

**DEPT. COMM. NO. 472**

**STATE OF HAWAII**  
**HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**  
235 S. Beretania Street, 16<sup>th</sup> Floor  
HONOLULU, HAWAII 96813  
(808) 587-4160

**Hawaii Correctional System Oversight Commission**  
**Oversight Coordinator Monthly Report**  
**Date of Report: February 16, 2023**

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 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 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

**In-Custody Deaths**

- 1) On Thursday, January 26, 2023, at 4:30pm, a person in custody, male, 70 years old, was found unresponsive on his bunk at Hale Nani, a work-release program in Hilo, Hawaii. Medical staff administered CPR and called 911 Emergency Medical Services (EMS). At approximately 5:17pm, the individual was pronounced deceased at the Hilo Medical Center. The Hilo Police Department and the Department of Public Safety Internal Affairs Unit are conducting investigations; however, no foul play is anticipated to be found.
- 2) On Sunday, February 5<sup>th</sup>, 2023, at 5:40pm, a person in custody, male, 33 years old, was found unresponsive in his cell by a Corrections Officer conducting evening meal. This individual was housed with the Florida Department of Corrections as a

part of an, “inmate swap” program. Corrections staff opened the cell door and began CPR at 5:53pm and continued CPR until on-duty medical staff arrived. EMS was called and at approximately 6:47pm, the individual was pronounced deceased by a medical doctor.

- 3) On Wednesday, February 8, 2023, at 3:50am, a person in custody, male, 38 years old, was found unresponsive in the infirmary by medical staff at Halawa Correctional Facility (HCF). Medical staff contacted Hospice, and the individual was pronounced deceased by Hospice staff at 4:37am. This individual was terminally ill, and his family had been visiting him daily since last week as his condition worsened. HCSOC thanks PSD and HCF for their compassion in allowing family to visit consistently during this individual’s final days.
- 4) On Tuesday, February 14, 2023, at 2:28am, a person in custody, male, 74 years old, was found unresponsive in the infirmary by medical staff at Halawa Correctional Facility (HCF). Medical staff contacted Hospice, and the individual was pronounced deceased by Hospice staff at 3:28am.

### **Electronic Medical Record (EMR) Down since June 2022**

On August 10<sup>th</sup>, 2022, the Coordinator learned that the Electronic Medical Record (EMR) had been down since June 2022 causing staff to rely on a paper/pen-based system with no clear indication of when the EMR would be back up for staff utilization. This issue was immediately addressed with the Department of Public Safety with clear urgency. The Coordinator explained that this is a crisis for those in custody because:

- 1) Patient safety and health is at risk without a functioning EMR.
- 2) EMRs are necessary to ensure consistency in care across multiple providers.
- 3) EMRs ensure medications are appropriately administered and documented to lessen risk to patient's health and tracking of medication used, especially when being transferred across facilities.
- 4) From a cost perspective, EMRs reduce time spent on documentation as there are often templates and order sets to improve efficiency.
- 5) Additionally, this is massive liability for the department.

The Department confirmed that they purchased new servers, but they were not successful in fixing the issues as the EMR system is old (purchased in 2008) and outdated. The Coordinator asked if there was any plan for a new EMR, and although the Department is looking into a new system, there is no timeframe of when a new system might be implemented. The Coordinator respects that the Department has been working diligently on this issue, however, **it is unacceptable to have a non-functioning EMR for eight+ months**. Medical staff are becoming increasingly burnt out by not having the tools they need to effectively treat patients and give the best care.

On December 30<sup>th</sup>, 2022, the Commission sent a letter to the Department of Public Safety requesting that, “If the EMR cannot be fixed, the Commission recommends immediate purchase and implementation of a new medical record system. Additionally, the

Commission is requesting to be kept up to date and informed on all matters related to the EMR including specific plans and timelines for this issue to be resolved.”

The Commission has added an agenda item to the monthly Commission meetings to continue to address the EMR and receive updates regarding progress in fixing this issue.

### **Actions Taken**

#### **Facility Tours**

Facilities Toured:

- Hawaii Community Correctional Center (HCCC) – February 7, 2023
- Hawaii Community Correctional Center (HCCC) – February 13, 2023

The Oversight Coordinator extends special thanks to all facility staff for their cooperation, expertise, and professionalism.

#### **Justice-Involved Homeless Intergovernmental Collaboration**

[Going Home Hawai'i](#) has taken the initiative to develop a strategy for intergovernmental collaboration meetings leading up to a Reentry Housing Summit in August 2023. The Coordinator is on the Steering Committee for this event and the Commission will be an active part in the intergovernmental collaboration leading up to the upcoming Reentry Housing Summit.

#### **Legislative Priorities**

On Thursday, January 26, 2023, at 2:00 pm, the Commission held a special virtual meeting to discuss the upcoming 2023 legislative bills related to public safety. The Commission chose to support 30 bills related to public safety, and to oppose five bills related to public safety. The breakdown of the bill selection is attached to this report.

The [Senate Committee on Public Safety and Intergovernmental and Military Affairs \(PSM\)](#), have their public meetings on Monday, Wednesday, and Friday at 3pm. The [House Committee on Corrections, Military, and Veterans \(CMV\)](#) have their public meetings on Wednesday and Friday at 9am. Meetings can be attended in person or virtually. Additional information can be found at <https://www.capitol.hawaii.gov/>.

#### **Statutory Framework of Pretrial Release Presentation**

On February 6<sup>th</sup>, 2023, the Legislature hosted an informational briefing specific to pretrial information. Specifically, the National Conference on State Legislatures presented on:

- National overview of the state of pretrial statutory policy and the overrepresentation of individuals with mental illness in the justice system.
- National data, statutory frameworks and legislative trends.
- Pretrial topics will include best practices like court reminders and other policies including conditions of release, release/detention frameworks, use of citations, pretrial services and supervision and responses to failure to appear or violation of conditions of release.

- Behavioral health topics will include increased cooperation between law enforcement and mental health professionals, deflection and diversion programs, pretrial needs screening and state effort to build a continuum of crisis care.

