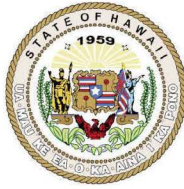


DAVID Y. IGE
GOVERNOR



DEPT. COMM. NO. 156

HOLLY T. SHIKADA
ATTORNEY GENERAL

VALERIE M. KATO
FIRST DEPUTY ATTORNEY GENERAL

STATE OF HAWAII
HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION

235 S. Beretania Street, 16th Floor
HONOLULU, HAWAII 96813
(808) 207-4597

September 22, 2022

The Honorable Ronald D. Kouchi
President and Members of the Senate
Thirsty-First State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Scott K. Saiki
Speaker and Members of the
House of Representatives
Thirty-First State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

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

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

If you have any questions or concerns, please feel free to call me at 808-207-4597.

Respectfully,

A handwritten signature in black ink, appearing to read "Christin M. Johnson".

Christin M. Johnson
Oversight Coordinator

c: David Ige, Governor
Chief Justice Mark Recktenwald, Hawaii Supreme Court Chief Justice
Carmen Hulu Lindsey, Chairperson of the Board of Trustees of the Office of
Hawaiian Affairs

Enclosure

State of Hawaii
Hawaii Correctional System Oversight Commission
Oversight Coordinator Monthly Report
Date of Report: September 22, 2022

Commission Chair
Mark Patterson

Commission Members
Hon. Ronald Ibarra (ret.) Martha Torney
Hon. Michael Town (ret.) Theodore Sakai

Oversight Coordinator
Christin M. Johnson

In accordance with House Bill 1552, Act 179 of 2019, 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 will publicly post 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

Actions Taken

Budgeting

- Finalized and submitted biennium expenditure plan for FY 23-25. Approved by the Commission on August 18th and submitted to AG's office on September 1st.

Facility Tours

Completed initial facility tours:

- Kulani Correctional Facility (KCF) – August 25th
- Hawaii Community Correctional Center (HCCC) – August 25th
- Maui Community Correctional Center (MCCC) – August 29th
- Kauai Community Correctional Center (KCCC) – September 6th
- Saguaro Correctional Center – CoreCivic private facility in Eloy, Arizona – September 8th and September 9th

Completed additional facility tours:

- Hawaii Community Correctional Center (HCCC) – August 31st
- Hawaii Community Correctional Center (HCCC) – September 21st

The Oversight Coordinator wishes to extend special thanks to Max Otani, Department of Public Safety Director and Tommy Johnson, Deputy Director for Corrections for assisting in facilitating all orientations and initial facility tours. In addition, the Coordinator extends special thanks to all facility staff for their cooperation, expertise, and professionalism.

Initial Impressions of Facilities

Below are brief initial impressions gathered from each facility tour. Please note these are only *initial* impressions, and priority areas in each facility are subject to change. The goal of sharing these impressions is to increase transparency and begin to create strategies and how to best navigate the below systemic concerns and work with the Department of Public Safety on solutions that encompass a rehabilitative mindset. We appreciate the Department of Public Safety's cooperation throughout this process.

The initial impressions of Oahu Community Correctional Center (OCCC), Halawa Correctional Facility (HCF), Waiawa Correctional Facility (WCF), and the Women's Community Correctional Center (WCCC) are outlined in the August Oversight Coordinator Report.

Kulani Correctional Facility (KCF)

- 1) Rehabilitative environment with cabin-like housing units.
- 2) Lack of bed utilization in rehabilitative space.
- 3) Programming and correctional industry space not being utilized.
 - a. Woodshop
 - b. Sewing
 - c. Laundry

Hawaii Community Correctional Center (HCCC)

See attached report regarding conditions at HCCC.

Maui Community Correctional Center (MCCC)

- 1) Evident staff shortages and lack of movement within facility.

Kaui Community Correctional Center (KCCC)

- 1) Inappropriate use of Covid Container for permanent housing of women.

Saguaro Correctional Center – CoreCivic private facility in Eloy, Arizona

- 1) Clearly highlighted the benefits of having a newer facility (built in 2009) which focused on strategic movement and rehabilitation. Clean, organized, and spacious. Fresh paint, many Hawaii-based murals.
- 2) Emphasized reality that people in custody would rather be nearly 3,000 miles from their family, friends, and community versus being housed in the Hawaii facilities.

