

**Request for the Office of Information Practices' Concurrence
for a Limited Meeting**
(HRS § 92-3.1)

Date: May 15, 2025

Name of Board: Hawaii Correctional System Oversight Commission (HCSOC)
Contact Person: George Choe Tel: 808-587-4160
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Board's Attorney: Candace Park Tel: 808-586-0618
Fax: N/A Email: candace.j.park@hawaii.gov
Date of Proposed Limited Meeting: Thursday, June 12, 2025
Place/Location of Proposed Limited Meeting: Maui Community Correctional Center (MCCC)
600 Waiale Drive, Wailuku, Hawaii 96793

1. Type of Limited Meeting:

- ☐ location is dangerous to health or safety; OR
☒ public attendance is impracticable

2. (Attach relevant portion of draft or adopted minutes showing board's deliberation and vote to adopt the determination, including applicable timestamps if minutes were recorded.) After sufficient public deliberation at a prior regular meeting, and by vote of two-thirds of all members to which it is entitled, the Board has adopted a determination that:

- ☐ the limited meeting is necessary and the location would be dangerous to health or safety; OR
☒ the on-site inspection is necessary and public attendance is impracticable.

As shown in its minutes, the Board has made this determination based upon the following reasons:

Hawaii Correctional System Oversight Commission Meeting (1:13:15 in video)
On Thursday, January 9, 2025, The HCSOC held their monthly meeting to discuss and vote
on holding a limited meeting at the Maui Community Correctional Center (MCCC).
Please see supplemental attachment for further details for said Limited Meeting.

3. Notice of the Limited Meeting under HRS § 92-7 (attach agenda):

- ☐ was filed on _____, 20____; OR
☒ will be filed by Friday, June 6th, 2025.

4. Required Videotape of the Limited Meeting:

- ☐ will be made; OR
☒ Board requests a waiver of this requirement because:
Please see supplemental attachment for further details regarding Boards request
for waiver of required videotaping requirement of the Limited Meeting.

CONCURRENCE

The Director of the Office of Information Practices concurs with the request made for a Limited Meeting and:

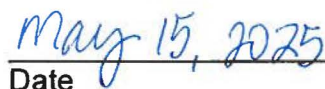
- ☐ does not waive the videotape requirement; OR
- ☒ waives the videotape requirement, with the following conditions:

If concurrence is granted, the Board must:

1. provide notice of the Limited Meeting in accordance with HRS § 92-7;
2. make no decisions at the Limited Meeting;
3. comply with all requirements of HRS § 92-9; and
4. videotape the Limited Meeting and make the videotape available at its next regular meeting, unless this requirement is fully waived above.



Carlotta Amerino
Director



Date

2. (Attach relevant portion of draft or adopted minutes.) Board has, after sufficient public deliberation at a prior regular meeting, determined by vote of two-thirds of all voting members that:

- ☐ the limited meeting is necessary and the location would be dangerous to the health or safety of the attending public, or
- ☒ the on-site inspection is necessary and public attendance is impracticable

The Board has made this determination based upon the following reasons:

On Thursday, January 9, 2025, the Hawaii Correctional System Oversight Commission (HCSOC) held their monthly meeting to discuss and vote on holding a limited meeting at the Maui Community Correctional Center (MCCC) (1:13:15 in recording) and noted in the minutes (see attached). The Commission stated that the "on-site inspection is necessary and public attendance is impracticable".

As the Commission discussed, the onsite inspection is necessary to get an idea of what is happening within the facilities as it's extremely different to do oversight in general without having the opportunity to experience the tour and discuss it publicly as a whole. Attendance is impractical for the public due to specific facility policy and procedures – the public is not invited into jails or prisons under any circumstances as you must have an official reason to go into correctional facilities.

Further, the Commission has specific duties to oversee correctional facilities, and it is important for the entire Commission to be able to tour together to collectively find solutions for issues related to the Commission's mandate (HRS 353L). Per HRS 353-3, the Hawaii Correctional System Oversight Commission (HCSOC) shall:

- (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.

To achieve these ends, it is vital that the Commission be able to visit every jail and prison overseen and run by the Hawaii Department of Corrections and Rehabilitation (DCR). The Commission must tour collectively together so they can discuss their findings as a group, publicly. This will allow all Commissioners to use their unique perspectives and backgrounds while facilitating a correctional system transition to a rehabilitative and therapeutic model.