The PowerPoint presentation can be found on the HCSOC's website at <https://hcsoc.hawaii.gov/meetings/>.

### **Prison and Jail Innovation Lab 2023 Conference**

From February 3-4, the Oversight Coordinator attended a national conference put on by the Prison and Jail Innovation Lab at the University of Texas at Austin. There were four main sessions: the first is focused on "The Depths of Deliberate Indifference," with case studies of four different corrections agencies (Rikers, Alabama, Arizona, and Texas); the second examines "The Levers of Change," and asks about the tools available to turn a prison or jail around, even after a win in the courts; the third presents some rare examples of innovations in prisons that seek to change institutional culture; and the fourth asks whether meaningful change is truly possible and whether there is hope for reforming America's prisons and jails. The program for this event can be found here: <https://pjil.lbj.utexas.edu/cruel-and-not-unusual-conference-program>.

### **Meeting with PSD Regarding New Jail**

On January 27, 2023, Commissioners Martha Torney and Ted Sakai and the Oversight Coordinator met with the Department of Public Safety, representatives from the Department of Accounting and General Services DAGS, consultants from ahl Design, and Senator Wakai. The intention of the meeting was to get an informed update of where the new OCCC stands. Currently, everything is on pause unless funding is released and it is the Oversight Coordinator's understanding that any type of design and preliminary construction plans would not occur until the funding request is approved.

The presentation from the meeting can be found on the Commission's website at: <https://hcsoc.hawaii.gov/meetings/>

### **HCCC Conditions Update**

This section is following a report from September 2<sup>nd</sup>, 2022, highlighting serious issues and concerns regarding inhumane conditions at HCCC. The Coordinator has continued to make biweekly trips to HCCC; however, the biweekly commitment was not followed during November due to holiday travel and illness, or in January due to the legislative session beginning, an additional Commission meeting being held, and an in-person conference being attended.

#### Overcrowding

On February 14, 2023, three buildings at HCCC (Punahale, Komohana and Waianuenue) in addition to covid-housing had a head count of 248 while the facility has a design capacity of 152. This puts the facility at a 163% occupancy rate.

A massive portion of HCCC are pretrial detainees which means they have not been sentenced for a crime. Much of this population is homeless and/or have a mental health

diagnosis. This is an ongoing effort to address the overcrowding concerns with the judiciary, and this will continue to be reported on.

### Safety and Security Concerns

The facility recently finished its construction in Punahale to improve housing conditions by completely replacing each of the cell doors, preventing the use of padlocks on the cell doors. All cells have been completed, and the Coordinator is pleased to report that the use of padlocks is no longer occurring in Punahale.

However, during the February 8, 2023, tour of Komohana, the Coordinator found two cell doors with padlocks attached. The padlocks were attached to the handle of the door and officers confirmed that the cell doors are padlocked during the night. This is extremely problematic as it significantly increases response time for officers to access the cell if there is an emergency. The Coordinator addressed this with facility leadership immediately in addition to alerting the Director of Public Safety. During the February 13, 2023, tour, the Oversight Coordinator witnessed staff remove the padlocks. This will continue to be reported on.

The Multipurpose Room 1 (also commonly referred to as the “fishbowl”) was closed for construction but has since been opened. The Coordinator was told that once the multipurpose room is opened back up, it will be used for indoor recreation which consists of card/board games, tv, and general time out of cell. However, during recent visits of HCCC, the Coordinator found that this is not the case. The Multipurpose Room 1 “fishbowl” is still being used as inappropriate housing to house individuals who has finished their initial quarantine time in the Shipping Container/Covid-Housing, but who have not been permanently housed in an appropriate housing area. During the most recent visit on February 13<sup>th</sup>, the Oversight Coordinator found at least twelve individuals housed in that space.

The Commission recognizes the Department’s hardship due to extreme physical limitations of the aging facility, and lack of appropriate space given the immense overcrowding. The Commission will continue to work with the Department to submit appropriate recommendations in addition to working with the legislative and judicial branches of government to highlight the desperate changes needed to be made.

### Lack of Basic Services

During the last two visits, the Oversight Coordinator noticed that no one in HCCC had bedsheets. Additionally, people in custody notified the Oversight Coordinator that they did not have underwear, bras (for women), or t-shirts to wear under their jumpsuit-style uniform. The Oversight Coordinator brought these issues up to facility leadership numerous times to no avail. Therefore, the Oversight Coordinator alerted the Director of Public Safety regarding the concern of the lack of undergarments and lack of dignity. The Director took immediate action and had the Deputy Director of Corrections tour with the Oversight Coordinator to address the issues onsite. The Oversight Coordinator has been told that sheets have been distributed and undergarments have been ordered for distribution. The Oversight Coordinator will continue to report on this issue until resolved.

### Suicide/Safety Watch

During past visits, the “dayroom” space behind a door in Punahale in front of four cells was being utilized on and off for those on suicide or safety watch. This is of serious concern due to 1) lack of access to water and toilets, 2) lack of visibility from officer desk, 3) lack of privacy from 12+ people in custody within the cells, 4) no bedframe, 5) no area to store their property, and 6) a complete lack of humane treatment and decency as a whole towards individuals with potentially self-harming ideations and/or actions. During the last two most recent visits (February 7<sup>th</sup> and 14<sup>th</sup>), individuals were not found in that space. This is great news, and the Oversight Coordinator will continue to report on this issue in case the space is utilized in the future.

### Shipping Container/Covid-Housing

On February 14, the shipping container housed 14 individuals. These cells have a triple bunk bed in each cell and are used as isolation cells to ensure newly admitted individuals do not have covid. Once the 10-day isolation period is met, individuals can be housed accordingly. There were no individuals in the isolation cells for more than 10 days during the most recent visit. Additionally, all light fixtures were in working order.

