

Future of the Oahu Community Correctional Center

Vol. 47 - Honolulu's Prosecuting Attorney Meets with Department of Public Safety

March 2023



Hawaii Department of Public Safety

The Hawaii Department of Public Safety (PSD) carries out orders from the state courts to confine individuals for a set period of time utilizing jails and prisons located within Hawaii, at the Federal Detention Center in Honolulu, and in private contracted facilities on the mainland. Jails, known in Hawaii as Community Correctional Centers (CCCs), are located on the islands of Kauai, Maui, Hawaii and Oahu and house pre-trial detainees, misdemeanor offenders, and others with a sentence of one year or less. CCCs also provide a pre-release transition function for prison inmates who reach less than a year until their scheduled release. While some offenders will remain confined for life, over 95 percent will serve their sentences and be released to the community.

PSD envisions a future when all its facilities provide safe, secure, healthy, and humane environments for offenders and staff. A future based on better understanding the differing needs of offender populations, using therapeutic rather than punitive management techniques, ensuring racial equity, and by promoting positive change so that fewer individuals are incarcerated in Hawaii. However, aged and obsolete CCCs have undermined PSD's ability to deliver such a vision and improving some facilities and replacing others is a PSD priority. Chief among its priorities is development of a new Oahu CCC (OCCC) at the Animal Quarantine Station (AQS) in Aiea. Assisting with OCCC planning and development is the Department of Accounting and General Services (DAGS) and a team of experts and advisors (the "OCCC Team").

Hawaii's HOPE and SUDA-Fast Programs can be Game Changers

Mr. Steven S. Alm, Prosecuting Attorney with the City & County of Honolulu, Department of the Prosecuting Attorney, recently met with representatives of PSD to discuss plans for the future of PSD as the state's new Department of Corrections and Rehabilitation beginning in January 2024, plans for the new OCCC, and how community supervision strategies could contribute to lowering the number of offenders held in Hawaii's jails. Mr. Alm recently provided the statement below addressing each of these topics.

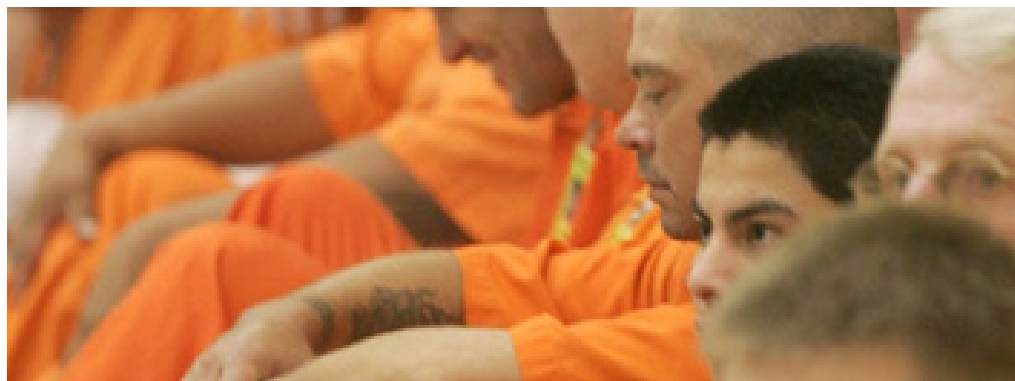
We [the Department of the Prosecuting Attorney] fully support the new creation of the Department of Corrections and Rehabilitation. As the new name illustrates, the Department is committed to both protecting society and helping inmates to improve their lives. As we all know, OCCC is in terrible shape and needs to be replaced with a new jail as soon as possible. It is also important that the jail be the right size. That means making the jail large enough so we won't be back in a few years to add more beds.

The jail should include space for appropriate assessments to be made for correct inmate placements. There also needs to be space for those in successful community supervision strategies, like Hawaii's Opportunity Probation with Enforcement, or HOPE Probation, to serve their jail sanctions (typically short) in a setting like a dormitory and not in a hard jail cell. Similarly, other sub-groups like pretrial offenders, sentenced misdemeanors, and others should be grouped accordingly.