3. Required Videotape of the Limited Meeting:

- ☐ will be made
- ☒ Board requests a waiver of this requirement because:

Videotaping is strictly prohibited in any jail or prison in addition to the privacy of staff and people in custody being of high priority. Per 353-7, the Coordinator is required to maintain confidentiality in respect to all matters and the identities of the complainants or witnesses

coming before the Oversight Coordinator except so far as disclosures may be necessary to enable the Oversight Coordinator to carry out the Oversight Coordinator's duties and to support the Oversight Coordinator's recommendations. It is common for complainants to bring issues forward while the Oversight Coordinator and/or Commission visit the jail and prison facilities. Therefore, any recording of this jail visit would be inappropriate, against DCR's procedure, and in potential violation of 353-7.

Further, it is strictly against DCR's Policy ADM.02.05 Cellular Telephones, CL21-2764 Cellular Phone – Electronic Device Authorization and COR.08.02 Searches of Visitors, Staff, Delivery Vehicles, and Delivered Items to take electronic devices in the facilities.

Additionally, on behalf of the Commission, the Oversight Coordinator spoke to the Director of DCR, Tommy Johnson, regarding this issue. He supports the Commission's efforts to bring light to facility conditions and to do so collectively. However, Director Johnson has made it clear that no recording devices are allowed on the premises for distribution of said recording to the public. This is in accordance with Department policy, Hawaii Administrative Rules Title 23 Subtitle 2, Chapter 101, Contraband, and Hawaii Revised Statute 710-1022, Promoting Prison Contraband in the First Degree and Hawaii Revised Statute 710-1023, Promoting Prison Contraband in the Second Degree. He told me he is happy to talk to you about this if you would like further explanation. His email is tommy.johnson@hawaii.gov.



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

Meeting Minutes

The monthly Hawaii Correctional System Oversight Commission meeting is offered as a hybrid meeting where Commissioners and members of the public can participate in person, or via teleconference. Details for both options are noted below.

Time: Thursday, January 9, 2025, 9:00 a.m.

Location: Leiopapa A. Kamehameha Building
235 S Beretania Street, Room 204
Honolulu, Hawaii 96813

Teleconference: Zoom Meeting ID: 964 1109 6050

Click to join online:
<https://zoom.us/j/96411096050>

One tap mobile:
+12532158782,,96411096050# US

Or Livestream on Facebook or YouTube.

Items to be Discussed:

- I. Call to Order (0:00:52)
- II. Roll Call (0:01:05)
 - Present: Chair Patterson, Commissioner Browning, Commissioner Ibarra, Commissioner Torney, Commissioner Town, Oversight Coordinator Christin Johnson, Cara Compani, and George Choe
- III. Approval of Meeting Minutes of December 19, 2024 (0:02:00)
 - Moved by Commissioner Torney
 - Seconded by Commissioner Town
 - i. Minutes to be amended to address no decision was made on motions from the December 19th commission meeting.
 - Minutes approved

- IV. Department of Corrections and Rehabilitation – Director Tommy Johnson Monthly Updates **(0:03:15)** – **Director absent due to work travel**
- Transition to Corrections & Rehabilitation
 - Update on OCCC New Jail Planning
 - Motion to draft a letter to send to the governor regarding the Commission’s concern about the relationship that currently exists with the DCR and the adverse impact on the community as a whole if we are unable to address these issues.
 - i. Moved by Commissioner Browning
 - ii. Seconded by Commissioner Torney
 - iii. Motion passed
 - Commissioner Ibarra recommended that the monthly meeting agenda be sent to legislators who are key committee members (JDC, JHA, PSM, PBS, HHS, HLT) police chiefs, public defenders, prosecutors, and chief justice.
 - i. Moved by Commissioner Ibarra
 - ii. Seconded by Commissioner Browning
 - iii. Motion passed
- V. Overview of 2024 Annual Report **(0:31:30)**
- Presentation by Oversight Coordinator Christin Johnson and discussion from Commissioners.
- VI. Urgent Call for a System-Wide Plan Before Proceeding with New Jail Construction
- Discussion of letter submitted to Governor and Legislature regarding need for system-wide plan. **(0:47:25)**
- VII. Vote on the necessity for holding a Limited Meeting at the following correctional facilities for this year: **(0:58:00)**
- The first motion, I move to determine that it is necessary to hold a “limited meeting” at the _____, because the onsite inspection is necessary, and public attendance is impracticable due to it being a locked and secured facility. Also, public attendance is not allowed without an official reason due to facility specific policies and procedures.
 - The second motion for _____, I move that we waive the videotaping requirement because of privacy issues for the people incarcerated in the facility and for those who may be under jurisdiction of the Department of Corrections and Rehabilitation.
 - i. Oahu Community Correctional Center (OCCC) – **(1:00:00)**
 - 1. First motion
 - a. Moved by Commissioner Browning
 - b. Seconded by Commissioner Ibarra
 - c. Motion passed
 - 2. Second motion
 - a. Moved by Commissioner Browning
 - b. Seconded by Commissioner Ibarra
 - c. Motion passed
 - ii. Kauai Community Correctional Center (KCCC) – **(1:06:55)**
 - 1. First motion

