

State of Hawaii  
**Hawaii Correctional System Oversight Commission**  
**Meeting Minutes**

Commission Chair  
Mark Patterson

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

Oversight Coordinator  
Christin Johnson

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. Commissioners Hon. Michael Town, Hon. Ronald Ibarra, and Theodore Sakai participated in the meeting via teleconference. Commissioners Mark Patterson (Chair) and Martha Torney participated in person.

Time:                      Thursday, August 18, 2022, at 9:00 a.m.

Location:                      Department of Labor and Industrial Relations (DLIR)  
830 Punchbowl Street, Room 310  
Honolulu, HI 96813

Recordings:                      Video 1: [Hawaii Correctional System Oversight Commission Monthly Meeting-20220818\\_204606-Meeting Recording.mp4](#)  
Video 2: [Hawaii Correctional System Oversight Commission Monthly Meeting-20220818\\_212558-Meeting Recording.mp4](#)

*Please note that the video had begun recording nearly an hour and a half before the meeting began. The video has not been edited to remove the excess recording. Due to the length of the first video, a second video recording had begun. Therefore, there are two video recordings that cover this meeting in its entirety. These issues will be resolved by the next Commission meeting. Further, a call-in option has been added for the next Commission meeting.*

Items Discussed:

- I. Call to Order **(1:27 in recording)**
- II. Roll Call **(1:27 in recording)**
- III. Approval of July 21, 2022 meeting minutes **(1:28 in recording)**
  - o Moved by Martha Torney

- Seconded by Hon. Michael Town
  - Minutes amended by Ted Sakai – Request to edit Fernhurst spelling – YWCA O’ahu Fernhurst Residence
  - Second by Martha
- Motion Passed unanimously – Minutes accepted with amendments.
  
- Moved by Martha Torney to add Public Comment to end of agenda.
- Seconded by Ted Sakai
- Motion Passed unanimously – Additional agenda item added.
  
- IV. Public testimony on agenda items **(1:34 in recording)**
  
- V. Report of Oversight Coordinator **(1:41 in recording)**
  - Report attached
  
- VI. Selection of Chairperson **(2:18 in recording)**
  - Moved by Martha Torney to have Mark Patterson at the Commission Chair.
  - Seconded by Hon. Michael Town
  - Motion Passed unanimously.
  
- VII. Discussion on budget **(2:21 in recording)**
  - Moved by Martha Torney to accept biennium budget
  - Seconded by Ted Sakai
  - Motion Passed unanimously.
  
- VIII. Vote on necessity for holding a limited meeting on September 7<sup>th</sup> at **Fernhurst (2:38 in recording)**
  - Moved by Martha Torney
  - Seconded by Hon. Michael Town
  - Motion Passed unanimously.
  
  - a. Vote on necessity for waiver of videotaping requirement
    - Moved by Martha Torney
    - Seconded by Mark Patterson
    - Motion Passed unanimously.
  
- IX. Vote on necessity for holding a limited meeting at the following correctional facilities:
  - a. Hawaii Community Correctional Center **(2:47 in recording)**
    - Moved by Martha Torney
    - Seconded by Hon. Michael Town
    - Motion Passed unanimously.
  
    - i. Vote on necessity for waiver of videotaping requirement
      - Moved by Martha Torney
      - Seconded by Hon. Michael Town
      - Motion Passed unanimously.

- b. **Kauai Community Correctional Center (2:49 in recording)**
  - Moved by Martha Torney
  - Seconded by Hon. Ronald Ibarra
  - Motion Passed unanimously.
  
  - i. Vote on necessity for waiver of videotaping requirement
    - Moved by Martha Torney
    - Seconded by Hon. Michael Town
    - Motion Passed unanimously.
  
- c. **Maui Community Correctional Center (2:51 in recording)**
  - Moved by Martha Torney
  - Seconded by Hon. Michael Town
  - Motion Passed unanimously.
  
  - i. Vote on necessity for waiver of videotaping requirement
    - Moved by Martha Torney
    - Seconded by Hon. Ronald Ibarra
    - Motion Passed unanimously.
  
- d. **Oahu Community Correctional Center (2:53 in recording)**
  - Moved by Martha Torney
  - Seconded by Hon. Michael Town
  - Motion Passed unanimously.
  
  - i. Vote on necessity for waiver of videotaping requirement
    - Moved by Martha Torney
    - Seconded by Hon. Michael Town
    - Motion Passed unanimously.
  
