

REVIEW OF THE IMPLEMENTATION OF THE HAWAII CORRECTIONAL MASTER PLAN

SUSAN CLAVERIA
Researcher

Report No. 1, 1982

Legislative Reference Bureau
State Capitol
Honolulu, Hawaii 96813

FOREWORD

This review of the Hawaii Correctional Master Plan was conducted in response to House Resolution No. 132 adopted in 1981. Due to the lengthy and sparsely documented history of the master plan development, the complexity of the plan itself and the operations of the criminal justice system, much of the information obtained for this review was obtained through personal interviews with, and data provided by, the professionals in the field of corrections (see Appendix G). These people have been extremely patient and cooperative and the Bureau is indebted to them for their valuable assistance.

This report should not be construed as an audit of the master plan as the Bureau did not conduct an audit. The report should instead be considered as a fact-finding report on the status of the master plan implementation. It is hoped that the contents of this report will assist the Legislature in the determination of new policy directions for corrections.

Samuel B. K. Chang
Director

January 1982

TABLE OF CONTENTS

Page

FOREWORD.....	ii
TABLE OF CONTENTS	iii
1. INTRODUCTION	1
a. The Legislative Mandate	2
b. Scope of Study.....	2
c. Methodology and Conduct of Study	3
2. HISTORICAL BACKGROUND	4
a. The DSS Maui Plan	4
b. The NCCD Study.....	5
c. The Final DSS Plan.....	6
d. The Joint Legislative Interim Committee Plan	6
e. The John Howard Association Plan	6
f. Origin of the Hawaii Correctional Master Plan	7
g. HCMP Development	8
3. THE MASTER PLAN CONCEPT	10
a. Community Treatment Philosophy	10
b. Criminal Justice System Unification	10
c. Centralized Intake and Information System	11
d. Program Core	12
e. A Statewide System of Correctional Facilities	13
f. Population Projections and Assumptions	15
4. GUIDELINES FOR IMPLEMENTATION OF THE HCMP	16
a. Transfer of County Jails to the State.....	16
b. Administrative Restructuring	16
c. Staffing Requirements for Correctional Facilities	17
d. Intake Service Center	17
e. High Security Facility	19
f. Oahu Community Correctional Center	20
g. Neighbor Island Community Correctional Centers	21
h. Half-way Residential Facilities	22
5. PROGRESS OF HCMP IMPLEMENTATION.....	24
a. New Correctional Facilities	24
b. Administration	27
c. Staffing at Correctional Facilities	31
d. Intake Service Center	32
e. Halawa High Security Facility.....	36

	Page
f. Oahu Community Correctional Center	36
g. Neighbor Island Community Correctional Centers	38
h. Half-way Residences	39
6. FINDINGS	41
a. External Factors Affecting HCMP Implementation	41
b. Administrative and Organization Problems	45
c. There Has Been No Change In the Philosophy of Corrections	48
d. Cost-effectiveness of Pursuing a Philosophy of Incarceration	49
7. CONCLUSIONS AND RECOMMENDATIONS	51
FOOTNOTES	56

Tables

A. History of Legislative Appropriations and LEAA Funding for Correctional Facilities	25
B. Adult Correctional Facilities: Capacity and Headcount	28
C. Release by Time Served by Offense Class	44

Figure

1. Felon Admissions and Releases: FY 1975-76 through FY 1980-81	43
--	----

Appendices

A. Description of Adult Justice System	61
B. Adult Intake Service Flow	64
C. Present Correctional Organization and Proposed Organizational Format	66
D. Comparison of Inmate Population (Headcount) to Bedspace as of November 1, 1981	68
E. Summary of Potential ISC Functions	69
F. Recommended ISC/CCC Functional Assignments	72
G. Resource Persons	74
H. House Resolution No. 132, H.D. 2	75

Chapter 1

INTRODUCTION

A new correctional philosophy emerged in Hawaii during the fifties and gained momentum in the sixties. This new philosophy focused on the humane treatment and rehabilitation of inmates, since it was evident that custodial treatment of inmates in the traditional institutional setting was not working. To implement programs under this new philosophy, there was a need to replace the antiquated Hawaii State Prison.

While there were numerous efforts in the sixties to change the prison system, it was not until 1970 that a consensus was achieved among the correctional forces for commitment to a philosophy of corrections stressing rehabilitation primarily through community-based programs, and for the development of an integrated program-oriented master plan which would reflect that philosophy. By 1973, when the master plan was finally developed, presented to the legislature, and adopted in concept, economic conditions in the State were looking bleak and reception to the master plan was cooled by its high price tag of nearly \$25 million.

When construction of the master plan facilities commenced in 1977, Hawaii was caught off guard by a burgeoning inmate population which its existing and planned facilities were not equipped to handle. Added pressures were placed on the correctional facilities by the public's demand to get tough on criminals, new mandatory sentencing laws, stricter minimum sentencing policies, and inmate unrest due to overcrowding and idleness in the facilities. The emphasis in corrections shifted from a planned program approach to an unplanned, disjunctive approach of putting out fires. The shifting of blame by one criminal justice agency upon another was not uncommon and criticisms of the master plan as being impractical and inappropriate in meeting today's correctional needs were widespread.

Today, with most of the master plan facilities completed, the inmate headcount as of November 1, 1981 was 1,036 despite the master plan projection of a maximum of 489 by 1990. Many of the old facilities like the Hawaii State Prison cellblock and Kulani Honor Camp which were supposed to be phased out are still being used to house the population overflow. Even with the use of old facilities, the inmate population still exceeds the total bed capacity of the correctional system.

The minimal in-facility program and recreation space provided by the master plan coupled with the overcrowding have resulted in increased inmate idleness with facilities functioning as holding devices. Ironically, while the master plan was premised on the assumption that programs should dictate the design and construction of facilities, Hawaii finds itself with the reverse situation where the facilities available have dictated the programs offered.

Responding to the cries of the criminal justice system to build more prison space, the legislature has appropriated, since 1979, approximately \$13.5 million for the renovation and expansion of correctional facilities throughout the State. The Corrections Division recently estimated that about \$40 million would be required to construct a 500-bed medium security facility at Halawa and to expand the neighbor island community correctional centers

REVIEW OF HCMP IMPLEMENTATION

\$40 million would be required to construct a 500-bed medium security facility at Halawa and to expand the neighbor island community correctional centers on Maui and Kauai to meet the needs of a projected population of 1,581 by 1985. The State, however, is restrained by a constitutional spending and debt limit, and because of federal budget cuts, it is uncertain how much of the State's future resources can be committed to corrections without severely hampering other programs.

The policymakers are now in a quandary. The master plan was intended to be the navigating instrument for future correctional planning, but the overcrowding problem has cast a cloud over the master plan concept. House Resolution No. 132, H.D. 2, was adopted during the 1981 Legislative Session to clear the air by requiring an independent and comprehensive review of the master plan.

The Legislative Mandate

House Resolution No. 132, H.D. 2, specifically directed the Legislative Reference Bureau to:

...study and evaluate the Hawaii Correctional Master Plan, including the Plan's underlying philosophy or conceptual approach, in terms of the Plan's effectiveness in meeting problems and in presenting solutions under current and future conditions in the corrections field and in view of changing community attitudes and laws on sentencing of offenders, the availability of facilities both now and in the future, and the funding which may reasonably be expected, make recommendations thereon, including recommended amendments or changes to the Plan itself.

The resolution further required:

...that the study shall also include but not be limited to, an identification of those components of the Hawaii Correctional Master Plan which have not been fully, or only partially implemented and a determination of the impact of those components in the Master Plan which were not fully or only partially implemented, and the cost effectiveness of pursuing a philosophy of incarceration as a major response in combating crime.

Scope of Study

During the 1980 Legislative Session, three separate reviews on the implementation of the Hawaii Correctional Master Plan (hereinafter HCMP) were presented by (1) the Intake Service Center Advisory Board; (2) the State Law Enforcement and Planning Agency (hereinafter SLEPA); and (3) the Law Enforcement Assistance Administration of the U.S. Department of Justice (hereinafter LEAA). Based on the assumption that the HCMP was still sound, those reviews were concerned with the slow implementation of programs and,

INTRODUCTION

consequently, focused on key problem areas. Much attention in those reviews was directed at the role of the Intake Service Center and the systems coordination component of the HCMP.