### Recreation

Individuals have reported that they are being allowed outside for recreation. The facility has set a new recreation schedule to equitably allow as many individuals outside for recreation as possible. Due to overcrowding and understaffing, the facility is not meeting federal standards for daily outdoor recreation. However, individuals in custody have reported that there is improvement.

### Visits

Due to the construction, the visit room is currently out of commission and the facility is not offering in-person visits. The construction in the visit room to create permanent non-contact visit spaces is not completed yet. The Coordinator is deeply concerned about this new construction given how important and impactful in-person contact visits are for rehabilitation. The Coordinator was told that the facility is waiting on phones for the non-contact booths. It is unclear when in-person visits can occur.

The Oversight Coordinator continues to monitor the conditions of HCCC, work with community partners, the judicial branch, and the Department of Public Safety to ensure safer conditions that align with federal standards. The Coordinator will continue to report on the conditions of HCCC.

### **General Office Updates**

Currently, the Coordinator and two Commissioners are interviewing candidates for the Diversion and Reentry Oversight Specialist. The Commission is very fortunate to have fantastic candidates and are hopeful to onboard the new staff member sometime next month.

Below is the office of HCSOC’s mailing address, website, email, and social media.

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

Website: [hcsoc.hawaii.gov](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](#)

**Expenses for the Preceding Month**

EXPENDITURE COSTS - January 2023				
	Price per Item	Quantity	Total	Notes
<b>Office Equipment and Supplies</b>			<b>\$92</b>	
General Office Supplies			\$0	
Staff and Commission Badges			\$0	
Staff and Commission Badge Holders			\$0	
Cell Phone			\$0	
Cell Phone Monthly Plan	\$92	1.00	\$92	
Wifi Hotspot			\$0	
<b>Inter-Island Correctional Facility Travel</b>			<b>\$614.69</b>	
Airfare	\$501	1.00	\$501	Travel dates: 1/12, 1/19, 1/25, 2/7, 2/13, and 3/2
Car Rental	\$72	1.00	\$72	
Daily Per Diem	\$20	1.00	\$20	
Lodging+Tax			\$0	
Ground Transportation			\$0	
Airport Parking	\$22	1.00	\$22	
<b>Mainland Correctional Facility Travel</b>			<b>\$0.00</b>	
Airfare			\$0	
Car Rental			\$0	
Daily Per Diem			\$0	
Lodging+Tax			\$0	
Ground Transportation			\$0	
Airport Parking			\$0	
<b>Memberships + Conferences</b>			<b>\$923.66</b>	
Cruel & Not Unusual Symposium - Austin, TX			\$0	
Airfare	\$484	1.00	\$484	2/2-2/5
Car Rental			\$0	
Daily Per Diem	\$384	1.00	\$384	2/2-2/5
Lodging+Tax	\$744		\$0	
Ground Transportation	\$55	1.00	\$55	2/2-2/5
Airport Parking			\$0	
<b>TOTAL</b>			<b>\$1,630</b>	

**Hawaii Correctional System Oversight Commission Monthly Meetings**

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting held on February 16, 2023. The next monthly meeting is scheduled to occur on March 16, 2023 at the Kaua’i Community College, 3-1901 Kaunali’i Highway, Līhu‘e, Hawai’i 96766 (room to be determined) and online via Zoom. More information can be found on the Commission’s webpage here: <https://hcsoc.hawaii.gov/meetings/>.



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**HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**  
**Legislative Bill Review**  
**Thursday, January 26, 2023, 2pm**  
**Meeting held via Zoom**

**A. Commission related bills**

**HB1132 – SUPPORT – Martha**

Corrections; Oversight; Coordinator; Meetings; Investigations

RELATING TO THE HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION.

Extends the term of the Oversight Coordinator for the Hawaii Correctional System Oversight Commission. Specifies that the Commission shall take measures as necessary to maintain confidentiality in investigations. Broadens the Oversight Coordinator's power to make inquiries, obtain information, and inspect the premises of agencies and correctional facilities.

Introduced by HASHEM, CHUN, GANADEN, ICHIYAMA, KILA, KITAGAWA, LAMOSAO, MORIKAWA, POEPOE, TAKAYAMA, TAKENOUCI, Garrett, Kobayashi

**SB455 – SUPPORT – Martha**

Corrections; Oversight; Coordinator; Meetings; Investigations

RELATING TO THE HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION.

Extends the term of the Oversight Coordinator for the Hawaii Correctional System Oversight Commission. Specifies that the Commission shall take measures as necessary to maintain confidentiality in investigations. Broadens the Oversight Coordinator's power to make inquiries, obtain information, and inspect the premises of agencies and correctional facilities.

Introduced by WAKAI

**SB454 – SUPPORT – Ted**

Hawaii Correctional System Oversight Commission

RELATING TO THE HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION.

Requires the Hawaii Correctional System Oversight Commission to review and recommend amendments to the Department of Public Safety's operating budget request and any capital improvement project appropriation requests prior to each legislative session.

Requires the Commission to inform the Legislature if its recommendations were not accepted. Requires the Commission to advise the Governor as to whether the Department of Public Safety's expenditure plan serves to fulfil the goal of the correctional system's transition to a rehabilitative and therapeutic model.

Introduced by WAKAI, AQUINO, CHANG, ELEFANTE, MCKELVEY, Kidani

**HB861 – OPPOSE – Ted**

Corrections; Hawaii Correctional System Oversight Commission; DPS; Correctional Facilities;

Appropriations (\$)

RELATING TO CORRECTIONS.

Requires the Hawaii Correctional System Oversight Commission to oversee the development or expansion of new or existing correctional facilities. Prohibits moneys for construction or other capital expenditures from being requested in the executive budget process or expended unless the Hawaii Correctional System Oversight Commission has approved the project. Appropriates moneys to and authorizes staff positions for the Hawaii Correctional System Oversight Commission to perform expanded oversight duties.

