

Future of the Oahu Community Correctional Center

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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 return 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").

In 2022, the Hawaii Legislature established a new Department of Law Enforcement to consolidate various state law enforcement divisions, including PSD's, in a single new agency. When the transition is fully implemented on January 1, 2024, PSD will become the Department of Corrections and Rehabilitation. Until then, PSD will maintain both law enforcement and corrections responsibilities.

Star Advertiser

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EDITORIAL | OUR VIEW

Editorial: No good reason to delay new jail

May 30, 2023

It's bad — very bad — and only getting worse with every passing year when nothing is built.

This bleak assessment applies precisely to the decades-old impasse over the conditions of the Oahu Community Correctional Center (OCCC). One original structure still in use was built in 1916 — and even reconstruction of most of the 16-acre Kalihi site dates to 1975.

The state Legislature has balked at fully funding a present-day redevelopment proposal, some lawmakers pointing to a need first for more criminal justice reforms that are aimed at reducing how many people the jail would house.

And now Gov. Josh Green and his administration must secure enough funds, under budgetary constraint, to keep improvements on track. The state Council on Revenues' latest financial projection has come in at about \$270 million less than what had been expected at the close of the legislative session, which adds to the challenge for OCCC.

Still, Green seems inclined to pursue the needed funding, fortunately.

"The prison services that we have are outdated — we have to be more humane," the governor said Friday on the Honolulu Star-Advertiser's "Spotlight Hawaii" webcast.

"We're going to have to get there on that (OCCC) project," Green added. "So I'm a little reluctant to start other large projects until we've dealt with what's fundamental to society here."

Agreed. There is every reason to move ahead on a new facility, work that can advance a more restorative criminal justice system by providing the capacity for better programs.

Conceptual plans project a facility with 1,012 detention beds and 393 pre-release beds, compared with the 982 at the existing jail. The census on Thursday was 1,076, 112% over capacity, said a Department of Public Safety (DPS) public information officer.

A new jail can be designed with enough flexibility to accommodate a smaller population, as better rehabilitation and a more enlightened approach to pretrial detention of defendants are implemented. DPS officials already assured lawmakers that the project could proceed in phases, starting smaller and expanding if needed.

Editorial: No good reason to delay new jail (continued)

How the existing OCCC has languished for so long in its current state is a disgrace, one that was the focus of a federal consent decree, lasting between 1985 and 2000. That resulted from a class-action lawsuit requiring the state to address chronic overcrowding and general deterioration.

Now that money allotted for the long-stalled replacement facility has been hung up again, state officials in charge are worried that the U.S. Department of Justice could intervene once more.

And that would further complicate progress toward goals on which everyone should agree: building a facility designed to deliver programs and services that can reduce recidivism.

The emphasis on restoration and rehabilitation in the criminal justice system is now a matter of state policy, so that makes sense. After all, in a recent reorganization initiative, DPS will be renamed the Department of Corrections and Rehabilitation, effective in January.

Restorative-justice advocates assert that OCCC is for people who have committed lesser offenses, as well as many who are in detention even before there is a trial to establish their guilt or innocence. Virtually all will come back into the community — a community that is best served if those sent to jail are given the help they need to live productively among their neighbors.

Unless the Green administration is able to accelerate the planning for the project now, DPS officials are concerned that everything will grind to a halt for another year.

Hawaii lawmakers included \$10 million in House Bill 300, the budget bill now on the governor's desk, to continue planning and design work for a new jail, but the funds won't be available until mid-2024. DPS had sought \$25 million split over the next two fiscal years.

A significant slowdown would end up costing more money as construction prices escalate, said Tommy Johnson, DPS director. He added that a new, more efficient facility would run with fewer staffers and help cut overtime costs.

Critics of the new-jail plan, including reform advocate Kat Brady, coordinator of the Community Alliance on Prisons, argue that the state has dragged its feet on reforms and has pushed ahead on this project without sufficient community input.