The primary focus of this study, however, is to determine whether the HCMP is still a viable instrument for directing correctional planning in Hawaii in view of the changes in the criminal justice system which have occurred since the HCMP concept was adopted in 1973. Toward this end, a broader review, spanning all the components of the HCMP, was necessary. The review encompassed a charting of the HCMP concepts and the accompanying guidelines for implementation of the capital improvement and program requirements, and an examination of the extent to which implementation of all the HCMP components has been achieved.

Methodology and Conduct of Study

The research and the field work for this study encompassed approximately four months and involved the following phases:

- (1) Review of the five volumes of the HCMP and the Hawaii Pre-Design report, and research on the historical development of the HCMP;
- (2) Review of all reports assessing the HCMP and research on pertinent corrections issues such as jail overcrowding, sentencing, crime trends, and inmate population projections;
- (3) Survey of criminal justice agencies regarding their understanding of the HCMP and their assessment of its effectiveness;
- (4) Interviews with administrators and planners of those criminal justice agencies directly involved in implementing HCMP programs; and
- (5) Visits to all of the adult correctional facilities excepting the Kulani Correctional Facility and the Kamehameha Conditional Release Center.

Chapter 2

HISTORICAL BACKGROUND

Correctional planning in Hawaii has never been without controversy and delays in implementation. To gain a full appreciation of the problems surrounding the HCMP implementation, it is necessary to review the events which prompted the HCMP development.

In the early sixties, Hawaii had departed from the traditional custodial program and embarked on a new direction in corrections based on a philosophy of rehabilitation and reintegration. This new philosophy maintained that while society has a right to protection from criminals to ensure its safety, it also has an obligation to help in developing the employable skills and redirecting the behavior of those who are incarcerated in its correctional facilities. Popular programs sought to provide more individualized education, training, and work experience along with professional diagnosis, psychotherapy, and personal interaction treatment. But, to effectively implement these programs in Hawaii, it was recognized that the antiquated Hawaii State Prison cellblock structure which was built in 1918, had to be replaced by a modern facility that would be conducive to a contemporary correctional program.¹

In 1964, the legislature appropriated \$100,000 for the planning of a modern multiple security prison² and \$302,400 in 1965 for the construction of a prison with a prisoner capacity of between 640 and 1,000 inmates.³ The planning for a new facility, however, was troubled with controversy over the prison site, size, and design, and there would be a great deal of study and discussion before new facilities were built.

The DSS Maui Plan

The department of social services and housing, then known as the department of social services (hereinafter DSS) completed a correctional master plan in 1966 in response to the 1964 legislative appropriation. The plan focused on a thorough diagnosis of the behavior and personality of inmates in order to provide appropriate treatment programs. The plan called for the establishment of a Diagnostic Center on Oahu run by a team of professionals for the evaluation of all offenders before and after sentencing, and a multi-purpose custody and treatment facility to be located at Pauwela Point on the Island of Maui which would initially house 640 inmates and by 1980 could be expanded to house 800.⁴

The DSS master plan was met with great opposition due to its proposed Maui prison site. The state administration twice attempted to negotiate a land exchange with Alexander and Baldwin but met with opposition from the legislature.⁵ The implementation of the Maui plan was stalemated.

In 1969, House Resolution No. 75 expressed legislative concern over the delay in resolving the problem of the inadequate prison system and requested the DSS to present its correctional master plan for legislative review. During

HISTORICAL BACKGROUND

the 1969 regular session, the DSS presented a plan without a specific prison site designation which called for a \$10 million prison complex with an initial capacity of 400.⁶ By this time opposition was focused on the size of the proposed prison and the inmate projections and construction costs were considered too high.⁷ The House was also concerned that the plan was too facility-oriented and directed the DSS to revise its plan to reflect a programmatic approach advocating the use of probation and honor camps rather than building more cells.⁸

The NCCD Study

In connection with the Maui prison site controversy, the DSS in December of 1967 requested the National Council on Crime and Delinquency (hereinafter NCCD) to conduct a comprehensive review of correctional services in the State. After completion of preliminary plans, the NCCD field work commenced in May 1968 and the results of the survey of all criminal justice operations were published in October 1969.

The NCCD study found that while Hawaii's correctional system was progressive and receptive to change, it was fragmented and did not provide a continuum of consistent and efficient services to all offenders as they were processed through the various phases of the criminal justice system.⁹ The major deficiency noted by the NCCD was an absence of a central authority to administer correctional functions in the State.

The NCCD recommended 255 specific changes to improve Hawaii's correctional system and to guide its future development. The two principal recommendations were that:

- (1) The State should adopt a new goal of corrections using methods of integration or reintegration with more use of community-based programs and less emphasis on incarceration.¹¹
- (2) Differential treatment should be made available and programs should aim to change the offender's attitude and behavior so that the offender can function as a useful person in the community returned to. A basic research program must be developed to support this correctional philosophy.¹²

Other changes recommended by the NCCD were the:

- (1) Reorganization of correctional services under one central authority;¹³
- (2) Provision of clinical and investigative reports to the courts and paroling authority containing evaluation of offender characteristics and recommendations for differential treatment;¹⁴
- (3) Construction of a medium security facility on Oahu in close proximity to Honolulu which offers accessibility to staff, family, and community programs;¹⁵

REVIEW OF HCMP IMPLEMENTATION

- (4) Transfer of the county jails to the Corrections Division of DSS so that such facilities can be used for work release programs and sentenced misdemeanants as well as pre-trial detention;¹⁶
- (5) Provision in the long-range plan for the construction of community-based correctional centers and development of new alternatives to incarceration; and¹⁷
- (6) Incentives for recruitment and retention of competent staff.¹⁸

The NCCD recommendations were well received by the legislature and were deemed the guide for future correctional planning in Hawaii.¹⁹

The Final DSS Plan

Soon after the NCCD report was published, the DSS in 1969 completed its revised master plan as was directed by House Committee Report No. 429. Although this new plan was still based on 50 inmates per 100,000 population and projected an immediate capacity of 420 and 550 by 1980, it incorporated the recommendations made by the NCCD study and provided a correctional program involving differential offender treatment.²⁰ This new plan also proposed the centralization of correctional services by the establishment of a department of corrections which would encompass probation, parole, and correctional institution functions under one department.

The Joint Legislative Interim Committee Plan

In 1969, a joint legislative interim committee on corrections (hereafter joint committee) conducted its own review of the correctional system with the assistance of an Ad Hoc Committee composed of representatives from all criminal justice agencies. The joint committee recommended, among other things, that (1) county jails be transferred to the State; (2) existing facilities be reassessed for more effective utilization in programs for the reintegration of offenders; (3) sites for acquisition and construction of small minimum security community-based correctional facilities be explored; and (4) the NCCD recommendations be used as a guide for future correctional planning.²¹

The John Howard Association Plan

The John Howard Association (hereinafter JHA) submitted a proposal for Hawaii's correctional system during the 1970 legislative session.²² The JHA proposal called for (1) construction of a prison complex of six maximum, medium, and minimum security residential units at the existing prison site in Kalihi with a total capacity of 120 inmates or 20 inmates per residential unit; (2) establishment of five community-based conditional release centers; (3) retention of Kulani Honor Camp for inmates with special needs and who cannot function in a highly technical and urban setting; and (4) the development of a special facility at the Hawaii State Hospital for treating the psychotic criminal.

HISTORICAL BACKGROUND

The JHA plan strongly discouraged the use of institutional looking buildings with high walls, fences, and gun towers and encouraged the use of "motel-like" buildings to reflect the broader society.

Origin of the Hawaii Correctional Master Plan

In 1970, after years of study, planning, and debate by different groups, Hawaii was still without a new prison. Clearly, this was not due to an absence of planning ideas. Correctional and legislative policymakers just could not agree on a plan. The big push for a decision finally came in 1970 when federal funds from the Omnibus Crime Control and Safe Streets Act of 1968 became available through Hawaii's SLEPA office. The federal Act maintained that the best way to combat crime was through a better coordinated law enforcement effort at all levels of government. Funds were therefore made available to state and local governments as incentives for comprehensive planning and research development to improve law enforcement activities. To qualify for grant funds, a state would require a comprehensive master plan.