Appropriates moneys to the Department of Public Safety to begin planning new or redeveloped correctional facilities in each county. Introduced by GANADEN, AMATO, HUSSEY-BURDICK, KAPELA, MARTEN, PERRUSO, POEPOE, TARNAS, Kobayashi





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**B. Bail/Pre-Trial Detention**

**HB1094 – OPPOSE – Ron/Martha**

Community Correctional Centers; Pretrial Detainees; Repeal

RELATING TO PERIODIC REVIEWS OF DETAINEES IN COMMUNITY CORRECTIONAL CENTERS.

Repeals section 353-6.2, Hawaii Revised Statutes, enacted as part of Act 179, Session Laws of Hawaii 2019, to delete the requirement for the Department of Public Safety to reassess pretrial detainees on a regular basis for reconsideration of pretrial release.

Introduced by SAIKI (Introduced by request of another party) [Governor's Package—companion bill [SB1392](#)]

**SB1392 – OPPOSE – Ron/Martha**

Community Correctional Centers; Pretrial Detainees; Repeal

RELATING TO PERIODIC REVIEWS OF DETAINEES IN COMMUNITY CORRECTIONAL CENTERS.

Repeals section 353-6.2, Hawaii Revised Statutes, enacted as part of Act 179, Session Laws of Hawaii 2019, to delete the requirement for the Department of Public Safety to reassess pretrial detainees on a regular basis for reconsideration of pretrial release.

Introduced by KOUCHI (Introduced by request of another party) [companion bill HB 1094, Governor's Package]

**HB1172 – OPPOSE – Ron (*already in law*)**

Unsecured Bail; Conditions of Release

RELATING TO BAIL.

Authorizes the court to release a defendant in custody on unsecured bail.

Introduced by WARD

**SB350 – SUPPORT – Ron**

Bail; Release; Detention

RELATING TO CRIMINAL PRETRIAL REFORM.

Eliminates the use of monetary bail and requires defendants to be released on their own recognizance for traffic offenses; violations; and nonviolent petty misdemeanor, misdemeanor, and nonviolent class C felony offenses, with certain exceptions.

Introduced by RHOADS

**HB1279 – SUPPORT – Ron**

Crime; Unconditional Release; Pre-trial Release; Bail

RELATING TO BAIL.

Establishes a rebuttable presumption that a person charged with a crime is entitled to unconditional release. Requires the court to consider conditioning pre-trial release on nonfinancial conditions before ordering bail if unconditional release is inappropriate.

Introduced by HASHEM, CHUN, COCHRAN, GANADEN, HASHIMOTO, POEPOE, TAKAYAMA, TARNAS



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**SB1168 – SUPPORT – Mike/Christin**

Criminal Records; Arrest; Conviction; Automatic Expungement

RELATING TO EXPUNGEMENT OF CRIMINAL RECORDS.

Expands eligibility for, and automates, the expungement of arrest and conviction records if certain criteria are met, including the lack of a conviction record for a specified time period following the date of an arrest, conviction, or release from incarceration. Requires the Attorney General to issue automatic expungement orders for certain arrests and convictions beginning 12/1/2025. Requires the Judiciary to automatically seal or remove information for certain arrests and convictions from publicly accessible databases beginning 12/1/2025.

Introduced by LEE, CHANG, KEITH-AGARAN, MCKELVEY, SAN BUENAVENTURA, SHIMABUKURO, Wakai

**SB1219 (Ted recused) – SUPPORT – Martha**

PUC; Communication Services; Correctional Facilities; Hawaii Youth Correctional Facilities (\$)

RELATING TO PUBLIC SAFETY.

Requires and appropriates moneys for the provision of free voice communication services in the State's youth and adult correctional facilities. Prohibits state agencies from deriving revenue or financial benefits from the provision of communication services to persons confined in state correctional facilities. Requires the Public Utilities Commission to establish service quality standards and rules for the free voice communication services and to report to the Legislature prior to the regular session of 2024.

Introduced by RHOADS

Introduced by GANADEN, AMATO, KAPELA, MARTEN, PERRUSO, POEPOE, TARNAS, Kobayashi

**C. Inmate Deaths**

**HB823 – SUPPORT – Martha**

Corrections; Facilities; Deaths; Reports; Information

RELATING TO DEATHS WITHIN THE CORRECTIONAL SYSTEM.

Expands the scope of inmate deaths that are to reported to the Governor and Legislature. Requires reports to be published on the Department of Corrections and Rehabilitation website. Requires reports on the cause of death and mandates public access to certain information within those reports. Takes effect on the effective date of section 353-40, Hawaii Revised Statutes.

Introduced by HASHEM, CHUN, GANADEN, HASHIMOTO, POEPOE, TAKAYAMA

**SB456 – SUPPORT – Martha**

Corrections; Facilities; Deaths; Reports; Information

RELATING TO DEATHS WITHIN THE CORRECTIONAL SYSTEM.

Expands the scope of inmate deaths that are to reported to the Governor and Legislature. Requires reports to be published on the Department of Corrections and Rehabilitation website. Requires reports on the cause of death and mandates public access to certain information within those reports. Takes effect on the effective date of section 353-40, Hawaii Revised Statutes. [NOTE: SB 456 effective date is January 1, 2024]

Introduced by WAKAI



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**D. Programming/Re-Entry**

**HB1129 – PASS –**

UH; Education; Incarcerated Women; Appropriation (\$)

RELATING TO INCARCERATED WOMEN.

Appropriates moneys to the University of Hawaii Windward Community College for the education and reentry program for incarcerated women developed and administered by Hawaii Friends of Restorative Justice. Authorizes the University of Hawaii Windward Community College to award grants to a private entity.

Introduced by HASHEM, CHUN, GANADEN, ICHIYAMA, MORIKAWA, POEPOE, TAKAYAMA

**HB1176 – PASS –**

Diversion, Reentry, and Rehabilitation; Services and Programs; Recidivism Prevention Pilot Program; Offender Reset Program; PSD; Judiciary; Hawaii Paroling Authority; DHS; DOH; Report; Appropriation (\$)

RELATING TO INCARCERATION.