Since the 2018 report by a legislative reform task force, the Hawaii Correctional System Oversight Commission was created and staffed, an important advance. Progress on other steps has been slow, undeniably.

But slow-walking the OCCC relocation and rebuild is no way to improve conditions, either. DPS last year contracted with the University of Hawaii Community Design Center to gain public input and develop alternative facility designs. It's an initiative that's long overdue but welcome all the same.

Ultimately only this kind of forward-looking collaboration will yield better outcomes for the short-term inhabitants of OCCC — and the community that they will rejoin before long.



Star Advertiser Addresses Need for New OCCC

The Star Advertiser newspaper addressed the need for a new OCCC in a front page article published on May 24, 2023. In the article, the author states the importance of replacing the aged and obsolete facility which is why PSD and Governor Green requested the Legislature to allocate \$15 million for FY 2023-2024 and \$10 million for FY 2024-2025, to continue with the planning and design of a new OCCC. However, only the \$10 million for FY 2024-2025 was allocated to continue the process, which means the project grinds to a halt for another year. (The full article is available for viewing at: [OCCC News Paper Article](#)).



Recently, PSD Director Tommy Johnson reminded lawmakers of the benefits of a new, modern jail facility including:

- Improved conditions of confinement for offenders and a better working environment for staff;
- Safer, more secure, and more efficient operations;
- Adequate space to provide the treatment, counseling, and similar programs that are important to reintegration; and
- A reduction in staffing costs, which is the greatest annual costs to operating any confinement facility.

The unfortunate consequence of receiving \$0 funds for the upcoming year will be the increased cost to eventually build a new facility. As witnessed over the past three years, construction costs in Hawaii and nationally have risen substantially. The escalation can be broadly attributed to the Covid-19 pandemic which led to manufacturing shortages, supply chain disruptions, the loss of construction workers to the Mainland further straining the local labor market, the war in Ukraine which has destabilized energy markets, and other factors. While PSD is reviewing all options to see how to continue with the planning and design, Hawaii faces another year without relief for the long-standing overcrowded and inhumane conditions at OCCC.

What is Restorative Justice?

Restorative justice is being discussed more and more among corrections professionals. But what is restorative justice?

Most correctional systems have long employed punitive discipline systems: break a rule and you're punished with the loss of privileges or isolation. This approach can lead to further bad behavior and doesn't provide offenders with the skills for working through issues with others. That's why some correctional systems are trying restorative justice instead. Restorative justice is an approach that focuses on mediation and agreement rather than punishment with offenders accepting responsibility for their actions.

When a crime is committed, most justice systems focus on "What law was broken? By whom? What is the prescribed punishment?" In an era of mass incarceration, it has become clear that the current system is not functioning well. With less than 5% of the world's population, the U.S. has over 25% of the world's incarcerated population.

The general theory of punitive justice is that punishment is a deterrent to crime since people won't want to suffer the consequences of an illegal act. But clearly this doesn't follow since crime still exists. The problem is that this mindset never bothers to ask why crime happens in the first place. Restorative justice, by contrast, seeks to identify the harm that was done and repair it by making the offender accountable to the victim and the community.



This process is much better at addressing issues of substance abuse, sexual assault, and mental illness because it focuses on supporting the person who was harmed and demanding accountability from the perpetrator. Under most systems, people are regularly jailed for addiction and mental illness without ever receiving the care that would alleviate these problems. The result is a cycle of recidivism where the same individuals are punished over and over for the same crime. Furthermore, seemingly small punishments can have cascading consequences. Suspending a person's driver's license can cause them to lose their job, which causes them to lose their healthcare, and so on until the effective punishment is poverty. We can all agree that we need a system that repairs the harm done, not one that makes it worse.

Legislature Adopts Measures to Improve Justice System

On January 18, the Hawaii Legislature convened for the 2023 session to consider many important legislative actions including those dealing with the state's criminal justice system. During the legislative session, which ended on May 4, 2023, various measures to improve the functioning of the criminal justice and corrections systems were proposed. Measures adopted by the legislature during its 2023 session are summarized below.