Anxious to take advantage of such funds, the joint legislative committee reconvened the Ad Hoc Committee to iron out the differences in the NCCD, DSS, JHA, and joint committee proposals. After extensive meetings, an agreement was reached by the group on the following objectives which would determine the parameters of a master plan for Hawaii:

- (1) The prison should be located on Oahu.
- (2) The present site should be used after razing the old cellblock.
- (3) County jails should be part of the state corrections system.
- (4) Probation and parole should be used more.
- (5) Prisoners should be separated by maximum, medium, and minimum security needs.
- (6) Correctional personnel salaries should be raised.
- (7) In-service training and educational leave with pay should be provided to correctional personnel.
- (8) A comprehensive research and statistical program should be established.
- (9) Conjugal visits outside the prison complex should be permitted.
- (10) Furlough centers, half-way houses, and conditional release centers should be established both in the community and on prison grounds.
- (11) The DSS proposal for a department of corrections should be set aside for the present.

REVIEW OF HCMP IMPLEMENTATION

- (12) Construction of a diagnostic center should be delayed.
- (13) The mentally disturbed should continue to be housed in prison rather than at the state hospital.
- (14) Kulani and Olinda Camps should be maintained.
- (15) Counseling services for prisoners in Halawa jail (misdemeanants) should be provided immediately.²³

Upon agreement of the group, the legislature then authorized the expenditure of \$100,000 of the funds appropriated by Act 195, Session Laws of Hawaii 1965, for the development of a master plan by SLEPA noting that the previous authorization for a 1,000-bed prison required amendment to reflect the recommendations of the NCCD study.²⁴ SLEPA consulted with the Ad Hoc Committee and made the following determination concerning the scope and content of the master plan:

- (1) It should view the corrections concern in comprehensive terms and account for all segments of the criminal justice system;
- (2) It should apply the concern for rehabilitation or reintegration, as the primary corrections objective, at every phase of the criminal justice process;
- (3) It should include program components designed to accomplish the objectives for rehabilitation and public safety.
- (4) It should include facility and space requirements for the delivery of program services.
- (5) It should include personnel requirements for implementation of program services.
- (6) It should focus on adults and a subsequent supplementary study could focus on juveniles.²⁵

HCMP Development

To develop the master plan, SLEPA obtained assistance from the National Clearinghouse for Criminal Justice Planning and Architecture (hereinafter NCCJPA) since it had just completed federal guidelines for community correctional planning which were consistent with Hawaii's policies.²⁶ Hawaii was used as a case study for the NCCJPA to evaluate the guidelines concept in relation to real problem situations and to develop a prototype comprehensive planning model for general application throughout the country.²⁷ In exchange, Hawaii had the benefit of obtaining the most advanced correctional planning techniques from a team of experts.

Throughout the course of the master plan development, SLEPA enlisted the assistance of the Ad Hoc Committee²⁸ to serve in an advisory capacity and to review all formal submissions on the plan.

HISTORICAL BACKGROUND

In 1971, SLEPA submitted a progress report to the legislature outlining the preliminary findings and plans.²⁹ The report indicated that the planning process was premised on the understanding that correctional facilities must be located, designed, and staffed according to treatment programs designed to meet the offenders' needs and to accomplish the objectives of the correctional system. Volumes 1, 2, and 3 which were submitted to the legislature during the 1972 regular session contained a description of the offender flow under the existing system, the master plan concept, and an offender profile.

Volumes 4 and 5, containing detailed suggestions for implementing the concept, were submitted to the legislature in 1973 along with a draft of the enabling legislation which eventually became Act 179, Session Laws of Hawaii 1973. By this time, legislative enthusiasm was diminishing because of the bleak fiscal outlook and the uncertain cost requirements of the plan.³⁰ Despite this concern, enabling legislation was enacted because Hawaii had to provide assurance to the LEAA of its intent to proceed with the master plan in order to receive \$1.2 million in federal funds.³¹ However, the Legislature made it clear that, while it supported the HCMP concept, it was not committed to the implementation of the concept.³²

Act 179, provided for: (1) the establishment of the Intake Service Center (hereinafter ISC) and Intake Service Center Advisory Board; (2) a statewide system of correctional facilities to be administered by the director of social services and to consist of community correctional centers, a high security facility, and furlough and conditional release centers; (3) the transfer of county jails to the State; (4) the authority to assign probation officers to the ISC to conduct pre-trial and pre-sentence investigative work; and (5) the authority of the Director of Social Services to negotiate with private agencies and organizations to carry out treatment, training, education, and work programs.

Following the enactment of Act 179, a contract by the State was awarded to the Planning Design Institute of the University of Illinois to prepare the pre-design report for the proposed master plan facilities. The Hawaii Pre-Design report, submitted to the legislature during the 1974 regular session, translated the HCMP concepts into detailed requirements for the facility design and program implementation.³³

Chapter 3

THE MASTER PLAN CONCEPT

Community Treatment Philosophy

The HCMP is based on a philosophy which maintains that criminal behavior is symptomatic of the failures and problems of society. As such, society has the dual obligation of protecting the community from crime and providing the offender with opportunities to adjust. Since most offenders eventually return to the community, rehabilitation which emphasizes the process of reintegration into the community is the best way of protecting the community.

Reintegration is best achieved through community-based programs which are designed to promote and facilitate the offender's interaction with the community in which the offender must function. Conventional institutional treatment which is probably the most expensive method has been ineffective in dealing with criminal behavior. Often, offender post-incarceration behavior suggested an increase rather than decrease in the propensity to commit crimes. This was attributed to the isolating effect of prisons and the exposure of an offender to more anti-social behavior.¹

The guiding principles of the HCMP are that (1) community-based treatment rather than institutional treatment should be used as long as public safety is not jeopardized; and (2) individualized treatment and differentiated handling of the great variety of offenders are vital to dealing with criminal behavior. Toward these ends, essential ingredients to the HCMP are the (1) optimum use of criminal justice and community resources for a more efficient delivery of services to the offender; (2) coordination among the judicial, law enforcement, and correctional agencies; and (3) active community involvement.²

Criminal Justice System Unification

To implement its philosophy, the HCMP proposed an innovative approach to correctional planning by attempting to coordinate the operations of the entire criminal justice system to facilitate a systematic response to offender needs under one common philosophy. Although the legislature had directed the development of a "correctional" master plan for a new prison system, the scope was broadened and the HCMP evolved into a criminal justice master plan. It was recognized that a prison system is directly affected by factors such as crime and arrest rates and sentencing laws and practices which are beyond the control of the Corrections Division. Consequently, corrections was viewed as part of the larger problem of crime and a total system response would be the most effective means of combatting crime.

The proposed unified criminal justice system would consist of the following components:

THE MASTER PLAN CONCEPT

- (1) A centralized intake and information system for the processing and monitoring of offenders;
- (2) Diverse programs for the treatment of offenders from arrest through release which emphasize community treatment and reintegration; and
- (3) A statewide system of correctional facilities composed of an array of modern facilities designed to accommodate varying program and security needs.

A Centralized Intake and Information System

Under the old criminal justice system, the responsibility of intake and processing of an offender was shared by the police, courts, and correctional agencies. (See Appendix A.) There was little coordination and much duplication of services. Diagnostic services and programs were not made available to pre-trial detainees and misdemeanants. The HCMP reorganized the arrangement of the criminal justice agencies in the offender flow and created a centralized intake process for more efficient use of resources and delivery of services to the offender. All offenders unable to post bail or qualify for any pre-trial release program would be processed through a newly created agency, the ISC which would provide the screening, diagnostic, assessment, and program prescription services for the entire criminal justice system. (See Appendix B.)

Under the central intake process, the ISC would be in contact with the offender or the program agency with jurisdiction over the offender at all phases of the criminal justice system:

Phase I Apprehension - The ISC would assist the police in developing standards for decisions on whether to arrest or release the suspect. The ISC would also assist the police in the development of diversion programs such as stationhouse bail, summons, or citation release.

Phase II Pre-trial - The ISC would provide diagnostic services to pre-trial detainees interested in qualifying for a release or intervention program. The ISC would be responsible for the expansion of existing bail and release or recognizance programs and the development of new pre-trial release programs.

Phase III Pre-sentence - Pre-sentence investigations for the courts on offenders who require detention until sentencing would be conducted by the ISC while investigations on offenders who are on bail release or recognizance or other release programs would be conducted by the probation staff stationed at the ISC. The comprehensive diagnostic service at the ISC would enable the ISC to make recommendations to the courts as to those offenders suitable for incarceration alternatives such as deferred adjudication, community service, and community job placement.

REVIEW OF HCMP IMPLEMENTATION

Phase IV Post-sentence - The ISC would coordinate the programming of the offender through the continuous storing and processing of information on the offender's progress in the prescribed program, and by providing such information to the correctional facility, probation, or paroling agency at critical decision-making points. This on-going evaluation process would ensure that the offender is receiving appropriate treatment.