- e. **Halawa Correctional Facility (2:54 in recording)**
  - Moved by Martha Torney
  - Seconded by Hon. Michael Town
  - Motion Passed unanimously.
  
  - i. Vote on necessity for waiver of videotaping requirement
    - Moved by Martha Torney
    - Seconded by Hon. Michael Town
    - Motion Passed unanimously.
  
- f. **Waiawa Correctional Facility (2:55 in recording)**
  - Moved by Martha Torney
  - Seconded by Hon. Michael Town
  - Motion Passed unanimously.

- i. Vote on necessity for waiver of videotaping requirement
      - Moved by Martha Torney
      - Seconded by Hon. Michael Town
      - Motion Passed unanimously.
  - g. Kulani Correctional Facility **(2:57 in recording)**
    - Moved by Martha Torney
    - Seconded by Hon. Michael Town
    - Motion Passed unanimously.
    - i. Vote on necessity for waiver of videotaping requirement
        - Moved by Martha Torney
        - Seconded by Hon. Michael Town
        - Motion Passed unanimously.
  - h. Women’s Community Correctional Center **(2:58 in recording)**
    - Moved by Martha Torney
    - Seconded by Hon. Michael Town
    - Motion Passed unanimously.
    - i. Vote on necessity for waiver of videotaping requirement
        - Moved by Martha Torney
        - Seconded by Hon. Michael Town
        - Motion Passed unanimously.
- X. Follow up regarding Saguaro Correctional Center power outage **(3:00 in recording)**
- XI. Update on COVID-19 infections, deaths, and vaccinations at Department of Public Safety facilities and Saguaro Correctional Facility in Arizona **(3:03 in recording)**
- XII. Discussion of the next steps in the planning of the new Oahu Community Correctional Center **(9:17 in recording)**
- XIII. Discussion of mental health programs and restrictive housing procedures at Department of Public Safety facilities. **(15:21 in recording)**
- XIV. Public Comment\* **(29:18 in recording)**
- XV. Any announcements and scheduling of next meeting **(35:28 in recording)**
  - Next meeting scheduled for September 22<sup>nd</sup>, 2022

*\*Additional item added to agenda*

**State of Hawaii**  
**Hawaii Correctional System Oversight Commission**  
**Oversight Coordinator Monthly Report**  
**Date of Report: August 18<sup>th</sup>, 2022**

Commission Chair  
Mark Patterson

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

Oversight Coordinator  
Christin 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**

**Annual Budgeting**

- Finalized and submitted expenditure plan to the Commission for FY 2022. Approved by the Commission on July 21<sup>st</sup>, 2022.
- Drafted and submitted biennium expenditure plan for FY 23-25. Review and approval by Commission is taking place on August 18<sup>th</sup> (date of report).

**Facility Tours**

Initiated and planned weekly facility tours:

- Oahu Community Correctional Center (OCCC) – July 25<sup>th</sup>
- Halawa Correctional Facility (HCF) – August 2<sup>nd</sup>
- Waiawa Correctional Facility (WCF) – July 10<sup>th</sup>
- Women’s Community Correctional Center (WCCC) – August 16<sup>th</sup>
- Kulani Correctional Facility (KCF) – August 25<sup>th</sup> (upcoming)
- Hawaii Community Correctional Center (HCCC) – August 25<sup>th</sup> (upcoming)
- Saguaro Correctional Center – CoreCivic private facility in Eloy, Arizona – September 8<sup>th</sup> and September 9<sup>th</sup> (upcoming)

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 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.

### **Oahu Community Correctional Center (OCCC)**

- 1) Evident staffing shortages specifically affecting constant and direct observation of individuals on suicide watch and safety watch.
- 2) Evident Overcrowding
  - a. Individuals have mattresses on floor in dorm settings, or mattresses stored under bunk beds in cell settings.
  - b. Spaces where 4 individuals were housed in a cell designed for 1 or 2 individuals.
- 3) Healthcare Concerns
  - a. Infirmary is stationed in what appeared to be a designated hallway. Lack of privacy, space, and dignity.
  - b. Clinic space in general lacked privacy and was a small space for clinicians and patients potentially affecting HIPAA.

### **Halawa Correctional Facility (HCF)**

- 1) Highly punitive design which creates concerns of lack of rehabilitative design and functionality.
  - a. Limited out of cell time due to limited staff, and limited accessible recreation yards.
  - b. Mental health patients housed in a punitive setting.

