



March 22, 2021

Dear Commission Members,

Thank you again for your attentiveness at your March 18 meeting to our presentation regarding the situation at MCCC. We are disappointed that the Commission took no immediate concrete action, but we appreciate your time and your willingness to hear us out.

The situation at MCCC remains serious. It was reported on Saturday that two more inmates have been diagnosed with Covid-19. The situation on Maui as a whole is also increasingly serious, with the California variant becoming prevalent (including at MCCC), and daily case numbers continuing to be in double digits – sometimes even higher than those on Oahu.

During my remarks at the meeting, I mentioned that we had prepared a Powerpoint slideshow with more details about the issues at MCCC. Someone at the meeting requested that we send the Commission that slideshow, which we agreed to do.

Shortly after the meeting, however, we received Mr. Otani's response to the letter the ACLU had sent him at HALE Hawai'i's request. We have also recently received updated information from inmates concerning conditions at MCCC. Accordingly, we have revised and updated the slideshow to reflect these developments. Most importantly, we have added in Mr. Otani's responses to our concerns, and our comments on those responses. We believe that if you review our comments, you will conclude, as we have, that the responses are inadequate, and that further investigation is urgently needed to determine what additional measures MCCC should be directed to take in order to better address the current outbreak.

Time is of the essence, and lives are at stake. We hope the Commission will not wait a whole month for its next regular meeting before taking action. At a minimum, the Commission can and should arrange to hold a Zoom meeting with the MCCC warden as soon as possible, question her about the concerns we have identified, and obtain her commitment to address them. Better still, the Commission should send one of its members, or a suitable designee, to perform an inspection of MCCC and conduct confidential interviews with inmates, medical staff, and frontline ACOs, and report back.

Please let us know how we can be of assistance to you in your efforts to assure that MCCC is operating in conformity with best correctional institution practices with respect to the pandemic. We look forward to continuing to work with you on this issue.

Yours in aloha,

Sarah Hofstadter

HALE Hawai'i Steering Team Member