Phase V Follow-up - The ISC would assist the agency with the most recent jurisdiction over the offender in gathering follow-up data and would be responsible for the analysis and interpretation of such data. This essentially would be a performance evaluation of the correctional institutions and program alternatives.³

Program Core

The HCMP is a program-oriented master plan designed to accommodate the needs of all offender types and is aimed at the reintegration of the offender into the community. It is premised on the assumptions that treatment of the offender at the earliest possible time after arrest and treatment in the community are the most effective means for deterring future anti-social behavior. The HCMP proposed a comprehensive program which expanded the program offerings in correctional institutions and created new programs in the pre-sentence and after care phases of the criminal justice system. Intrinsic throughout would be an emphasis on educational, vocational, and work release programs.

The HCMP found that the average IQ of inmates was normal and that there was usually a lack of motivation due to repeated failures in the normal school setting. Educational programs should therefore be tied to a viable classification and planning system to appropriately meet the needs of offenders and must be on equal footing with other treatment programs in the institutions. There should be a wide range of programs including (1) informal and social education courses; (2) remedial, elementary, or general educational development; and (3) college level programs. Vocational training should be considered as one program component in the total resocialization process, not as an entity alone. Work release should be used as much as possible since it enhances inmate employability and eliminates idleness.⁴

The specific programs would be based on offender needs. Accordingly, the ISC's diagnostic function would play an important role in prescribing and developing programs throughout the system.

Pre-release and diversionary programs. Under the old system, there were few alternatives to incarceration available to an offender who was unable to post bail or qualify for release on recognizance. With a more comprehensive screening and assessment procedure under the HCMP, the police, courts, and corrections agencies would be provided with better offender profiles. More offenders could qualify for bail and release on recognizance and new diversion programs could be developed.

THE MASTER PLAN CONCEPT

Certain alleged offenders such as narcotic users, mentally ill persons, and individuals accused of minor offenses who do not pose a danger to society could be diverted from the criminal justice system by police through the use of summons or by referral to appropriate treatment agencies such as a drug abuse center or a mental health facility.⁵

Crises intervention centers which provide information, advice, and emergency assistance or referral services to citizens should be established by the ISC to provide for early diversion through preventive methods.⁶

The courts could defer adjudication for misdemeanants and allow them to prove themselves before final disposition of the case is made. The courts could also impose community service as an alternative for those cases where fines and incarceration would pose additional hardships. For individuals who are young, poorly educated, unemployed, and unskilled, diversion from incarceration could be made through a community job placement program.⁷

Various types of conditional release programs should be made available for those who require some supervision prior to trial and sentencing. Probation will continue as an important alternative sentence to incarceration.⁸

After care programs. Parole will remain the major program component for after care but the ISC will assist the parole staff in the development of after care services as the need arises. Such services should encompass (1) delivery of pre-release services to aid the offender in the reintegration process; (2) a network of supportive residential facilities which facilitate gradual reintegration; and (3) supervision and counseling by professionals and volunteers.⁹

In-facility programs. For those requiring detention in a correctional facility there should be a wide range of programs available for education, drug and alcohol treatment, vocational training and job placement, and recreation. Maintenance of family and community ties is emphasized so visitation and counseling programs involving family members should be provided. Throughout the system, extensive use of counseling and group meetings involving staff and residents should be stressed. Medical, psychiatric, and legal services should be readily available for residents.

As much as possible, programs should be made available by the use of community facilities and furloughing inmates for the necessary time. Since reintegration is the goal in programming, there should be a sufficient variety of programs to facilitate the sequential phasing of the offender from one level of supervision to another.¹⁰

A Statewide System of Correctional Facilities

Under the HCMP, incarceration is not looked upon as an end in itself, but as an adjunct to the rehabilitation objective. Therefore, diverse in-house programs and services should be made available to meet the needs of all offenders who require detention, including those who are awaiting trial and short-term misdemeanants.¹¹ The HCMP also emphasized the phasing of the offender into the community, and suggested that living units reflect such

REVIEW OF HCMP IMPLEMENTATION

phasing by decreasing the security of the living unit as the offender progresses through the treatment programs and assumes increased responsibilities and earns more trust.¹² Toward this end, a statewide network of facilities designed for phased security and individualized programming was proposed by the HCMP. The new system would consist of a maximum security facility on Oahu for the long-term dangerous felons; community correctional centers in each county for the sentenced misdemeanants and pre-trial detainees and sentenced felons through the medium security level; and half-way houses for those requiring minimal security.

The module residency concept. To effectively provide for individual program needs and inmate control, the HCMP advocated the use of smaller residential units (rather than a single penitentiary-type facility like the old cellblock) which would provide flexibility in segregating the inmate population. Modules containing individual rooms that have the capability of further dividing the residents by quadrants were therefore proposed.

Each facility would consist of one or more modules containing from 12-36 individual rooms which would afford each resident the option for privacy and retreat from other residents. The modules would be phased to varying confinement levels depending on the type of offenders for security and programmatic purposes.¹³ Each module would contain a common program area accessible to the rooms for group activities, reading, television, etc.; a kitchen and dining area; and one or two rooms for individualized counseling.¹⁴

Inmates would be allowed to roam freely in the module program area during most of the day and be confined to their rooms during specified lockdown periods and bedtime. Visitation and program privileges outside the modules would correspond to the security classification of the resident.¹⁵ A control station for the correctional officers would be located at the center of the module for observation of resident movements within the module. This would alleviate the need for scheduled "surveillance tours". Control stations would be open or secured according to the type of residents in the module.¹⁶

Each facility would be equipped to provide centralized services for all its modules such as medical care, recreation, food preparation, visitation programs, vocational programs, and educational programs.¹⁷ The accommodations at each facility, however, would differ depending on the security classification level, i.e. the maximum security facility would have more centralized program space since its residents will not be qualified for educational or work release programs.¹⁸

Half-way houses. To implement the gradual phasing of the offender into the community, it is essential to have a wide range of community-based facilities to supplement the institutional facilities. The HCMP proposed the following (1) conditional release centers for selected felons to test their ability to adjust to living in the community; (2) adult furlough centers to provide a bridge to the community when an offender is to be released on parole; (3) short-term intensive residential intervention centers for those offenders encountering difficulty while on parole or probation; and (4) probation residential treatment centers for those who cannot qualify for regular probation.¹⁹

Population Projections and Assumptions

The HCMP attempted to present the best state population projections available during the course of its development. The first three volumes were based on a linear extension of the recent population growth trends in the State which assumed that factors governing population change in the past would remain the same. Volumes 4 and 5 and the Hawaii Pre-Design were based on the 1970 Census Bureau projections which were made available after the completion of the first three volumes. The Census Bureau projections were obtained by using component methods which recorded the rates of change separately for births, deaths, and interstate migration. Although the later projections were lower, they were considered more reliable than the linear extension projections.²⁰

The anticipated inmate population projections for the facilities were made by comparing the annual headcount levels of existing agencies to the estimated population of each county serviced by that facility. Each facility's projected headcount was based on the assumptions that there would be maximum use of alternatives to incarceration, a reduction in the length of sentence which the typical offender receives, and an increase in the rate of parole.²¹ The HCMP emphasized that the projections for the required facility capacities were based on a gradual but steady implementation of community alternatives and warned that if such alternatives do not occur in concert with construction of facilities, a drastic increase in facility capacities would be required.²²

Chapter 4

GUIDELINES FOR IMPLEMENTATION OF THE HCMP

Transfer of County Jails to the State

To implement a comprehensive program for offenders, the HCMP recommended the transfer of county jails to the state Corrections Division. Under the old correctional system, jails were run by the county police departments. Since the police were primarily concerned with prevention, detection, and apprehension rather than the rehabilitative or corrective processes, very few, if any, programs and services were provided for the pre-trial detainees and misdemeanants.¹ The HCMP stressed that the programs for the alleged offender should be made available as much as they are available to the convicted.² Since the Corrections Division administered all other adult correctional facilities and was experienced in rehabilitative programs, it was logical that it should administer the new statewide system. Once the transfer of the jails was effectuated, the neighbor island jails would be transformed into modern community correctional centers³ and the Halawa Jail would be transformed into the State's high security facility.⁴ The Hawaii State Prison would be razed and a new community correctional center would be constructed for Oahu.