- a. Moved by Commissioner Torney
 - b. Seconded by Commissioner Browning
 - c. Motion passed
- 2. Second motion
 - a. Moved by Commissioner Torney
 - b. Seconded by Commissioner Browning
 - c. Motion passed
- iii. Hawaii Community Correctional Center (HCCC) – (1:10:30)
 - 1. First motion
 - a. Moved by Commissioner Town
 - b. Seconded by Commissioner Browning
 - c. Motion passed
 - 2. Second motion
 - a. Moved by Commissioner Town
 - b. Seconded by Commissioner Browning
 - c. Motion passed
- iv. Maui Community Correctional Center (MCCC) – (1:13:15)
 - 1. First motion
 - a. Moved by Commissioner Browning
 - b. Seconded by Commissioner Torney
 - c. Motion passed
 - 2. Second motion
 - a. Moved by Commissioner Browning
 - b. Seconded by Commissioner Torney
 - c. Motion passed
- v. Women's Community Correctional Center (WCCC) – (1:15:35)
 - 1. First motion
 - a. Moved by Commissioner Torney
 - b. Seconded by Commissioner Town
 - c. Motion carried
 - 2. Second motion
 - a. Moved by Commissioner Browning
 - b. Seconded by Commissioner Ibarra
 - c. Motion carried
- vi. Halawa Correctional Facility (HCF) – (1:18:30)
 - 1. First motion
 - a. Moved by Commissioner Browning
 - b. Seconded by Commissioner Town
 - c. Motion carried
 - 2. Second motion
 - a. Moved by Commissioner Browning
 - b. Seconded by Commissioner Town
 - c. Motion carried
- vii. Kulani Correctional Facility (KCF) – (1:21:45)
 - 1. First motion
 - a. Moved by Commissioner Browning
 - b. Seconded by Commissioner Town
 - c. Motion passed
 - 2. Second motion
 - a. Moved by Commissioner Browning

- b. Seconded by Commissioner Torney
 - c. Motion passed
- viii. Waiawa Correctional Facility (WCF) – **(1:24:15)**
 - 1. First motion
 - a. Moved by Commissioner Browning
 - b. Seconded by Commissioner Town
 - c. Motion passed
 - 2. Second motion
 - a. Moved by Commissioner Browning
 - b. Seconded by Commissioner Town
 - c. Motion passed

VIII. Public Comment **(1:27:20)**

- Public comment on issues not on the agenda, for consideration for Commission's agenda at the next meeting
 - i. Legislative Priorities on HCSOC webpage

IX. Announcements and Scheduling of the Next Meeting **(1:34:15)**

- Next meeting Thursday, February 13, 2025
 - i. Facility Tour: None scheduled
- **Thursday, January 30, 2025, at 9:00 a.m.**
 - i. Additional meeting regarding legislative bills that the Commission would like to testify on.

X. Adjournment **(1:35:30)**

Members of the public may submit written testimony on any item on this agenda before the meeting via e-mail or mail to the Oversight Coordinator, Christin Johnson. Testimony received after January 6, 2025, will be accepted but the Commissioners may not have time to read them before the meeting. Members of the public may also submit testimony at the meeting without submitting it to the Commission beforehand.

Email: hcsoc@hawaii.gov

Mail: Hawaii Correctional System Oversight Commission
State Office Tower
235 S Beretania St., 16th Floor
Honolulu, Hawaii 96813

If you need an auxiliary aid/service or other accommodation due to a disability, contact Special Assistant George Choe (george.choe@hawaii.gov) as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled. Upon request, this notice is available in alternate/accessible formats.