Appropriates funds for the development and maintenance of a comprehensive approach to successful prisoner reentry and integration that provides supports to inmates while incarcerated and after their release. Establishes a pilot program within the Judiciary to allow minor children to remain with their mothers while the mothers are participating in therapeutic, drug treatment, or other residential programs. Establishes within the Judiciary a 5-year recidivism prevention pilot program consisting of the housing voucher program; child care voucher program; and employer income tax credit program. Establishes within the Department of Public Safety an offender reset program to oversee development and implementation of comprehensive pre- and post-release programs to assist offenders who are transitioning back into the community. Requires reports to the Legislature. Appropriates funds to the Department of Public Safety, Judiciary, Hawaii Paroling Authority, Department of Human Services, and Department of Health. Introduced by GANADEN, AMATO, KAPELA, KILA, MARTEN, PERRUSO, POEPOE, TARNAS, TODD, Chun, Matsumoto

**HB451 – SUPPORT – Ted**

Incarcerated Individuals; Pilot Visitation and Family Resource Center; Waiawa Correctional Facility; DHS; DPS; Department of Corrections and Rehabilitation; Appropriations (\$)

RELATING TO INCARCERATED INDIVIDUALS.

Amends Act 125, Session Laws of Hawaii 2022, to extend the time to expend appropriations for the establishment of a pilot visitation and family resource center at Waiawa correctional facility on Oahu, and makes conforming amendments related to the establishment of the department of corrections and rehabilitation. Appropriates additional funds to implement the pilot visitation and family resource center at Waiawa correctional facility.

Introduced by MIZUNO

**HB453 – PASS –**

DHS; Pilot Program; Inmates; Reentry; Housing; Child Care; Vouchers; Report; Appropriation (\$)

RELATING TO ASSISTANCE FOR PERSONS COMPLETING A TERM OF IMPRISONMENT.

Establishes within the Department of Human Services a 4-year pilot program to provide housing and child care vouchers to qualified applicants who will soon complete, or have recently completed, a term of imprisonment as a sentenced offender, and who have or will have sole or primary custody of 1 or more children under the age of 18. Requires a voucher recipient to be employed at least 20 hours per week or be employed and attend an educational program for a combined total of at least 20 hours per week. Requires reports to the Legislature. Appropriates funds.

Introduced by MIZUNO



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**SB502 – PASS –**

Inmate Pay; Incarcerated Persons; Wages and Hours; Minimum Wage

RELATING TO INMATE PAY.

Requires that inmates engaged in labor or in vocational training be paid no less than the state minimum wage.

Introduced by LEE, CHANG, RHOADS

**E. Women**

**HB1232 – PASS –**

Hawaii Paroling Authority; Corrections; Inmates; Breastfeeding; Place of Imprisonment; Contraception

RELATING TO CORRECTIONS.

Authorizes certain inmates to either directly breastfeed any of the inmate's eligible children or to express milk for delivery to the child and to elect to be committed to a correctional facility in the inmate's home county. Requires the Hawaii Paroling Authority to provide free contraception to parolees.

Introduced by HUSSEY-BURDICK, AMATO, BELATTI, GANADEN, GATES, KAPELA, MARTEN, PERRUSO, POEPOE

**HB1235 – SUPPORT WITH AMENDMENTS – Christin (*expand to all facilities that house women*)**

DPS; Women's Community Correctional Center; Control Rooms; Cameras; Body Cameras (\$)

RELATING TO CORRECTIONS.

Requires the department of public safety to install digital cameras in all guard control rooms at the women's community correctional center and require all guards to wear body cameras while on duty. Appropriates funds.

Introduced by HUSSEY-BURDICK, AMATO, COCHRAN, GANADEN, KAPELA, MARTEN, PERRUSO, POEPOE, TAM

**SB1470 – SUPPORT WITH AMENDMENTS – Christin (*expand to all facilities that house women*)**

DPS; Women's Community Correctional Center; Control Rooms; Cameras; Body Cameras (\$)

RELATING TO CORRECTIONS.

Requires the department of public safety to install digital cameras in all guard control rooms at the women's community correctional center and require all guards to wear body cameras while on duty. Appropriates funds.

Introduced by KEOHOKALOPE, KANUHA, MCKELVEY, RHOADS, SAN BUENAVENTURA, Keith-Agaran, Wakai

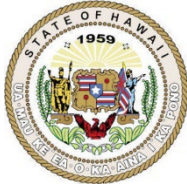
**SB710 – PASS –**

UH; Education; Incarcerated Women; Appropriation (\$)

RELATING TO INCARCERATED WOMEN.

Appropriates moneys to the University of Hawaii Windward Community College for the education and reentry program for incarcerated women developed and administered by Hawaii Friends of Restorative Justice. Authorizes the University of Hawaii Windward Community College to award grants to a private entity.

Introduced by WAKAI, CHANG, KEITH-AGARAN, MCKELVEY, SHIMABUKURO, Ihara



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**F. Solitary Confinement**

**SB347 – SUPPORT WITH AMENDMENTS – Ted (*Ensure step down practices, classification, etc.*)**

Department of Corrections and Rehabilitation; Correctional Facilities; Inmates; Solitary Confinement; Restrictions; Vulnerable Populations; Report

RELATING TO CORRECTIONS.

Restricts the use of solitary confinement in state-operated and state-contracted correctional facilities, with certain specified exceptions. Requires the Department of Corrections and Rehabilitation to use appropriate alternatives to solitary confinement for inmates who are members of a vulnerable population. Requires the department to develop written policies and implement procedures by 7/1/2024. Defines "member of a vulnerable population." Requires a report to the Legislature.

Introduced by RHOADS

**HB1280 – SUPPORT WITH AMENDMENTS– Ted (*Ensure step down practices, classification, etc.*)**

Department of Corrections and Rehabilitation; Correctional Facilities; Inmates; Solitary Confinement; Restrictions; Vulnerable Populations; Report

RELATING TO CORRECTIONS.