Administrative Restructuring

To administer the HCMP program, it was proposed that another division parallel to the correctional division be established in the department of social services and housing (hereinafter DSSH). (See Appendix C.) The proposed division of support services would handle intake screening, pre-trial detention, diagnostic services, and *coordination of community-based programs*, while the Corrections Division would be primarily concerned with programs and custody of sentenced offenders in its facilities and release programs.⁵ According to SLÉPA this recommendation was amended in the Executive Summary on the HCMP to a noncommittal recommendation of placement of the ISC under an umbrella social welfare department because the Ad Hoc Committee could not reach an agreement. The Ad Hoc Committee did not agree with the consultants that the ISC be placed under DSSH since it believed that such placement would identify the ISC with corrections while its responsibilities under the HCMP should be broader. Other proposals discussed were the placement of the ISC under a policy board independent from the separate branches and levels of government, or placement in the Judiciary since the Judiciary was providing pre-trial services and had the probation responsibility. The Executive Summary proposed that the ISC be administered by a policy board comprised of members representing the Judiciary, DSSH, police, health department, and private sector.⁶ As a compromise, Act 197, Session Laws of Hawaii 1973, the enabling act for the HCMP, established the ISC under the Governor's office and provided for an advisory rather than a policy board to administer the ISC.

Staffing Requirements for Correctional Facilities

The HCMP recommended a change in the staffing structure in corrections to implement the program concepts. A key change recommended was the separation of the dual residency and security responsibilities of the prison guards. This separation was considered necessary to allow the residency security staff to function also as para-professional counselors to assist in the implementation of programs.

The HCMP recommended a division of staffing into four basic categories:

- (1) Security personnel - responsible for perimeter, internal movement, and centralized program area supervision;
- (2) Residency personnel - responsible for internal residency security and assistance in residency program implementation;
- (3) Support and maintenance workers; and
- (4) Program staff - social workers, counselors, teachers, etc.⁷

All modules would be staffed by a unit team consisting of a counselor, responsible for the overall module program; an Adult Correctional Officer (hereinafter ACO) I responsible for internal security during shifts when residents are involved in module activities, and ACO II's responsible for security during sleeping or out-module hours. A unit supervisor, who is a social worker, would be in charge of two module teams.⁸

The Intake Service Center

The ISC was envisioned by the planners as the systems coordinator for the HCMP implementation since it would be a neutral agency with continuous input from and feedback to other criminal justice agencies involved in the processing of an offender. The basic responsibilities of the ISC would be to provide:

- (1) Short-term intake screening that emphasizes the diversion of an individual to alternatives to incarceration;
- (2) Pre-sentence investigations and subsequent recommendations to the courts;
- (3) Diagnostic services that relate to voluntary pre-trial programs, pre-sentence investigations, and correctional programs for sentenced offenders;
- (4) Ongoing evaluation of an offender's adjustment to a given program; and
- (5) Coordination and referral services related to in-house and community-based services.⁹

REVIEW OF HCMP IMPLEMENTATION

Under the HCMP, the ISC was to be a short-term community-based residential treatment facility providing diagnostic services for pre-trial detainees and post-trial community-based correctional programs.¹⁰ The population at the ISC would consist largely of offenders charged with non-bailable offenses (violent crimes against persons rather than property). Others detained would be those awaiting trial of high risk due to their probability of committing serious crimes, intimidating witnesses or otherwise interfering with the administration of justice, or of nonappearance in court. Diagnostic services would be provided to all pre-trial detainees on a voluntary basis.

The pre-trial offender screening process proposed by the HCMP was expected to take from three to fourteen days. Since the HCMP's emphasis was on diverting the offender to alternative community-based programs where security provisions might be limited, the necessary background information on each offender was needed prior to placement in an alternative program.¹¹ Most of such information should be gathered during the short-term residency at the ISC. Additional information could be obtained during the pre-trial phase if the offender were sent to the community correctional center (those requiring long-term pre-trial detention under security conditions).

According to the HCMP, the services to be provided by the ISC would include psychological evaluation; employment counseling; a social inventory on the offender and classification system linked to specific treatment programs; psychiatric service; medical service; educational assessment; and an information storage and retrieval system containing social history data and statistical data for evaluating current programs and developing long range plans.¹²

The pre-sentence investigation and diagnostic activity under the HCMP would be conducted with confidentiality between the Judiciary and Corrections Division. When pre-sentence recommendations are taken under advisement by the courts and the dispositions are made, the ISC would function as a monitoring agency during the sentencing phase to assess the progress of the offender in the prescribed program.¹³ The HCMP stressed that the relationship between the ISC and the program agencies be positive. Close monitoring by the ISC of all offender information and appropriate reporting by the program agencies to the ISC would enable the ISC to prescribe adjustments to the offender's program as needs develop or change.¹⁴

A similar evaluation and referral relationship would exist for offenders in after-care programs such as adult parole. The ISC would monitor parolees and provide referral services for offenders seeking specific services in the ISC or the community.¹⁵

On Oahu, the ISC was envisioned as a separate facility where intake, screening, diagnosis, and program planning services would take place. On the neighbor islands, the ISC services would be integrated with the community correctional centers. There would be an ISC coordinator on each neighbor island whose efforts would be supplemented by a traveling team of professionals from the main Oahu facility which would provide services on a regularly scheduled basis.¹⁶

GUIDELINES FOR IMPLEMENTATION OF HCMP

The HCMP proposed that the ISC consist of the following administrative areas:

- (1) The Intake Service Center Director - responsible for the administration of the intake service system;
- (2) The information processing and system evaluation division - responsible for the operation of the correctional information system computer, the development of information requirements and conduct of research, and evaluation of correctional data;
- (3) The program planning and development division - responsible for the development of programs based on the information and research findings of the information system and development of linkages between corrections and social services resources in the community; and
- (4) The field services division - responsible for staff development and training and providing technical assistance to correctional and non-correctional agencies.¹⁷

The HCMP emphasized that because of the complex nature of the criminal justice system, flexibility in the operation of the system was necessary. "The various phases and procedures of intake need not, and in fact should not, be operated only by the Intake Service Center. Instead, the center is expected to assume a supportive or advisory role to other agencies within the criminal justice system who operate their own programs."¹⁸ The HCMP noted that two essential elements of the intake concept are that (1) the intake system must be comprehensive and the process must touch all elements of the criminal justice system but the ISC contact with all system elements need not involve direct services to individual offenders; and (2) the ISC staff must remain independent of other criminal justice agencies.¹⁹

High Security Facility

The HCMP intended that the High Security Facility would house 108 maximum security residents in three 36-person modules and one 13-person module for special holding of disciplinary cases.²⁰ The residential modules would have the capability to be further divided into quadrants for safety and programming purposes.²¹ The facility's program would be oriented to provide a therapeutic environment for the treatment of offenders who are (1) guilty of predatory and violent crimes; (2) intractable recidivists; (3) characterized by personality disorders; (4) organized crime recidivists; and (5) violent and dangerously deviant inmates nearing the end of a long-term sentence.²²

The treatment program under the HCMP would emphasize free-flowing communication to reduce the social distance between staff and residents by the use of daily group meetings in various forms. The facility would provide an employment training program, a library, crafts and hobby area, visiting areas, gymnasium, outdoor playing courts and fields, weightlifting area, and music rooms.²³ There would be a high staff to resident ratio for safety and programming needs.²⁴

REVIEW OF HCMP IMPLEMENTATION

Programs in the high security facility are an important component under the HCMP because it was believed that programs could shorten the time for the possible transfer of an inmate to a lower security program which could help to reduce costs and the potential interpersonal conflict in the modules and help individuals to be more responsible for their own behavior.²⁵ The HCMP discouraged the use of extended periods of isolation and deprivation of opportunity to participate in programs since it regarded such devices as unproductive and not conducive to the rehabilitation program goals. Temporary isolation and selected program deprivation, however, could be used with efforts to shape resident behavior.²⁶ Programs were to be coordinated by the Program Center of the facility which would function like the Program Center of the Oahu Community Correctional Center (hereinafter OCCC) as described on page 21.

Each module was planned to have individual rooms which are adjacent to a general activity area to be used for group therapy sessions, television viewing, games, reading, group instruction, and other such activities.²⁷ Food prepared in a central kitchen would be carted to each module and served in the dining section of the group activity area.