HOPE Probation is a strategy to effect possible behavioral change for those offenders who are not sent to prison at sentencing but instead are placed on felony probation. The premise is that clearly stated, easily understood rules and constant encouragement are more readily followed by offenders when any rule violation quickly results in a brief stint in jail. Offenders who are willing to roll the dice with repeated violations of probation when the consequences are delayed and uncertain in regular probation are far less likely to risk going to jail today even for a single violation as is the case when in HOPE Probation.

The jail sanctions are not punishment for its own sake. They are to teach accountability, of course, that as an adult, there are consequences for your actions. Equally important is that those in HOPE, with its certain sanctions, appear for their probation officer appointments and drug treatment sessions much more often, are almost always sober, and then those professionals can use their evidence-based strategies to help the probationers to succeed.

HOPE provides swift, certain, consistent, and proportionate consequences for misbehavior in an environment of caring support. That translates into a system that is seen as transparent and fair, both in perception, and in reality, and that increases buy-in for the probationers. By pairing a bad choice (e.g., using drugs) with an immediate and fair consequence (i.e., two days in jail), the probationer can learn to make better choices. It's Parenting 101.



Some of the 1,059 individuals currently held at OCCC (Source: PSD, February 20, 2023)

HOPE is that rare strategy that targets high-risk felony offenders including sex offenders and those with the most serious mental health and/or substance use issues. That strategy gives you the best “bang for your buck” in supervision.

HOPE Probation has been shown in top-quality research by Pepperdine University and UCLA to be very effective in helping offenders to succeed on probation and avoid going to prison when compared to a control group in regular probation. HOPE Probationers were arrested for new crimes 55% less often, tested positive for drugs (usually methamphetamine) 72% less often and got their probation revoked and were sent to prison 50% less often. Women in HOPE, failed at probation and were sent to prison 50% less often than women in regular probation. Native Hawaiians failed and went to prison 42% less often. Given that a single HOPE judge can supervise more than 2,000 felony probationers at the same time, HOPE has been an effective proven strategy for helping probationers succeed and avoid going to prison.

Research also showed that the jail bed days between HOPE and regular probation were the same. While HOPE probationers went to jail for every violation (usually a brief stay), those on regular probation got arrested for a new crime much more often and got their probation revoked much more often (and typically sat in jail for eight to ten weeks waiting for their revocation hearing).

While there are some that say that even a couple of days in jail is too disruptive for a probationer’s life, those of us who have actually worked with troubled probationers and those who had been on probation themselves, know that their lives are already being greatly disrupted by their drug use and chosen lifestyle. The short, immediate jail sanctions help them stop using drugs and get their lives back on track.

Recently in Chinatown, we piloted another program designed to help homeless people from getting caught in the cycle of entering, exiting, and reentering a revolving jail door. Substance Use Disorder Assessment-Fast (SUDA-Fast) is a collaborative effort to address the needs of homeless incarcerated people. Through SUDA-Fast, these pretrial detainees would receive treatment soon after arrest – not on the back end of the system after being placed on probation months later, as is usually the situation now. The community treatment program could be at Hina Mauka, Salvation Army’s Addiction Treatment Services, Poailani, or at another approved treatment center, depending on the assessment results.

Several issues confront our ability to engage more probationers in these programs to reorient and heal their lives, while protecting public safety and supporting the long-term goal to right-size the criminal justice system through criminal justice reform.

Currently, OCCC is challenged to provide a safe, dedicated space for the HOPE population. OCCC staff do their best to keep the HOPE population separate from other inmates although we know there are many hurdles as OCCC has more than exceeded its serviceable limit and useful life.