Restricts the use of solitary confinement in state-operated and state-contracted correctional facilities, with certain specified exceptions. Requires the Department of Corrections and Rehabilitation to use appropriate alternatives to solitary confinement for inmates who are members of a vulnerable population. Requires the department to develop written policies and implement procedures by 7/1/2024. Defines "member of a vulnerable population." Requires a report to the Legislature.

Introduced by HASHEM

**G. Staff Enrichment**

**HB1130 – SUPPORT – Mark/Christin**

Adult Corrections Officers; UH; Windward Community College; Trauma-informed Certification Program; Appropriation (\$)

RELATING TO CORRECTIONS.

Appropriates moneys to support a trauma-informed certification program for adult corrections officers at the Windward Community College campus of the University of Hawaii. Requires the curriculum to include a level I trauma-informed care course designed for adult corrections officers.

Introduced by HASHEM, CHUN, GANADEN, ICHIYAMA, MORIKAWA, POEPOE

**HB467 – PASS –**

DPS; DHS; Social Work; Training Program; Nonviolent Incarcerated Individuals; Reports; Appropriation (\$)  
RELATING TO SOCIAL WORK.

Requires the department of public safety, in collaboration with the department of human services, to develop and establish a social work training program to assist nonviolent incarcerated individuals in the area of social work. Requires progress reports on the program to the legislature. Appropriates funds.

Introduced by TAM, AMATO, CHUN, COCHRAN, GANADEN, HUSSEY-BURDICK, ICHIYAMA, KAPELA, KITAGAWA, LAMOSAO, LOWEN, MARTEN, MATAYOSHI, MIZUNO, NAKASHIMA, NISHIMOTO, PERRUSO, POEPOE, TAKAYAMA, TARNAS, TODD



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**HB775 – SUPPORT – Ted/Christin (written testimony only)**

Social Workers; Public Safety; Pilot Program; Reports; Appropriation (\$)

ESTABLISHING THE SOCIAL WORKERS FOR PUBLIC SAFETY PILOT PROGRAM.

Establishes a 5-year social workers for public safety pilot program in the Department of Public Safety, or its successor agency. Requires social workers to accompany law enforcement officers in responding to incidents where a person may be unsheltered, substance addicted, or mentally impaired. Requires interim reports and a final report to the Legislature. Appropriates moneys for the pilot program, including the establishment of 5.0 FTE public safety social worker positions in the Department of Public Safety, or its successor agency.

Introduced by MIZUNO

**SB712 – SUPPORT – Mark/Christin**

Adult Corrections Officers; UH; Windward Community College; Trauma-informed Certification Program;

Appropriation (\$)

RELATING TO CORRECTIONS.

Appropriates moneys to support a trauma-informed certification program for adult corrections officers at the Windward Community College campus of the University of Hawaii. Requires the curriculum to include a level I trauma-informed care course designed for adult corrections officers.

Introduced by WAKAI, CHANG, KEOHOKALO, MCKELVEY, Awa, Elefante, Keith-Agaran

**H. Research and Data**

**HB1131 – PASS –**

Corrections; Inmates; Programming; Gender Parity; UH; Study (\$)

RELATING TO GENDER PARITY IN PROGRAMS FOR INCARCERATED WOMEN.

Requires the University of Hawaii to conduct a comparative study of all programming offered to persons incarcerated at correctional facilities in the State, for the purpose of identifying gaps in programming offered to female inmates. Requires that the study be submitted to the Legislature by 12/1/2023. Appropriates funds.

Introduced by HASHEM, CHUN, GANADEN, ICHIYAMA, MORIKAWA, POEPOE

**HB68 – SUPPORT – Martha/Erin**

Criminal Justice Research Institute; Centralized Data System; Appropriation (\$)

RELATING TO CRIMINAL JUSTICE.

Appropriates funds to establish a centralized statewide criminal pretrial justice data reporting and collection system pursuant to state law.

Introduced by MATAYOSHI, CHUN, COCHRAN, HUSSEY-BURDICK, ICHIYAMA, LOWEN, MARTEN, MORIKAWA, NAKASHIMA, NISHIMOTO, TAKAYAMA, TAM, TARNAS, Kobayashi, Poepoe

**HB100 – Support intent but concerned about conflict – Martha/Erin**

City and County of Honolulu Package; Criminal Justice Data Sharing; Working Group

RELATING TO CRIMINAL JUSTICE DATA SHARING.

Establishes a criminal justice data sharing working group to make recommendations for a statewide criminal justice data repository.

Introduced by SAIKI (Introduced by request of another party)



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**SB210 – Support intent but concerned about conflict – Martha/Erin**

City and County of Honolulu Package; Criminal Justice Data Sharing; Working Group

RELATING TO CRIMINAL JUSTICE DATA SHARING.

Establishes a criminal justice data sharing working group to make recommendations for a statewide criminal justice data repository. Introduced by KOUCHI (Introduced by request of another party)

**SB711 – PASS –**

Corrections; Inmates; Programming; Gender Parity; UH; Study (\$)

RELATING TO GENDER PARITY IN PROGRAMS FOR INCARCERATED WOMEN.

Requires the University of Hawaii to conduct a comparative study of all programming offered to persons incarcerated at correctional facilities in the State, for the purpose of identifying gaps in programming offered to female inmates. Requires that the study be submitted to the Legislature by 12/1/2023. Appropriates funds.

Introduced by WAKAI, CHANG, DECOITE, MCKELVEY, Inouye, Keith-Agaran

**I Parole/Compassionate Release**

**HB862 – PASS –**

Judicial Review; Minimum Terms; Imprisonment

RELATING TO THE JUDICIARY.

Allows for judicial review of orders fixing minimum terms of imprisonment.

Introduced by GANADEN, AMATO, HUSSEY-BURDICK, MARTEN, PERRUSO, POEPOE, TARNAS, Belatti

**HB432 – PASS –**

Parole; Appeals; Office of the Public Defender

RELATING TO APPEALS.

