and discussed a preliminary set of design considerations and options during developed through UHCDC's research and engagement process.
2. Friday, August 2, 2024 - Virtual Share-Out of the Breaking Cycles Community of Practice Meeting: This virtual event represented UHCDC's research, site analysis, design considerations, and preliminary proof-of-concept design approaches for the new facility and community support system, which is intended to replace the existing OCCC model. The event also featured a panel discussion with:
 - Kat Brady, Coordinator of Community Alliance on Prisons
 - John Dudoit, Founding Director of Makana O Ke Akua
 - John Schell, Warden of Oahu Community Correction Center
 - Patrick Uchigakiuchi, Member of Prison Reform Hui

Commissioner Mike Town also participated in this event.

Corrections Staff Survey and Report

Consistent with the Commission's mandate to investigate complaints at correctional facilities, HCSOC staff are focusing on an all-encompassing staff survey and report to better understand the corrections environment in Hawaii, enhance data collection capacities to promote transparency and accountability, and recommend programs and policies to improve conditions for those working in our jails and prisons.

The survey being utilized was created under the Urban Institute's Prison Research and Innovation Initiative (PRII), supported by Arnold Ventures. This survey, which has been distributed in facilities throughout five states, was developed using participatory research methods, elevating the voices and perspectives of correctional staff.

The survey, available electronically or on paper, is anonymous and confidential. After all surveys were completed and collected, the Commission completed talk stories with each facility to put together recommendations for improving health, safety, the work environment, and concerns most important to staff.

For the paper surveys, Commission staff successfully distributed and collected paper surveys on the following dates:

- Oahu Community Correctional Center (OCCC) – Wednesday, January 3; Friday, January 5; Tuesday, January 23
- Waiawa Correctional Facility (WCF) – Thursday, January 4; Friday, January 5
- Kulani Correctional Facility (KCF) – Monday, January 8; Thursday, January 25
- Women's Community Correctional Center (WCCC) – Tuesday, January 9; Monday, January 29
- Maui Community Correctional Center (MCCC) – Wednesday, January 10; Wednesday, January 31
- Kauai Community Correctional Center (KCCC) – Friday, January 12; Tuesday, January 30

- Halawa Correctional Facility (HCF) – Tuesday, January 16; Thursday, February 1; Friday, February 2
- Hawaii Community Correctional Center (HCCC) – Thursday, January 25; Thursday, January 25; Friday, January 26

The staff talk-stories were conducted as follows:

- Tuesday, March 19 – HCF
- Friday, March 22 – KCF
- Monday, March 25 – KCCC
- Wednesday, March 27 – OCCC
- Wednesday, April 3 – HCCC
- Thursday, April 4 – MCCC
- Tuesday, April 9 – WCCC
- Wednesday, April 10 – WCF

The Commission is fortunate to have support for this project from the Department of Corrections and Rehabilitation (DCR), 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, DCR, facility leadership, and staff on solutions. Commission staff are currently working on the written report outlining findings and recommendations.

Reentry Report

Consistent with the Commission’s mandate to work with the Department of Correction and Rehabilitation (DCR) in monitoring and reviewing the comprehensive offender reentry program, HCSOC staff are currently working on a reentry report in accordance with the reentry portion of the Commission’s mandate:

- Work with the Department of Corrections and Rehabilitation 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. HRS §353L-3(b)(3)
- 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 people in custody on parole when the maximum terms have been served instead of delaying the release for lack of programs and services. HRS §353L-3(b)(4)

HCSOC staff submitted a data and information request to the DCR, specifically pertaining to HRS §353H Comprehensive Offender Reentry System and the DCR’s reentry program for this report. The DCR leadership and the DCR Reentry Office have been responding to this request, and Commission staff have been reviewing the responses. The Commission will review all the data received and compile the HCSOC’s first reentry report, outlining findings, highlighting best practices, and offering recommendations.

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 the Hawaii Paroling Authority's existing procedures for setting the minimum terms of imprisonment. Mark Patterson, HCSOC Chair, is chairing this Task Force.

The HCR 23 Task Force is required to do the following:

- Study whether parole system models used by other states might be suited for Hawaii.
- 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.

The [Council of State Governments](#) (CSG) has been supporting the HCR 23 Task Force. 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.

During the most recent Task Force meeting on July 22, 2024, Task Force members individually and collectively discussed the charge of the Task Force:

- *Whether the administration of justice may be better served by removing the responsibility of setting minimum sentences from the Hawaii Paroling Authority, and*
- *To examine and make recommendations regarding existing procedures of the Hawaii Paroling Authority setting the minimum terms of imprisonment.*

Upcoming Meetings 2024

- 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.

Expenses for the Preceding Month – July

	Cost	Qty	Total	Notes
Office Equipment and Supplies			\$0	
Office Furniture			\$0.00	
General Office Supplies			\$0.00	
Staff and Commission Badges			\$0.00	
Staff and Commission Badge Holders			\$0.00	
Cell Phone			\$0.00	
Cell Phone Monthly Plan			\$0.00	
Wifi Hotspot			\$0.00	
Heroku Monthly Plan - Complaint Management			\$0.00	
Elastic Cloud Monthly Plan - Complaint Management			\$0.00	
Other Current Expenditures			\$0.00	
Inter-Island Correctional Facility Travel			\$40.00	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem	\$20.00	2.00	\$40.00	Per Diem for 05/10
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
Per Diem - Misc			\$0.00	
Mainland Correctional Facility Travel			\$0.00	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
Memberships + Conferences			\$0.00	
NACOLE (National Assoc. for Civilian Oversight of Law Enforcement)			\$0.00	
National Association of Sentencing Commissions			\$0.00	
NACOLE Virtual Training			\$0.00	
Going Home Hawaii Reentry Summit			\$0.00	
Hawaii Friends of Restorative Justice			\$0.00	
Airfare			\$0.00	
Car Rental			\$0.00	
Daily Per Diem			\$0.00	
Lodging+Tax			\$0.00	
Ground Transportation			\$0.00	
Airport Parking			\$0.00	
Baggage Fee			\$0.00	
TOTAL			\$40.00	

* All expenses reflect posted transactions

General Office Information

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

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

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

Email: 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 August 22, 2024. The next monthly meeting is scheduled to occur on September 19, 2024, at the Leiopapa A. Kamehameha Building, 235 S Beretania Street, Room 204, Honolulu, Hawaii 96813 and online via Zoom. More information can be found on the Commission's webpage here: <https://hcsoc.hawaii.gov/information/>.