In the planned, new OCCC facility, having education space, inmate classification space based on risk, and behavioral health space with a robust diagnostic center will support HOPE, SUDA-Fast and other programs that can focus on rehabilitating offenders. In many cases, the secured place for HOPE Probation violators will be something other than a hard jail cell; this will be much more cost-effective. Department

of Public Safety Director Tommy Johnson agrees. “If we want to focus on the intersection of public safety and rehabilitation, programs including HOPE and SUDA-Fast are essential and we need a new jail that can provide for them appropriately.”

We all need to remember that 95% of the people currently incarcerated in Hawaii will eventually return to our communities. Addressing their physical and mental health needs, treating their behavioral issues, and providing the skills needed to avoid reoffending and reentering the justice system are in our enlightened self-interest.

While we continue to pursue a new jail, one large enough to house those who need to be there, we face another issue more immediately. The Judiciary is no longer implementing the research-proven HOPE Probation model as it was designed and implemented for 16 years. That is putting the public at risk in three ways. First, sex offenders and domestic violence offenders are now not being held accountable with immediate sanctions. For example, an offender who was convicted of molesting a child and is now found at a Fun Factory does not automatically face immediate consequences. Second, when HOPE probationers now test positive, typically for methamphetamine, they are allowed to drive away from the courthouse, presenting a risk to everyone on our roads. Third, research has shown that probationers in HOPE are arrested for new crimes 55% less often than those on regular probation. Now that HOPE is run like regular probation, more people will be assaulted, have their homes burglarized, and their cars stolen. There will be more people prosecuted and more on probation, in jail, and in prison. When there are no consequences for misbehavior, you get more misbehavior.

We at the Honolulu Prosecutor’s Office look forward to supporting and partnering with the Department of Public Safety now and the Department of Corrections and Rehabilitation in the future to both promote public safety and to support reentry efforts to help offenders improve their lives and become productive members of society.



Steven S. Alm, Prosecuting Attorney Department of the Prosecuting Attorney City & County of Honolulu

On Saturday, March 4, 2023, Steve Alm participated as a member of a panel discussion sponsored by POINT-COUNTERPOINT HAWAII concerning Public Safety in Hawaii. If you weren’t able to watch the panel discussion, click the link and watch the panel address highways and other infrastructure; drugs, alcohol and mental health; guns, other weapons and attitudes; and police and the justice system: <https://youtu.be/WVz36K8bERqU>.

Governor Josh Green Addresses OCCC During State of the State Speech

On January 23, 2023, Hawaii's new governor, Josh Green, delivered his first State of the State speech before the Hawaii Legislature. One of his first actions as the new governor was declaring a housing crisis via emergency proclamation. He also promised to address affordable housing and cost of living issues for Hawaii residents. Other topics he touched on included climate change, economic development, and government transparency and accountability. Governor Green also addressed the need to replace the obsolete OCCC.

"To replace the OCCC, we need to build a modern, new correctional facility that is safe, secure, and humane, that has the capacity to provide rehabilitation, counseling, education, and job training opportunities to inmates, at the same time it protects the public. Almost all of those convicted of non-violent crimes and held in our correctional facilities will one day return to our communities and will be living alongside us as our neighbors.

We must move toward a restorative approach to justice rather than strictly punitive one. As my administration reviewed the details of these projects, we saw that the previous legislature provided general fund monies to begin the construction of a new stadium and plan construction of the new jail. For projects of this size, we need to work together and reach consensus — these two projects will continue to be debated in the coming legislative session. Again, our goal will be to secure the best deal for the state and get these projects moving forward as quickly as possible."



Governor Josh Green Delivers the State of the State Address

OCCC Project Community Outreach Continues

PSD recognizes the value and importance of engaging the community and considers engagement an essential element of the OCCC planning and development process. Community members bring the collective knowledge, skills, and awareness to solve a collective challenge. Tapping into this wisdom helps shape the types of questions that are asked, challenge prevailing norms, and bring about unexpected insights that lead to innovative and transformative solutions. The OCCC team has been engaging the Hawaiian community in the jail planning process since 2016 and has continually invited community members and stakeholders to participate in the OCCC planning process.