Allows parties aggrieved by an order of the Hawaii Paroling Authority to appeal to the intermediate appellate court within 90 days of issuance and service of the order fixing the minimum term of imprisonment. Establishes the standard of judicial review for an order of the Hawaii Paroling Authority.

Introduced by TARNAS, AMATO, COCHRAN, GANADEN, GATES, ICHIYAMA, MARTEN, MARTINEZ, NAKASHIMA, PERRUSO, POEPOE, TAKAYAMA

**HB737 – SUPPORT – Mike**

Hawaii Paroling Authority; Prisoners; Parole; Compliance Credits

RELATING TO RECIDIVISM REDUCTION.

Authorizes the Hawaii paroling authority to award credits to parolees for compliance with the terms and conditions of parole supervision that accordingly reduce the overall term of parole supervision.

Introduced by HUSSEY-BURDICK, AMATO, GANADEN, GATES, KAPELA, MARTEN, PERRUSO, POEPOE, Martinez

**HB824 – SUPPORT – Mike/Christin**

PDS; Hawaii Paroling Authority; Corrections; Medical Release Program; Compassionate Release; Medical Assistance

RELATING TO MEDICAL RELEASE.

Creates a medical release program within the Department of Public Safety for certain ill, disabled, or impaired inmates who pose a low risk to public safety.

Introduced by HASHEM, CHUN, GANADEN, HASHIMOTO, MIZUNO, TAKAYAMA, TARNAS, Poepo





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**HB862 – PASS –**

Judicial Review; Minimum Terms; Imprisonment

RELATING TO THE JUDICIARY.

Allows for judicial review of orders fixing minimum terms of imprisonment.

Introduced by GANADEN, AMATO, HUSSEY-BURDICK, MARTEN, PERRUSO, POEPOE, TARNAS, Belatti

**SB977 – PASS –**

Judicial Review; Minimum Terms; Imprisonment

RELATING TO THE JUDICIARY.

Allows for judicial review of orders fixing minimum terms of imprisonment.

Introduced by RHOADS, CHANG, KEITH-AGARAN

**SB1160 – PASS –**

Hawaii Paroling Authority; Intermediate Appellate Court; Parole; Appeals

RELATING TO APPEALS.

Allows the Intermediate Appellate Court to review orders issued by the Hawaii Paroling Authority.

Introduced by KEITH-AGARAN, MCKELVEY, RHOADS, Dela Cruz, San Buenaventura

**J. Juvenile Justice**

**HB317 – PASS –**

Juvenile Justice; Court Fees; Fines; Penalties; Prohibited; Report

RELATING TO YOUTH FEES AND FINES.

Prohibits the assessment of any fines, fees, or court costs against a person who was adjudicated for an offense committed during the person's minority, or against the person's parent or guardian, and discharges all related debt obligations assessed prior to the effective date of the Act. Requires the Office of the Administrative Director of the Courts to submit a report to the Legislature.

Introduced by GANADEN, AMATO, HUSSEY-BURDICK, KAPELA, MARTEN, POEPOE, TARNAS

**HB456 – PASS –**

Office of Youth Services; Grant Program; Appropriations (\$)

RELATING TO YOUTH.

Establishes a grant program within the Office of Youth Services. Gives priority to programs that support youth from ethnic groups that are disproportionately represented in the State's correctional system, support rehabilitation, or meet needs identified by the Office of Youth Services in consultation with the community. Appropriates moneys. [see page 3, lines 16-20]

Introduced by MIZUNO

**HB792 – PASS –**

Minors; Circuit Courts; Criminal Proceedings; Sentencing

RELATING TO MINORS.

Grants a circuit court, when sentencing a minor for a criminal offense, the discretion to impose a sentence that includes a period of incarceration that is as much as fifty per cent shorter than any mandatory minimum and, in certain cases, decline to impose a mandatory enhanced sentence.

Introduced by MIZUNO





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**SB470 – PASS –**

Juvenile Justice; Court Fees; Fines; Penalties; Prohibited; Report  
RELATING TO YOUTH FEES AND FINES.

Prohibits the assessment of any fines, fees, or court costs against a person who was adjudicated for an offense committed during the person's minority, or against the person's parent or guardian, and discharges all related debt obligations assessed prior to the effective date of the Act. Requires the Office of the Administrative Director of the Courts to submit a report to the Legislature. Introduced by SHIMABUKURO, CHANG, RICHARDS

**K. Sentencing/Increased Sanctions**

**HB868 – PASS –**

Sexual Assault; Felony; Sentencing  
RELATING TO SEXUAL ASSAULT.

Makes sexual assault in the fourth degree a class C felony. Introduced by SOUZA, MARTEN, Garcia

**SB1431 – PASS –**

Fentanyl Possession; Class A Felony  
RELATING TO FENTANYL.

Establishes the offense of Fentanyl possession, production, or distribution as a Class A felony. Introduced by Awa

**SB1433 – OPPOSE – Ted**

Petty Misdemeanor; Misdemeanor; Sentence of Imprisonment; Increase  
RELATING TO SENTENCES OF IMPRISONMENT.

Increases the maximum sentence of imprisonment from one year to two years for a misdemeanor and thirty days to one year for a petty misdemeanor. Introduced by MORIWAKI

**HB265 – PASS –**

Imprisonment; Mandatory Minimum; Methamphetamine; Fentanyl  
RELATING TO CRIMES.

Establishes a mandatory minimum term of imprisonment for persons convicted of offenses based on the possession of methamphetamine and fentanyl. Introduced by HOLT, HASHIMOTO, KILA, LAMOSAO, NAKASHIMA, NISHIMOTO, ONISHI, QUINLAN

**HB506 – PASS –**

Fentanyl possession; class A felony.  
RELATING TO FENTANYL.

Establishes the offense of Fentanyl Possession as a Class A felony. Introduced by GARCIA



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**HB635 – PASS –**

Petty Misdemeanor; Increased punishment.

RELATING TO THEFT OF PROPERTY.

Lowers the threshold for theft of property for the offenses of second and third degree theft of property.