The Oversight Coordinator has now visited all Hawaii and contracted facilities. Based on the initial tours, the Oversight Coordinator reasonably believes the following issues are present at all correctional facilities on island:

- 1) Evident staffing shortages
 - a. Mandatory overtime for 16- and 24-hour shifts potentially affecting officer safety and safety of incarcerated population.
 - b. Limits out-of-cell time for people in custody (in unit and outdoor recreation).
- 2) Serious overcrowding attributing to inhumane conditions
- 3) Classification Concerns
 - a. Nearly 80% of people in custody are in secure settings. Average rate across the country is 40-50%.
 - b. Serious lack of movement and out-of-cell time for those in custody.

Department of Public Safety Response

The Department of Public Safety is aware of all the above concerns and has been responsive to the Oversight Coordinator. Regarding staffing shortages, for example, PSD has stated that they are conducting day and evening classes for new recruits, have hired dozens of emergency hires, and approved some retirees to temporarily return as emergency hires. Regarding the aging facilities, PSD has stated that they continuously request Construction Improvement Projects (CIP) but have only received 10% of what has been requested which severely limits facility upgrades.

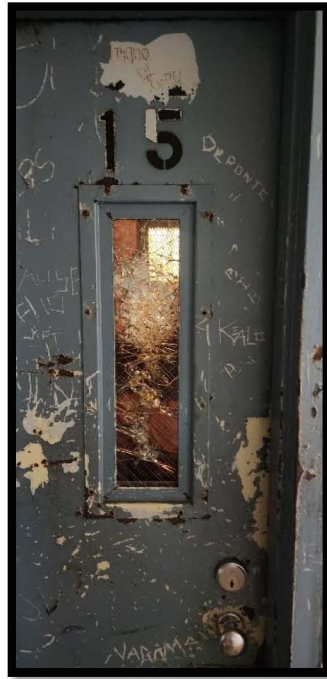
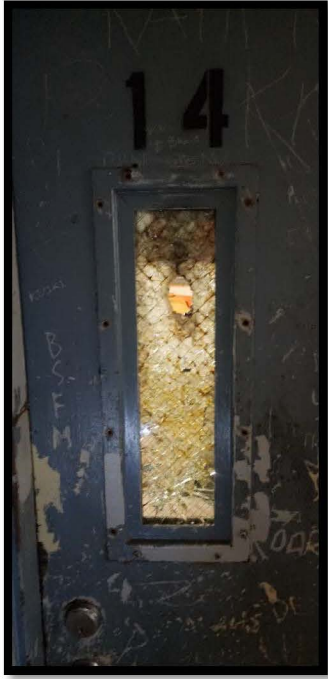
It's important to note that the above concerns have taken years to manifest and will take time to fix. The Oversight Coordinator and Correctional System Oversight Commission looks forward to continuing to work with the Department of Public Safety to find solutions regarding systemic issues found throughout the facilities.

HCCC Conditions Update

Attached to this report is a report from September 2nd, 2022, highlighting serious issues and concerns regarding inhumane conditions at HCCC. In the report, attention is brought to the smashed and broken cell windows which prevented officers from seeing into the cells to complete their rounds effectively. The Department of Public Safety submitted the below before and after photos of the cell windows on September 13th, 2022. The Coordinator wishes to thank Tommy Johnson, Deputy Director for Corrections, Michael Hoffman Institutions Division Administrator, and HCCC facility staff for taking these concerns seriously and replacing the cell windows shortly after the initial HCCC tour. It is important to note that the facility is currently undergoing construction to completely replace each of the cell doors in Punahale. Two units have been completed, two units are currently in progress, and one unit is pending construction after the other units are complete. The last unit to be constructed on is where the below photos are from.

The following photos are before and after pictures highlighting the previous and current condition of the cell windows in the L-shape corridor in Punahale. The after pictures show important progress for officers to be able to effectively complete their tours.