### **Waiawa Correctional Facility (WCF)**

- 1) Evident staffing shortages potentially affecting opportunities for people in custody to work on work lines and become involved in job assignments and programming.
- 2) No cameras at WCF which creates concerns for investigative processes regarding drug use, contraband, PREA concerns, etc.
- 3) Lack of bed utilization in rehabilitative space.

### **Women's Community Correctional Center (WCCC)**

- 1) Extremely old infrastructure
  - a. In-house air conditioner broke down causing high heat in cell areas.
- 2) Lack of working cameras which creates concerns for investigative processes regarding drug use, contraband, PREA concerns, etc.

Based on these 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) Down Electronic Medical Record (EMR)
  - a. The EMR has been out of commission since June 14<sup>th</sup> causing staff to rely on a paper/pen-based system with no clear indication of when the EMR will be back up for staff utilization.

### **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. Lastly, regarding the EMR, PSD had stated that they continue to work diligently with the vendor to recover data and to bring the system back online. However, there has not been a firm date given as to when it will be fixed. As an interim fix, PSD has created a restricted shared drive that is only be accessible to healthcare staff who have access to the EMR system.

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.

### **Hiring Processes**

The position for the Clerical Assistant was publicly posted on August 15<sup>th</sup> 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 Preceding Month

			Total	Note
<b>Inter-Island Correctional Facility Travel</b>			<b>\$250.43</b>	
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	
<b>Mainland (AZ) Correctional Facility Travel</b>			<b>\$3,930</b>	
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	
<b>Memberships + Conferences</b>			<b>\$7,716.84</b>	
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 August 18, 2022. The next monthly meeting is scheduled to occur on September 15<sup>th</sup>, 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/>.



State of Hawaii  
**Hawaii Correctional System Oversight Commission**

Commission Chair  
Mark Patterson

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

Oversight Coordinator  
Christin Johnson

Additional Links and Resources:

On behalf of the Oversight Coordinator, Christin Johnson:

I am excited to share the job posting for the Clerical Assistant position! This individual will serve as the heartbeat of our office – keeping us organized, taking in complaints from those in custody, among other various important administrative tasks. Please share and encourage individuals who are passionate about prison reform to apply. The starting salary is \$44,268/year.

Link to job posting: <https://www.governmentjobs.com/careers/hawaii/jobs/3681974/clerical-assistant>

On behalf of Robert (Bob) Merce, retired attorney:

**1. A Place of Second Chances**

Incarceration Meets Rehabilitation – Architecture has a significant impact on the human psyche. Especially when the space you occupy is a prison. And while prisons are generally thought of as places to detain and punish lawbreakers, it’s our hope that the Las Colinas Detention and Reentry Facility can do more. That it can transform inmates’ lives. Acknowledging that over half of prisoners in America’s corrections system suffer from abuse, trauma and mental illness, the County of San Diego and the Sheriff’s Department recognized that building a healing environment to promote well-being and prevent further psychological deterioration was imperative.

We created a solution that responded to their vision of a normal treatment environment that feels more like a campus community. We brought in a light color palette, soft and varied materials (including wood and glass), better acoustics, and ample natural light—all of which have been shown to reduce anger, stress, anxiety, sadness and depression. Unlike traditional prisons, where most services are housed centrally in enclosed environments with little natural light or outdoor space, this campus is divided into zones—administrative, communal, programmatic and housing—connected by a central quad or village green intended for recreation, akin to a typical university. Outdoor space encourages supervised interaction and the

cafeteria exterior opens up to an outdoor pedestrian promenade and walking path. And just like in a higher education environment, the program activities and the spaces they occur in are designed to promote educational, vocational, personal and spiritual growth.

Video: <https://hmcarchitects.com/portfolio/civic/las-colinas-detention-and-reentry-facility/>

## **2. Success Inside and Out**

Success Inside & Out - San Diego County Sheriff's Department – Women at the Las Colinas Detention and Reentry Facility in Santee are exploring ways to transition from living behind bars to becoming community members.

Six months prior to their release, the National Association of Women Judges holds a workshop to help the women transition back into society. Watch the video to learn more about the Success Inside & Out Program.

Video: <https://vimeo.com/274786470>

## **3. Bloomberg:**

Future Jails May Look and Function More Like Colleges – A look at the push to design correctional facilities for rehabilitation rather than punishment.

Article: <https://www.bloomberg.com/news/articles/2015-08-27/san-diego-county-is-testing-out-a-jail-that-looks-and-functions-like-a-college>