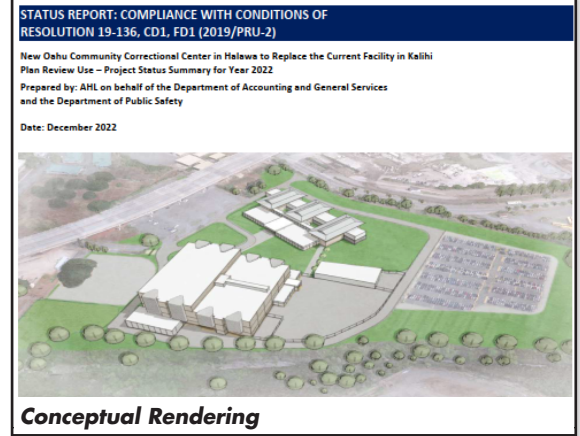
PSD's outreach and engagement activities will continue with distribution of newsletters and other publications and by participating at community and neighborhood board meetings to provide status reports and updates about on-going activities, progress, and milestones, to answer questions, and to encourage interested members of the community to share their ideas and help shape plans for the new OCCC. Project information will continue to be posted regularly to the OCCC Future Plans website and you are encouraged to visit the website for the latest updates. To offer ideas, comments or questions, visit the OCCC Future Plans website: <http://dps.hawaii.gov/occc-future-plans> or contact PSD directly.



In addition to the efforts already underway, PSD initiated a partnership with the University of Hawaii Community Design Center (UH CDC) in 2022 to engage stakeholders and community members throughout Oahu regarding alternative visions for the new OCCC. Through this partnership, PSD and UH CDC are researching programs and practices in corrections aimed at rehabilitation, proven reentry strategies and restorative justice, especially for Indigenous and other racial and ethnic populations. The goal is to collectively define a cross-jurisdictional pathway toward criminal justice reform and a continuum of care and support in Hawaii. The UH CDC team will be reaching out to the community to announce dates and times for upcoming workshops and visioning sessions.

2022 PRU Status Report Prepared

In 2020, the Honolulu City Council approved the Planned Review Use (PRU) permit for construction of the new OCCC on a portion of the Animal Quarantine Station property in Halawa to replace the current OCCC located in Kalihi. PRU approval was subject to conditions outlined in Resolution 19-136, CD1, FD1. Among those conditions was for a written Status Report to be submitted to the Department of Planning and Permitting, the Aiea Neighborhood Board No. 20, and the councilmember of the applicable district, by December 31st of each year until all conditions of approval have been met. The Status Report for 2022, which provides information on progress toward complying with the conditions of the PRU permit, was submitted to all other parties on December 14, 2022. The report is available for viewing on the OCCC Future Plans website: <http://dps.hawaii.gov/occc-future-plans>.



Construction Progressing at Women's CCC

Steady progress continues in developing a new Administration Building, Housing Unit, and Visitation/Intake Building at the Women's Community Correctional Center (WCCC) in Kailua. The new Housing Unit and Visitation/Intake building are taking shape with work now underway in constructing the new Administration Building and elsewhere shown in the photos below.



Rendering of New WCCC Administration Building (Credit: CGL)

WCCC is being transformed so female inmates currently housed in overcrowded and deteriorating facilities, including OCCC, can be transferred to WCCC when construction is completed. WCCC is currently PSD's largest capital improvement project and is an important step towards improving the quality of life for female offenders held at WCCC.