National Association of Civilian Oversight of Law Enforcement (NACOLE) 2022 Conference

The National Association for Civilian Oversight of Law Enforcement (NACOLE) is a non-profit organization that brings together individuals and agencies working to establish or improve oversight of police and corrections in the United States. Since NACOLE's first event in 1995, the organization has worked to put together a comprehensive, informative, and inclusive Annual Conference that addresses both skills training and current and emerging topics. Stretching over four days, the conference provides a forum where the growing community of civilian oversight practitioners, law enforcement officials, journalists, elected officials, students, community members, and others can meet to exchange information and ideas about issues facing civilian oversight of law enforcement.

The 2022 Conference was held in Fort Worth, Texas from September 11th – 15th. The Chair of the Commission, Mark Patterson, attended the conference and participated in many of the panels, particularly the panels specific to corrections oversight including:

- A Gender Responsive Approach to Corrections
- The Fine Line Between Oversight and Operations
- Violence in Jails and Prisons: Strategies for Oversight and Prevention
- The Value of Comparative Prison Oversight Across State Boundaries: Lessons from Illinois, New York, and Pennsylvania
- Starting a New Prison Oversight Body: A Conversation with New Jersey's Correctional Ombudsman

The Chair was also invited to be a part of the panel, "A Gender Responsive Approach to Corrections" to highlight his work with the juvenile girls in the state of Hawaii.

General Office Updates

The office of the HCSOC has an official mailing address, website, email, and social media. The website is still in draft mode but will officially be posted within the next two weeks to make the Commission's work more widely available to the public.

Mailing Address: Hawaii Correctional System Oversight Commission
235 S. Berentania Street
Honolulu, HI 96813

Website: www.hcsoc.hawaii.gov (launching soon!)

Email: hcsoc@hawaii.gov

Social Media: Youtube
LinkedIn
Facebook
Instagram

Hiring Processes

The position for the Clerical Assistant was publicly posted on August 15th 2022. Interviews will be on a rolling basis until the position is filled. The position can be found here: <https://www.governmentjobs.com/careers/hawaii/jobs/3681974/clerical-assistant>

Expenses for the Preceding Month

Below is a breakdown of August and September expenses. Most September expenses have not been applied to the HCSOC's appropriation yet but will include numerous inter-island correctional facility trips.

				Total	Note
Inter-Island Correctional Facility Travel				\$250.43	
August Big Island Airfare	\$71	2.00	\$141		
August Big Island Car Rental	\$69	1.00	\$69		
August Big Island Daily Per Diem	\$20	2.00	\$40		
Lodging			\$0		
Airport Parking			\$0		
Mainland (AZ) Correctional Facility Travel				\$3,930	
September Trip Airfare	\$849	2.00	\$1,698	Airfare (CJ and MP) \$1,697.98 (\$848.99 ea). Airfare also encompasses NACOLE 2022 conference.	
September Trip Daily Per Diem	\$145	8.00	\$1,160	4 days, 2 people	
September Trip Lodging	\$440	2.00	\$880	2 people. (3 nights @ approx. \$146.60)	
September Trip Car Rental	\$192	1.00	\$192		
Memberships + Conferences				\$7,716.84	
National Association of Civilian Oversight of Law Enforcement (NACOLE) Annual Dues	\$500	1.00	\$500		
NACOLE Annual Conference	\$656	2.00	\$1,313		
Airfare	\$849	2.00	\$1,698	Airfare (CJ and MP) \$1,697.98 (\$848.99 ea). Airfare added into Mainland AZ visit as price encompasses both trips.	
Daily Per Diem	\$145	12.00	\$1,740	6 days, 2 people	
Lodging	\$1,233	2.00	\$2,466	2 people. (6 nights @ approx. \$205.50)	

Hawaii Correctional System Oversight Commission Monthly Meetings

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting held on September 22, 2022. The next monthly meeting is scheduled to occur on October 20, 2022, at 9am. Meetings are held in person at the Department of Labor and Industrial Relations (DLIR) 830 Punchbowl Street, Room 313 Honolulu, HI 96813, or online via Microsoft Teams. More information can be found on the Commission's webpage here <https://ag.hawaii.gov/hawaii-correctional-system-oversight-commission/>, soon to be www.hcsoc.hawaii.gov. Please continue to check back for updates.