

STATE OF HAWAII HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION E HUIKALA A MA'EMA'E NŌ

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COMMISSIONERS
HON. R. MARK BROWNING (ret.)

HON. RONALD IBARRA (ret.)

MARTHA TORNEY

HON. MICHAEL A. TOWN (ret.)

January 2, 2025

The Honorable Ronald D. Kouchi President of the Senate Thirty-Third State Legislature State Capitol, Room 409 Honolulu, Hawaii 96813 The Honorable Nadine K. Nakamura Speaker of the House of Representatives Thirty-Third State Legislature State Capitol, Room 431 Honolulu, Hawaii 96813

Dear President Kouchi, Speaker Nakamura, and Members of the Legislature:

In accordance with Chapter 353L-6, I am submitting the monthly Oversight Coordinator Report for the month of November. This report includes actions taken by the Commission and expenses for the preceding month. This report may be reviewed electronically at http://hcsoc.hawaii.gov/reports.

If you have any questions or concerns, please feel free to call me at 808-900-2200.

Respectfully,

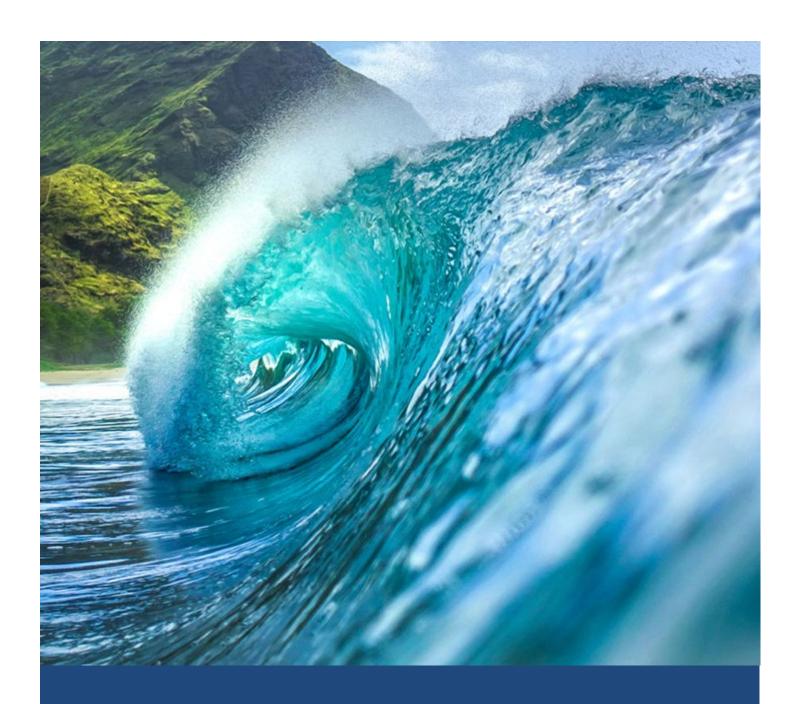
Christin Johnson
Oversight Coordinator

Chart MI

Enclosure

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Hawaii Correctional System Oversight Commission

Monthly Oversight Coordinator Report – November 21 2024

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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. Please note that this report is being released one week later as the monthly Commission meeting was rescheduled for September 26, 2024.

Death in Custody

On Monday, October 21, 2024, a person in custody, male, 37 years old, was found unresponsive in his cell with a sheet around his neck at the Saguaro Correctional Center. Staff immediately cut the sheet from the individual, called 911 Emergency Services, and performed CPR until EMS arrived. At approximately 8:14pm, the individual was pronounced deceased by a medical doctor of Banner Health. This incident appears to be a suicide.

Budget Request

The Commission submitted its budget request for Fiscal Years 2026 and 2027. This budget request reflects the office, travel, and personnel needs in order to establish responsible, efficient, and transformative oversight practices in the State of Hawaii. To achieve these ends, the HCSOC is requesting \$572,749 for FY26 and \$403,217 for FY27 which includes a Prison Oversight Specialist, two Research and Policy Associates, a Clerical Assistant, a case management system, consultant costs for a bed utilization study, inter-island and mainland correctional facility travel, memberships and conferences, and operational expenses. Below is the full breakdown of the budget request:

| OPERATING COST DETAILS | | FY 26 Request | | | FY 27 Request | | |
|--|-----|---------------|---------|---------|---------------|---------|---------|
| | MOF | FTE (P) | FTE (T) | (\$) | FTE (P) | FTE (T) | (\$) |
| 10 : (1:1 :::) | | | | | | | |
| A. Personal Services (List all positions) | | | | 40.000 | | | 40.000 |
| Reentry Specialist, PN 124095, SR-NA | Α | | | 10,000 | | | 10,000 |
| Jail Oversight Specialist, PN 999305, SR-NA | Α | 4.00 | 0.00 | 10,000 | 4.00 | 0.00 | 10,000 |
| Prison Oversight Specialist, SR-NA; PN 96008N | Α | 1.00 | 0.00 | 48,188 | 1.00 | 0.00 | 96,376 |
| Research & Policy Associate, SR-NA; PN 96009N | Α | 2.00 | 0.00 | 76,788 | 2.00 | 0.00 | 153,576 |
| Clerical Assistant, SR-NA; PN 96010N | Α | 1.00 | 0.00 | 27,492 | 1.00 | 0.00 | 54,984 |
| Subtotal Personal Service Costs | | 4.00 | 0.00 | 172,468 | 4.00 | 0.00 | 324,936 |
| By MOF | Α | 4.00 | 0.00 | 172,468 | 4.00 | 0.00 | 324,936 |
| • | В | 0.00 | 0.00 | 0 | 0.00 | 0.00 | 0 |
| | N | 0.00 | 0.00 | 0 | 0.00 | 0.00 | 0 |
| B. Other Current Expenses (List by line item) | | | | | | | |
| Inter-Island Correctional Facility Travel | Α | | | 17,245 | | | 17,245 |
| Mainland Correctional Facility Travel | Α | | | 31,520 | | | 31,520 |
| Memberships & Conferences | Α | | | 11,816 | | | 11,816 |
| Case Management System | Α | | | 24,000 | | | 12,000 |
| Inmate Population Limits & Bed Utilization Report Consultation | Α | | | 300,000 | | | 0 |
| Office Operational Expenses | Α | | | 5,700 | | | 5,700 |
| Subtotal Other Current Expenses | | | | 390,281 | | | 78,281 |
| By MOF | Α | | | 390,281 | | | 78,281 |
| | В | | | 0 | | | 0 |
| | N | | | 0 | | | 0 |
| C. Equipment (List by line item) | | | | | | | |
| Workstations | Α | | | 10,000 | | | |
| Subtotal Equipment | | | | 10,000 | | | 0 |
| By MOF | | | - | 10,000 | | | 0 |
| By men | В | | | 0 | | | 0 |
| | N | | | 0 | | | 0 |
| L. Current Lease Payments (Note each lease) | | | | | | | |
| Subtotal Current Lease Payments | | | | 0 | | | 0 |
| By MOF | Α | | | 0 | | | 0 |
| | В | | | 0 | | | 0 |
| | N | | | 0 | | | 0 |
| M. Motor Vehicles (List Vehicles) | | | | | | | |
| Subtotal Motor Vehicles | | | | 0 | | | 0 |
| By MOF | Α | | | 0 | | | 0 |
| | В | | | 0 | | | 0 |
| | N | | | 0 | | | 0 |
| TOTAL REQUEST | | 4.00 | 0.00 | 572,749 | 4.00 | 0.00 | 403,217 |

New Position Postings with Commission

We are growing our team! The Commission is currently recruiting for a <u>Jail Oversight Specialist</u> (investigating and overseeing all Hawaii jails), and a <u>Reentry Oversight Specialist</u> (overseeing Hawaii's reentry system including the Parole Board). You can find both postings here: https://hcsoc.hawaii.gov/job-opportunities/. The closing date for both positions is December 8, 2024.

Reappointment of Judge Town

On October 28, 2024, pursuant to HRS 353L-1, Senate President Kouchi reappointed Judge Michael Town to the Hawaii Correctional System Oversight Commission to a term of four years. The Commission welcomes Judge Town's continued commitment and appreciates his willingness to continue to serve on the Commission.

HCF Annual Commencement Celebration

On Friday, November 8th, 2024, Halawa Correctional Facility held its 2nd Annual Commencement Exercises for GED and HiSET Graduates at the Learning Center. The ceremony featured 15 graduates – two who were already released into the community. Families of the graduates were in attendance to celebrate their loved one's achievements.

The Commission was proud to honor these graduates and share warm congratulations to all. Special thanks to MJ Nakamura, Education Supervisor at HCF, for organizing this event and inviting the Commission.



OCCC Tour with the First Circuit Post-Booking Jail Diversion Stakeholders

On Tuesday, November 12, 2024, First Circuit Post-Booking Jail Diversion stakeholders toured the Oahu Community Correctional Center (OCCC). HCSOC staff organized this collaborative effort, which included representatives from the Department of Corrections and Rehabilitation, Judiciary, Honolulu Prosecuting Attorney's Office, Office of the Public Defender, Governor's Office, Criminal Justice Research Institute, and Jail Diversion Program Coordinator and team members from the Department of Health.

The tour aimed to advance collective diversion efforts on Oahu, providing a meaningful opportunity to strengthen collaboration among key partners, offering participants a deeper understanding of OCCC's conditions and challenges—including overcrowding—and fostering connections to improve outcomes.

The Commission thanks Warden Schell, DCR Deputy-C, OCCC staff, and Judiciary for their assistance in coordinating and facilitating the tour.

Makahiki Celebration

On November 13, 2024, Chair Mark Patterson and Oversight Coordinator Christin Johnson attended the Makahiki Celebration at the Saguaro Correctional Facility in Eloy, AZ. The celebration included kani ka pu (blowing of the conch shell), gathering, sunrise, and after sunrise chants and greetings, Makahiki Procession of Na Mo'olono, prayer, hula, games, and mele. It was a well-attended event that was supported by Ohana Ho'opakele. The Commission thanks Ohana Ho'opakele for supporting such a meaningful event, and all involved who welcomed the Commission to participate.