HB451 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 the Waiawa Correctional Facility, 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 the Waiawa Correctional Facility.

HB823 Relating to Deaths Within the Correctional System.

Expands the scope of inmate deaths that are to be 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. HB823 was signed by Governor Green on April 19, 2023, and became Act 22.

SB712 Relating to Adult Corrections Officers, Trauma-informed Certification Program.

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.

HB68 Relating to Criminal Justice Research Institute, Centralized Data System.

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

SB210 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.

Bills passed by both the House and Senate have been transmitted to the Governor. If the Governor signs the bill by July 11, 2023, the bill becomes law and is given an Act number. If the Governor neither signs nor vetoes the bill by July 11, 2023, the bill

becomes law without the Governor's signature and is given an Act number. If the Governor intends to veto the bill, the Governor must inform the Legislature by June 26, and deliver the veto by July 11, 2023. If the bill is vetoed, it will not become law unless the legislature successfully overrides the veto in special session by a 2/3 vote in each chamber. The Legislature would need to convene in special session at or before noon on July 11, 2023 to override the Governor's veto.

National Correctional Officers Week

Since a Presidential Proclamation was declared in 1984, the first full week of May has been recognized as National Correctional Officers Week to acknowledge and honor the women and men who work in the field of corrections. According to the Bureau of Labor Statistics, approximately 393,000 correctional officers work inside correctional facilities in the United States. In addition to correctional officers, individuals also serve as chaplains, healthcare providers, teachers, administrators, food service workers, and maintenance personnel among others. These men and women exemplify professionalism, integrity and strength in the face of a difficult and often dangerous work environment.

While the inherent risk of working in corrections may seem obvious considering the backgrounds of many of those housed within jail and prison facilities, these risks, including violence, physical assaults, exposure to COVID-19 and other infectious diseases, and work-related stress and depression, often go unnoticed by the public. National Correctional Officers Week raises awareness that, while correctional officers are often hidden to the public behind the walls of correctional facilities, they are extraordinary individuals who truly understand the meaning of public service and sacrifice. We acknowledge the courage and heroism it takes to dedicate one's life and career to such a role and on behalf of all members of Hawaiian society, thank you to those who serve as a crucial pillar in Hawaii's public safety systems.



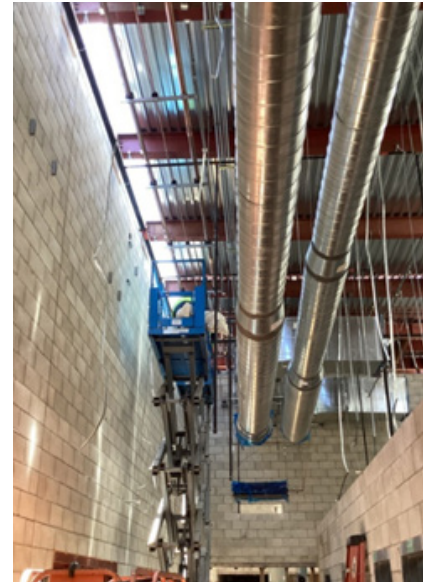
Photo courtesy of the Office of the Governor

Construction On-going at Women's CCC

Steady progress continues in constructing a new Administration Building, Housing Unit, and Visitation/Intake Building at the Women's Community Correctional Center (WCCC) in Kailua. WCCC is being transformed so women currently housed in the crowded and aged OCCC can be transferred to WCCC when construction is completed. Work on the new Housing Unit is currently focused on interior spaces as shown in the photos below.



Rendering of New WCCC Housing Unit (Credit: CGL)



Construction progressing on interior and exterior of new WCCC Housing Unit (Credit: Rider Levett Bucknal, May 2023)



National Memorial Cemetery of the Pacific located at Punchbowl Crater, Honolulu, Hawaii

Upcoming Activities

The following activities are anticipated in the months ahead.

<p>June 2023</p>	<p>Governor considers approving or vetoing new legislation.</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>July 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>
<p>August 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:

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