Oahu Community Correctional Center

The OCCC, which was intended to replace the old Hawaii State Prison cellblock, was planned to accommodate a maximum of 394²⁸ residents who are long-term pre-trial detainees, sentenced misdemeanants, low- and medium-security sentenced felons, or in conditional release programs.²⁹ The OCCC was to consist of a maximum of 10 modules containing from 25-36 individual cells as follows:

- 1 for intake service residency
- 1 for intake service residency or pre-trial detention
- 2 for pre-trial detention
- 3 for sentenced felons
- 1 for short-term sentenced persons
- 1 for honor residency or work release
- 1 female unit for intake service, pre-trial detention and sentenced felons divided by quadrants³⁰

Under the HCMP, the OCCC was to provide a variety of in-house treatment programs, but its emphasis would be on the use of resources in the community and it would perform an important crime prevention function by educating the public and actively involving it in the offender rehabilitation and resocialization process.³¹

Module Programs. The pre-trial modules were intended to offer counselors to assist in the management of personal affairs since personal problems

GUIDELINES FOR IMPLEMENTATION OF HCMP

are most pressing during the pre-trial phase. Counselors would also arrange for programming in the module or in the community correctional center central program areas if the detainee so desires.³² The honor module was intended to be used for long-term sentenced persons proven trustworthy and responsible. The residents in this module would supervise one another without correctional officers and counseling and supervision would be provided only as needed.³³ The remaining modules would differ in programming depending on the category of residents. The unit supervisor would be responsible for adequacy of treatment and security in the modules. The counselors would be responsible for developing programs which are primarily carried out in the modules. Inter-residency programming according to interest groups and the intervention of assistance in emergency personal affairs would also be provided.³⁴

Supplemental Programs. In addition to the modules programs, each community correctional center was planned to have supplemental programs which would include (1) visitation and counseling programs for the maintenance of community and family ties; (2) grade school, high school, general education, and college programs; (3) detoxification and counseling services for drug and alcohol abuse; and vocational and job placement; (4) psychiatric services; and (5) legal services. The facilities would be discouraged from relying heavily on work training activities within the facility or utilization of resident labor for the "make-work" maintenance and operation of the correctional center.³⁵

To coordinate the total facility program, the OCCC was intended to have a Program Center component which would replace the old prison classification committee. The Program Center would be responsible for (1) classification, assessment, and referral to programs and residential units within the limits of the overall program developed by the ISC; (2) treatment plans and programs development; (3) mid-sentence assessments and transfer recommendations; (4) staff training other than what ISC conducts; (5) inmate recordkeeping; (6) volunteer supervision; (7) long-term program development; (8) parole reports; (9) administration of residency program and personnel (the unit team is directly accountable to the Program Center); (10) assistance to the unit teams; (11) provision of supplemental program staff to the ISC for conducting programs; and (12) serving as a resource for pre-sentence investigations.³⁶

The Program Center was important under the HCMP because (1) facilities with twenty-four hour residency must provide a wider range of needs than community supervision programs; and (2) the incarcerated offender typically has a less tractable set of problems than the non-incarcerated.³⁷

Neighbor Island Community Correctional Centers

The community correctional centers (hereinafter CCCs) on the neighbor islands were intended to provide a comprehensive and coordinated program of both non-institutional and institutionalized methods of treatment and care of offenders. A heavy reliance on community resources was expected since the facilities would be small and attracting and financing specialized correctional staff is difficult in areas of lower population.³⁸

REVIEW OF HCMP IMPLEMENTATION

Staffing in the neighbor island CCCs would consist of one unit supervisor, four ACO Is and three ACO IIs. Two ACOs would be placed on duty during the day and evening and one at night.³⁹

The neighbor island community correctional centers were planned to be equipped to provide short-term residency for pre-trial detainees and to house sentenced misdemeanants and felons and misdemeanants on pre-release programs from the high security facility or honor camps.⁴⁰ Individuals with particularly long sentences would be sent to OCCC.⁴¹

Each neighbor island CCC was intended to consist of one module capable of housing under thirty residents and the OCCC and ISC administrative offices.⁴² The modules would feature a central operations center to enable a small staff to supervise and monitor a diverse number of activities. The center would allow for the control of access to the building, to administrative areas, and to residential areas. The center would also provide for staff observation of the visiting area, a multi-purpose room, and a recreation area for general resident movement within the facility. Although the center is important for monitoring purposes, the program staff manning the center should have direct contacts with the residents at all times.⁴³

Each module was expected to have the capability of grouping rooms into smaller units since there would be a variety of resident types which would require separation from undesirable contacts or influence.⁴⁴

Half-way Residential Facilities

To aid the offender in reintegrating into the community, a variety of release programs from community-based facilities was recommended by the HCMP. Recognizing that community involvement is crucial for obtaining financial support and job opportunities, the HCMP urged that a strong public relations effort be exerted to enlist community support prior to the establishment of a facility in the community.⁴⁵ The HCMP proposed that the location of the facilities be based on proximity to the community and resources that could be made available to the residents;⁴⁶ that individual rooms for privacy be provided as much as possible; and that half-way houses be small (no more than 30 residents).⁴⁷

The HCMP intended that a full range of programs aimed at helping the residents adjust to community life during non-working hours with an emphasis on thrift and budgeting be provided in community-based facilities. As for recreational programs, the emphasis would be on utilizing community resources rather than investing in in-house equipment. Work release and education release would play an important part in half-way programs, but an optimum time in a release program should be six months to one year since a "burning out" effect may occur in individuals who find it difficult to cope with the relative degrees of freedom and confinement in such programs.⁴⁸

The HCMP recommended that conditional release centers for felons, in addition to the two already in operation, be established, and that a research effort be implemented to develop the capacity for treating a wider range of offenders than are presently allowed to participate in the program. The

GUIDELINES FOR IMPLEMENTATION OF HCMP

average length of residence in a conditional release center recommended by the HCMP was nine months.⁴⁹

Adult furlough programs for pre-parolees with about three to six months remaining in their sentence were envisioned by the HCMP to be operated from community-based centers or, on the neighbor islands, to be integrated into the community correctional center. The more desirable method, however, would be a network of small facilities in communities throughout the State.⁵⁰

The HCMP assumed that by 1990 a significant portion of the projected institutional population would be diverted into community programs. The assumptions were based on two anticipated changes. First, it was asserted that the commitments of misdemeanants to the CCCs would be reduced by 50 per cent due to improved assessment and decision-making practices and the widespread use of half-way houses. Secondly, it was assumed that the felony sentences would be reduced from 18 to 16 months in response to the development of more pre-parole centers. Accordingly, the HCMP anticipated that a total of at least 60 residential spaces for short-term residential programs and 30 residential spaces for pre-parolees would be required by 1977. More spaces would be required by 1990 as there would be increased use of parole and shorter sentence dispositions.⁵¹

Chapter 5

PROGRESS OF HCMP IMPLEMENTATION

New Correctional Facilities

In accordance with Act 179, SLH 1973, the transfer of county jails to the State occurred¹ and the Olinda Honor Camp on Maui was phased out. When the Hawaii Pre-Design report was submitted to the Legislature in 1974, the total cost for the renovation of old facilities and construction of new facilities for the statewide system was estimated at \$14 million² which, according to its planners, represented implementation of the maximum building program recommended by the HCMP.³ The Legislature responded to the administration's request to proceed with the HCMP facilities construction by appropriating an initial amount of \$1,093,000 in Act 218, SLH 1974, and another \$7.2 million in Act 195, SLH 1975, for the phased construction of the facilities as recommended in Option A in the Hawaii Pre-Design.⁴ The remaining funds required for the construction of facilities were expected to be provided through LEAA grants. (See Table A for the complete funding history for facilities under the HCMP.)

Although the appropriations were made promptly, delays in the bidding process and escalating construction costs rendered the appropriations insufficient by the time the construction awards were made in 1976. In December of 1975, the DSSH reported that the construction plans had to be altered because the recent cost estimates of \$26 million were nearly double the amount of funds available.⁵ Accordingly, plans for the construction of three modules for the OCCC (Modules 17, 18, and 19 for 96 residents) had to be postponed until more funds were available. The 36-man modules for the high security facility had to be reduced to 30-man modules and plans for the construction of one module had to be postponed.