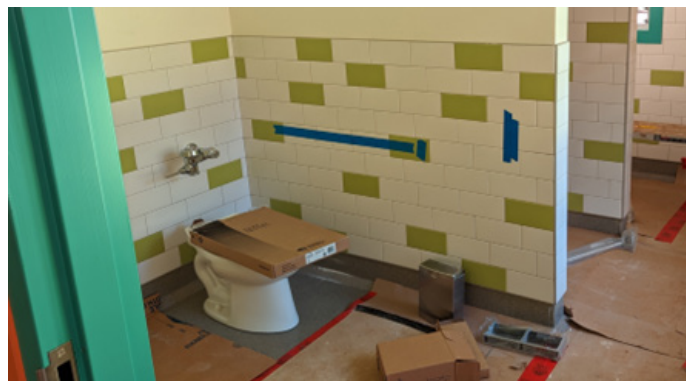
WCCC Construction Progress Photos, February 2023 (Credit: Rider Levett Bucknall)

Construction Progressing at Ho'okipa Cottage

In addition to the new construction, the formerly vacant Ho'okipa Cottage is undergoing a substantial renovation to become a useful addition to the WCCC campus. Renovation of the cottage and the addition of a multi-purpose support building will provide a new living environment for female offenders that will emphasize rehabilitation and normalization while providing life skills for a successful transition out of custody. The photos below capture the considerable progress in renovating the cottage which, when completed in 2023, will provide space for various gatherings and other purposes.



Exterior Cottage construction nearing completion (Credit: Rider Levett Bucknall, February 2023)



Recent progress constructing interior rooms (Credit: Rider Levett Bucknall, February 2023)

New Housing Unit Construction Continues at Hawaii CCC

Since groundbreaking in 2022, construction of a new housing unit has been progressing at the Hawaii Community Correctional Center (HCCC) in Hilo. HCCC opened as a 22-bed facility in 1975 and today HCCC has an operational capacity of 226 beds. However, HCCC has been chronically overcrowded, and currently houses 317 inmates or 40 percent above its operational capacity (PSD, February 20, 2023). The new housing unit is the first substantial improvement to HCCC in many years.



Exterior rendering of completed HCCC Housing Unit (Credit: DLR Group)



Site conditions from the Komohana site entrance (Credit: Rider Levett Bucknall)



CMU installation in progress at the dayroom's south wall (Credit: Rider Levett Bucknall)



Interior renderings of day room of completed HCCC Housing Unit (Credit: DLR Group)





Hawaiian culture was celebrated on Opening Day of the 32nd Hawaii State Legislature (January 18, 2023)

Upcoming Activities

The following activities are anticipated in the months ahead.

<p>March 2023</p>	<p>Hawaii Legislature continues 2023 session.</p> <p>Construction continues at HCCC, MCCC, and WCCC.</p> <p>Updating OCCC site plan and conceptual renderings completed.</p> <p>Public outreach and engagement continues with attendance at Aiea Neighborhood Board, Aiea Community Association, and Hawaii Correctional Systems Oversight Commission meetings.</p>
<p>April 2023</p>	<p>Hawaii Legislature continues 2023 session.</p> <p>Construction continues at HCCC, MCCC, and WCCC.</p> <p>Public outreach and engagement continues with attendance at Aiea Neighborhood Board, Aiea Community Association, and Hawaii Correctional Systems Oversight Commission meetings.</p>
<p>May 2023</p>	<p>Hawaii Legislature adjourns on May 4, 2023.</p> <p>Construction continues at HCCC, MCCC, and WCCC.</p> <p>Public outreach and engagement continues with attendance at Aiea Neighborhood Board, Aiea Community Association, and Hawaii Correctional Systems Oversight Commission meetings.</p>

Join OCCC Email List

Add your name to the OCCC email list to receive announcements, newsletters, and other project-related materials by sending your name, affiliation (if any), and email address to: robert.nardi@wsp.com.

Interested in Learning More?

For additional information visit <http://dps.hawaii.gov/occc-future-plans> or contact:

Toni E. Schwartz, Public Information Officer

Hawaii Department of Public Safety

Tel. 808.587.1358

Email: Toni.E.Schwartz@hawaii.gov

Robert J. Nardi, Senior Vice President

WSP USA Inc.

Tel: 973.407.1681

Mobile: 973.809.7495

Email: robert.nardi@wsp.com