Introduced by GARCIA, ALCOS, MATSUMOTO, PIERICK, WARD

**L. Miscellaneous**

**HB1133 (Ted recused) SUPPORT – Martha**

PUC; Communication Services; Correctional Facilities; Hawaii Youth Correctional Facilities (\$)

RELATING TO PUBLIC SAFETY.

Requires and appropriates moneys for the provision of free voice communication services in the State's youth and adult correctional facilities. Prohibits state agencies from deriving revenue or financial benefits from the provision of communication services to persons confined in state correctional facilities. Requires the Public Utilities Commission to establish service quality standards and rules for the free voice communication services and to report to the Legislature prior to the regular session of 2024.

Introduced by HASHEM, CHUN, COCHRAN, GANADEN, GARRETT, ICHIYAMA, KILA, KITAGAWA, POEPOE, TAKAYAMA, TAKENOUCHE

**HB585 – SUPPORT – Ron/Mike (coordinate with judiciary)**

Restorative Justice Programs; Judiciary; Counties; Appropriation (\$)

RELATING TO RESTORATIVE JUSTICE.

Requires the judiciary or supporting agencies to establish and support a program for restorative justice in each county and inform various criminal justice representatives of the existence of the program. Appropriates funds for the establishment of one program and one position in each county.

Introduced by HUSSEY-BURDICK, AMATO, COCHRAN, GATES, KAPELA, LOWEN, MARTEN, PERRUSO, POEPOE, SOUZA, TAM, TODD

**HB751 – PASS –**

Juror; Qualifications; Felon; Conviction; Fully Discharged; Pardoned

RELATING TO JURORS.

Clarifies that a prospective juror is disqualified to serve as a juror if they have been convicted of a felony and have not been finally discharged, in addition to not being pardoned.

Introduced by ICHIYAMA, TAKAYAMA, TARNAS

**HB877 – SUPPORT – Mark (written only)**

UH; Law School; Prison Reform; Hookaulike; Appropriation (\$)

RELATING TO THE UNIVERSITY OF HAWAII.

Establishes the Hookaulike: A Criminal Legal System Institute for Restoration and Healing, at the University of Hawaii William S. Richardson school of law. Appropriates funds.

Introduced by PERRUSO, AMATO, GANADEN, GATES, HUSSEY-BURDICK, KAPELA, MARTEN, POEPOE, TODD, Cochran, Martinez

**SB271 – PASS –**

Public Safety; Corrections; Honolulu Federal Detention Center; Appropriation (\$)

RELATING TO PUBLIC SAFETY.

Appropriates funds to purchase the Honolulu Federal Detention Center.

Introduced by FEVELLA, Kidani



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**SB369 (Ted recused) SUPPORT – Martha**

Inmate Phone Calls; Department of Public Safety; Correctional Facilities; Privately Owned Telephone Communications Providers; Contract

RELATING TO TELEPHONE SERVICES FOR COMMITTED PERSONS.

Prohibits the Department of Public Safety from receiving any commission payment from telephone service providers based on inmate phone calls. Prohibits the Department of Public Safety from entering into or renewing any contract with any privately owned prison telephone communications provider.

Introduced by LEE, CHANG, KEITH-AGARAN, MCKELVEY, RHOADS, Ihara

**SB903 – SUPPORT – Ron/Mike (coordinate with judiciary)**

Restorative Justice Programs; Judiciary; Counties; Appropriation (\$)

RELATING TO RESTORATIVE JUSTICE.

Requires the judiciary or supporting agencies to establish and support a program for restorative justice in each county and inform various criminal justice representatives of the existence of the program. Appropriates funds for the establishment of one program and one position in each county.

Introduced by ELEFANTE, FEVELLA

**SB1168 – SUPPORT – Mike/Christin**

Criminal Records; Arrest; Conviction; Automatic Expungement

RELATING TO EXPUNGEMENT OF CRIMINAL RECORDS.

Expands eligibility for, and automates, the expungement of arrest and conviction records if certain criteria are met, including the lack of a conviction record for a specified time period following the date of an arrest, conviction, or release from incarceration.

Requires the Attorney General to issue automatic expungement orders for certain arrests and convictions beginning 12/1/2025.

Requires the Judiciary to automatically seal or remove information for certain arrests and convictions from publicly accessible databases beginning 12/1/2025.

Introduced by LEE, CHANG, KEITH-AGARAN, MCKELVEY, SAN BUENAVENTURA, SHIMABUKURO, Wakai

**SB1219 – SUPPORT – Mike/Christin**

PUC; Communication Services; Correctional Facilities; Hawaii Youth Correctional Facilities (\$)

RELATING TO PUBLIC SAFETY.

Requires and appropriates moneys for the provision of free voice communication services in the State's youth and adult correctional facilities. Prohibits state agencies from deriving revenue or financial benefits from the provision of communication services to persons confined in state correctional facilities. Requires the Public Utilities Commission to establish service quality standards and rules for the free voice communication services and to report to the Legislature prior to the regular session of 2024.

Introduced by RHOADS

**HB1442 – SUPPORT – Mike/Christin**

Mental Health Treatment Diversion; Probation Violators; Behavioral Health Crisis Centers;

Appropriations (\$)

RELATING TO REHABILITATION.

Expands the criminal justice diversion program. Amends the allowable period of court-ordered assisted community treatment and considerations for extensions. Allows courts to require certain probation violators to undergo mental health evaluation and treatment as a condition of continued probation. Requires DOH to contract with behavioral health crisis centers. Appropriates funds.

Introduced by BELATTI, AMATO, CHUN, COCHRAN, GANADEN, GARRETT, HASHIMOTO, HUSSEY-BURDICK, KAPELA, KILA, KITAGAWA, KOBAYASHI, LAMOSAO, LOWEN, MARTEN, MATAYOSHI, MIZUNO, MORIKAWA, NAKAMURA, NAKASHIMA, NISHIMOTO, ONISHI, PERRUSO, SAYAMA, TAKAYAMA, TAKENOCHI, TAM, TARNAS, TODD