During the 1976 legislative session, the Governor made an unusual emergency appropriation request to the Legislature for the immediate authorization of \$10.2 million so that construction of the HCMP facilities could begin. Construction was scheduled to begin in January, 1976, but the anticipated \$10 million in federal funds did not materialize and DSSH was in need of supplemental funds.⁶ Although there were groups vehemently opposed to the appropriation request,⁷ the Legislature authorized the expenditure of \$10,181,000.⁸

Groundbreaking for all of the new facilities occurred in the last half of 1976, but the completion dates were much later than anticipated. The Kauai CCC/ISC complex was the first to be completed in December, 1977. The Maui CCC/ISC complex was completed next in March of 1978, and the Hawaii CCC/ISC complex followed in May of that year. The first group of modules for the Oahu CCC/ISC facility was completed in August of 1979, but inmates could not occupy the modules until early 1980.⁹ The Halawa maximum security facility was not ready for occupancy until March, 1980.

TABLE A

HISTORY OF LEGISLATIVE APPROPRIATIONS AND
LEAA FUNDING FOR CORRECTIONAL FACILITIES

<u>Purpose</u>	<u>Source</u>	<u>State</u>	<u>Federal</u>
Planning	Act 179, SLH 1970	\$ 100,000	
Design	Act 202, SLH 1972 (CIP)	200,000	
	LEAA, 71E-4		\$ 97,900
	LEAA, 73-ED-09-0010		600,000
	LEAA, 73A-6.1c		205,263
	State General Funds - 1975	22,807	
	LEAA, 74E-6.1g		119,798
	State General Funds - 1976	13,311	
	LEAA 75E-6.1a		38,422
Construction	State General Funds - 1976	4,269	
1. Phased construction of the CCC/ISC facilities on Oahu, Hawaii, Kauai, and Maui. Construction and renovation of Halawa high security facility. All new facilities to replace the existing Hawaii State Prison and county jails.	Act 218, SLH 1974 (CIP) LEAA, 74-ED-09-0008	1,092,466	4,417,786
2. Option A - Construction Phase I - Oahu CCC/ISC Phase II - Oahu CCC/ISC Interim Hawaii CCC facility for construction of six additional rooms and enclosure of recreation area. Halawa Jail conversion to high security facility with three 36-man and one 13-man modules.	Act 195, SLH 1975 (CIP)	7,181,748	
3. Supplemental funds authorized for planning and construction of master plan facilities. Unexpended balances from Item G-2 Adult Furlough Center, Sec. 4, Act 68, SLH 1971, may also be used.	Act 226, SLH 1976 LEAA, 76-ED-09-003 LEAA, 76-ED-09-009	10,850,000	1,500,000 4,100,000
		422,000	
	Sub-total	\$19,886,601	\$11,079,169

<u>Purpose</u>	<u>Source</u>	<u>State</u>	<u>Federal</u>
4. Renovation of OCCC cellblock and administration building (\$1,400,000); plans and design for additional OCCC facilities (\$50,000); plans and design for additional neighbor island CCC/ISC facilities (\$150,000); construction of Module C and sewer tie-in for Halawa High Security Facility (\$1,332,000)	Act 214, SLH 1979	\$ 2,932,000	
5. Supplemental appropriations for OCCC renovation (\$1,300,000); furniture and equipment for OCCC (\$100,000); OCCC expansion (\$450,000); and Halawa sewer tie-in (\$75,000)	Act 300, SLH 1980	1,925,000	
6. Land acquisition in Halawa for 500-bed medium security facility (\$3,579,000); supplemental funds for OCCC renovation (\$1,150,000) and for neighbor island CCC/ISC facilities expansion (\$3,750,000); improvements to Kulani Correctional Facility (\$323,000)	Act 1, SP. Sess. Laws 1981	8,802,000	
	Sub-total	\$13,659,000**	-0-
	Grand Total	\$33,545,601	\$11,079,169

* Total appropriations for HCMP facilities including the 1979 and 1980 appropriation for Halawa

\$21,293,601 \$11,079,169

** Total appropriations for renovation and additional facilities not planned by the HCMP

\$12,252,000 -0-

PROGRESS OF HCMP IMPLEMENTATION

While the new facilities were being constructed, the State experienced an unexpected and sudden rise in the inmate population.¹⁰ As the new facilities were being completed, the rooms were being filled up immediately,¹¹ and it became necessary to retain the prison cellblock and Kulani Honor Camp which were originally intended for phasing out under the HCMP. Keehi Annex¹² was constructed on the Oahu CCC/ISC property as a temporary emergency facility to house the overflow of pre-trial detainees in 1978.

Extensive renovations to the old facilities were necessitated as the population continued to rise and it became apparent that the temporary facilities would be required indefinitely. During the past few years, the Legislature appropriated a total of \$3,950,000 for the renovation of the old buildings on the OCCC property since the overcrowding has been most critical at the OCCC.

The Legislature also appropriated \$1.3 million for the construction of the third module at Halawa (Module C); \$500,000 for the planning and design of additional facilities at the OCCC; \$3.9 million for the expansion of neighbor island CCCs; and \$3,579,000 for land acquisition in Halawa for the construction of a new 500-bed medium security facility.

The statewide system of correctional facilities today has a total capacity of 888 but the total inmate headcount as of November 1, 1981 was 1,036 (see Table B). Completion of the OCCC administrative building renovation anticipated in May, 1982, will provide 80 additional beds and the completion of Module C in July, 1982, at Halawa will provide 30 additional beds. The Corrections Division, however, anticipates an inmate population of 1,581 by January 1985 (see Appendix D). Since the construction of large facilities like the proposed 500-bed medium security facility at Halawa takes approximately five years for the planning, design, and construction, the commencement of that project is considered high priority.

Administration

Neither the HCMP nor Act 179, SLH 1973, delineated the administrative requirements for implementing the HCMP other than organizational placement and structure of the ISC. Following the enactment of Act 179, there was a need to translate the general responsibilities of the ISC and Corrections Division into functional plans. In 1976, the DSSH contracted with Peat, Marwick, Mitchell and Company (hereinafter PM&M) to conduct a study on the development of organizational and implementation plans for the ISC and the new management information system required by the HCMP. About the same time, the DSSH also contracted with Arthur Young and Company to analyze the operations of the Corrections Division and to develop a new organizational structure to implement the HCMP.

The PM&M study was completed in two volumes. The first volume included a detailed flowchart of offender movement through the criminal justice system which identified all the agency functions, decision points, and dispositions.¹³ Based on the functions identified in the flowchart, an organizational structure and functional plan was proposed for the ISC wherein the PM&M report interpreted the HCMP and Act 179 to require the assumption

TABLE B
ADULT CORRECTIONAL FACILITIES
CAPACITY AND HEADCOUNT

<u>Facility</u>	<u>Capacity*</u>	<u>11/1/81 Headcount</u>
Oahu CCC		
Cellblock	250	
Keehi Annex	80	
Modules	276**	
Holding Unit	36	
	642	758
Hawaii CCC	24	41
Maui CCC	22	54
Kauai CCC	15	23
Halawa High Security Facility	72	74
Modules A and B	60	
Holding Unit	12	
Kulani Correctional Facility	90	73
Conditional Release Centers	<u>23</u>	<u>13</u>
TOTAL	888	1,036

* Ideally, the holding unit rooms should not be considered as part of the residential capacity because they are intended for disciplinary or protective segregation purposes. As noted above, OCCC has 36 rooms; however 24 of those rooms are being used to house pre-trial detainees triple in number. Halawa has 12 holding rooms and the neighbor island CCCs each have one room.

** Of the 276 rooms, 96 in the newest modules (17, 18, 19), were not occupied as of November, 1981, although they were completed in August, 1981, due to staffing and equipment problems.

PROGRESS OF HCMP IMPLEMENTATION

of functions from existing agencies (see Appendix E). The PM&M report recommended placement of the ISC in DSSH to facilitate an effective delivery of a combination of correctional and social services and suggested that placement under the Judiciary or Corrections Division would limit the effectiveness of the ISC since the functions cannot be purely judicial or correctional.

The second volume¹⁴ recommended an information system which would provide necessary information for the administration of the ISC and correctional facilities in (1) the monitoring of offender status; (2) the decision-making process regarding the client's disposition at all phases within the offender flow, including individual performance measurement; (3) evaluating the effectiveness of a treatment approach, program, or other measurable functions of entities including program cost accounting; (4) providing fiscal, budgetary, and statistical information to meet administrative needs and State PPS reporting requirements, including program cost accounting; and (5) developing predictive models of post-release behavior.