Prison Jail Innovation Lab (PJIL) Conference on Deaths in Custody

From November 14-16, 2024, Chair Patterson and Oversight Coordinator Christin Johnson attended the Jail and Prison Innovation Lab (PJIL) symposium on "Deaths in Custody" held at the University of Texas in Austin. The convening offered an opportunity for collective reflection by the country's leading experts on prison and jail conditions on one of the most critical, challenging, and urgent issues in the field of oversight.



There were six main sessions:

- 1) "Data Transparency about Deaths in Confinement," examined how we can ensure accuracy and completeness in the reporting of deaths in custody.
- 2) "Why are People Dying in Prisons and Jails?" offered some in-depth analyses of the available data.
- 3) "Media Reporting on Deaths in Custody" provided lightning talks by investigative journalists about their reporting on deaths in custody, drawing from a wide range of media outlets all over the country.
- 4) "Investigating Deaths in Custody," asked who should conduct these investigations and what kinds of questions need to be examined.
- 5) "The Ripple Effects of Deaths in Custody and Secondary Trauma," highlighted the impact these deaths have on family members, fellow incarcerated people, and correctional staff.
- 6) "Prevention Through Operational Changes and Policy Reform," included shortand long-term strategies for reducing the numbers of deaths in prisons and jails.

There were also several break-out discussion groups where participants could choose to join colleagues for more in-depth conversations to address these issues. Oversight Coordinator Christin Johnson led the breakout discussion on, "The Role of Oversight Bodies in Investigating, Tracking, and Preventing Deaths in Custody."

The speakers and participants included oversight practitioners; medical professionals; researchers; people with lived experience; journalists; advocates; corrections officials; academics; litigators; and more. The Commission would like to thank Michele Deitch and all PJIL staff for putting on such an incredible and important conference.

Current Projects

Corrections Staff Survey and Report

Consistent with the Commission's mandate to investigate complaints at correctional facilities, the HCSOC staff are 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 being 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. Now that all surveys have been completed and collected, the Commission scheduled and completed talk stories with each facility to create 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:

- Wednesday, January 3 OCCC
- Thursday, January 4 WCF
- Friday, January 5 OCCC & WCF
- Monday, January 8 KCF
- Tuesday, January 9 WCCC
- Wednesday, January 10 MCCC
- Friday, January 12 KCCC
- Tuesday, January 16 HCF
- Tuesday, January 23 OCCC
- Thursday, January 25 HCCC
- Thursday, January 25 HCCC & KCF
- Friday, January 26 HCCC
- Monday, January 29 WCCC
- Tuesday, January 30 KCCC
- Wednesday, January 31 MCCC
- Thursday, February 1 HCF
- Friday, February 1 HCF

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. The report will be released soon.

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.

The report is due to be published in November 2024.

House Concurrent Resolution 23 Task Force

House Concurrent Resolution No. 23 (<u>HCR23 HD1 SD1</u>) 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 <u>Council of State Governments</u> (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.

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.

The task force recently concluded its last meeting on September 12 after having research findings presented from the CSG and the Criminal Justice Research Institute (CJRI). A report on findings from the task force meetings and potential recommendations is due to be released by the end of October, 2024.

Expenses for the Preceding Month - October

| | Cost | Qty | Total | Notes |
|--|------------|------|------------|-----------------------------------|
| Office Equipment and Supplies | | | \$1,288 | |
| 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 | \$172.87 | 2.00 | \$345.74 | |
| Wifi Hotspot | | | \$0.00 | |
| Heroku Monthly Plan - Complaint Management | \$65.00 | 2.00 | \$130.00 | |
| Eleastic Cloud Monthly Plan - Complaint Management | \$37.35 | 1.00 | \$37.35 | |
| Other Current Expenditures | \$775.00 | 1.00 | \$775.00 | Employment Posting (NACOLE & ACA) |
| Inter-Island Correctional Facility Travel | | | \$1,077.48 | |
| Airfare | \$1,001.48 | 1.00 | \$1,001.48 | Commission travel |
| Car Rental | \$76.00 | 1.00 | \$76.00 | |
| Daily Per Diem | | | \$0.00 | |
| Lodging+Tax | | | \$0.00 | |
| Ground Transportation | | | \$0.00 | |
| Airport Parking | | | \$0.00 | |
| Per Diem - Misc | | | \$0.00 | |
| Mainland Correctional Facility Travel | | | \$88.00 | |
| Airfare | | | \$0.00 | |
| Car Rental | | | \$0.00 | |
| Daily Per Diem | \$20.00 | 2.00 | \$40.00 | |
| Lodging+Tax | | | \$0.00 | |
| Ground Transportation | | | \$0.00 | |
| Airport Parking | \$24.00 | 2.00 | \$48.00 | |
| 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 | | | \$2,453.57 | |

^{*} 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: hesoc@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 November 21, 2024. The next monthly meeting is scheduled to occur on December 19, 2024, at the Leiopapa A. Kamehameha Building, 235 S Beretania St., 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/.