Both PM&M reports have been used as implementation guides for the ISC and the Office of Correctional Information and Statistics (hereinafter OCIS). In addition to these guides, the ISC developed a long-range implementation plan on March 31, 1980 with specific programmatic goals and a chronological action plan to meet those goals. The long-range plan was adopted by the then ISC Advisory Board in June 1980 but successful implementation of the plan is dependent on cooperation from other criminal justice agencies. Although the Advisory Board consisted of representatives from all criminal justice agencies, there has not been an enthusiastic support from those agencies toward achieving the goals in the long-range plan.

The Young study attempted to clarify the functional relationships between the CCC in the Corrections Division and the ISC (see Appendix F). Essentially, it recommended that the CCC should be responsible for the intake functions normally associated with a custodial institution and for security throughout the CCC/ISC complex while the ISC should be responsible for intake interviewing, pre-trial release decisions, diagnostic work-up and testing of long-term pre-trial and sentenced offenders, and all activities except security, in the short-term pre-trial housing. Both the ISC and the CCC program personnel would coordinate the development of community resources and in-facility programs, and decisions on placement of offenders in housing.

The Young report stressed the importance of an effective working relationship between the CCC and the ISC and recommended that the ISC be placed within the Corrections Division. The rationale was stated as follows:

Our primary concern is the degree of coordination required between ISC personnel and CCC personnel. Once an offender enters the criminal justice system via the Intake Service Center, he is the recipient of actions taken by both ISC and CCC personnel. Unfortunately, from an operational viewpoint, he is not processed first through the ISC unit and then through the CCC unit. In fact, as he moves through the various phases, he moves through ISC processes, then CCC processes, then ISC processes, etc.

REVIEW OF HCMP IMPLEMENTATION

If the ISC and CCC personnel were in the same organization, then uniformity, continuity, and effectiveness would be easier to attain. Under the current situation, personnel working in the same areas and performing closely integrated activities are responsible to different administrators with all the attendant differences in personality, goals, responsibilities, etc. In our opinion, such a division of responsibility and authority, when superimposed over a series of activities requiring extremely close coordination, will make it difficult, if not impossible, to attain the degree of efficiency required.

We recognize that the ISC was placed under the Governor's Office for essentially two reasons. (1) to assure independence from the Criminal Justice agencies when making decisions concerning pre-trial release, housing (security risk), and resident program participation, and (2), to limit undue influence pending a decision concerning the responsibility for preparing pre-sentence investigation reports. In spite of these two concerns we recommend that the ISC be placed organizationally within the Corrections Division so that the goals and objectives of the Master Plan can be met in the most effective and efficient manner.

First, there is no reason why decisional independence cannot be maintained since the decisions involved are based primarily on historical data, and the judgment of personnel in the various professional disciplines. Besides, regardless of where the ISC is organizationally located, most of the decisions involved will be made jointly by ISC and CCC personnel.

The more difficult problem relates to the traditional probation activity of pre-sentence investigation reports. It is obviously the most sensitive of issues because even though the Master Plan has been approved by the Legislature, and included the pre-sentence reporting responsibilities in Act 179, S.L.H. 1973, as that of the ISC, the "problem" has not been resolved. We suggest that it may be some time in the future, if at all, before the probation activity is assimilated into the ISC. Therefore, we would not sacrifice the overall effectiveness of the ISC because they may become responsible for a function not normally within the framework of a Corrections operation.

The degree of effectiveness of the working relationship between ISC and CCC personnel may very well spell the difference between success and failure of the new corrections system. This factor should be carefully

PROGRESS OF HCMP IMPLEMENTATION

considered before the new correctional facilities are placed in operation.¹⁵

Unfortunately, the ISC and the Corrections Division still have not fully agreed on their functional relationships. Act 302, SLH 1980, transferred the ISC to the DSSH for administrative purposes on June 18, 1980 as recommended by the SLEPA report in 1980. While this arrangement has facilitated more discussion at the initiation of the DSSH director's office, the two agencies are still negotiating on this matter.

Other major recommendations of the Young report were (1) a change in the Corrections Division organization to allow for the assignment of specific responsibilities to the Assistant Division Administrator (see Appendix F); (2) the functional arrangement and personnel requirements for each HCMP facility; (3) the retention of Kulani Honor Camp; and (4) the establishment of an administrative services unit which would include a planning and research section responsible for the development of an implementation plan for the division as well as for each facility.

Except for the staffing of the neighbor islands CCCs, the Young organizational recommendations have not been fully implemented primarily because of insufficient funds for the additional personnel required for the organizational changes. Since 1975 the number of branches and employees in the Corrections Division has doubled but administrative support staff has hardly increased. The Division was provided with a master plan planning unit through LEAA funds but its emphasis has been, until 1980, on capital improvement planning and coordination of the HCMP facilities. To date, there has been no official divisional program implementation plan and the facility programs are left to the discretion of the facility administrators. The Division contends that because of the unexpected increase in inmate population, its personnel resources and planning efforts necessarily had to focus on the overcrowding problem since the HCMP programs could not be initiated under crowded conditions. In view of the recent legislative approval for expansion of correctional facilities, the Division is now in the process of developing a program implementation plan which should reflect adjustments to the HCMP prompted by the changes in the criminal justice system such as the increases in inmate commitments and length of detention time.

Staffing at Correctional Facilities

Insufficient staffing has been a major problem for the correctional facilities, especially OCCC, because overcrowding has necessitated more staff on each shift for security purposes. This in turn has led to more overtime work, especially on Oahu and Maui, where the ACOs average around sixteen hours a day and often work for thirteen straight days. The staff turnover of new ACOs is high at the OCCC where the atmosphere is extremely stressful and there is insufficient staff time and funds available to adequately train the old and new staff members to cope with the new changes occurring in the correctional system. Training of the long-time staff members is critical because the new ACOs look to them for guidance on the job. Many long-time staff members are resistant to the role of the ACO under the HCMP because they feel more comfortable in a custodial setting and they do not want to in-

REVIEW OF HCMP IMPLEMENTATION

teract with inmates. The Division does not have a standard training and orientation program for the long-time staff members to learn their new roles under the HCMP because it does not have funds for such training. To a large extent, the ACOs continue to function as "prison guards" and there is no separation of security and program staff. At the OCCC, the ACOs are constantly rotated among various module, cellblock, and perimeter posts.

The HCMP envisioned that the residential modules would function as semi-autonomous program units. As such, the implementation of the unit team management concept would be essential to facilitate individualized programming under a controlled environment. Overcrowding and staff problems, however, have impeded the implementation of the concept. Until OCCC can resolve its staff turnover problems, it will continue to rotate its ACOs and assign social workers to more than one module. Successful implementation of the concept would require permanently assigned groups to a module. On the neighbor islands, the unit team concept cannot be fully implemented because the entire facility functions as one unit. Consequently, the staff must perform duties for the overall facility as well as for the living unit. Because the neighbor island CCCs are small, there is a lot more interaction between staff and inmates and, while security is the ACO's primary concern, the ACOs are fulfilling the role of the communication link between the counselor and the inmates as envisioned by the HCMP. The Halawa administrator has plans to implement the unit team concept as soon as renovation to Module B is completed and provided that the population does not greatly exceed its capacity. The Halawa administrator has initiated an orientation program for its ACOs regarding their roles under the HCMP. Staff morale is high and the atmosphere is conducive to the unit team approach.

Intake Service Center

The Governor appointed fifteen members to the Intake Service Center Advisory Board in May, 1975. However, the ISC did not begin operations until an LEAA grant of \$141,754 in February, 1976, provided funds for hiring an executive director, three planners, a fiscal specialist, two clerks, and a secretary. In March 1976, the Governor appointed the ISC executive director. In fiscal year 1976-77, \$370,640 in federal funds and \$41,183 in state funds facilitated the appointment of administrators for the three neighbor island ISCs in January, 1977. During that same fiscal year, the pre-trial services unit from the First Circuit was transferred to the ISC and the Corrections Research and Statistics Bureau from DSSH was transferred to the ISC to become the corrections information system as recommended by the PM&M report. In July, 1977, the ISC became a regular state program and was provided funds for 29.5 positions in fiscal year 1977-78 and 34.0 positions for fiscal year 1978-79.¹⁶ Today, the ISC has 51 authorized positions.¹⁷

The responsibilities of the ISC are enumerated in Act 179, SLH 1973 (sec. 353-1.4, Hawaii Revised Statutes), as follows:

* * *

PROGRESS OF HCMP IMPLEMENTATION

(b) It shall provide guidance and technical services for volunteer referrals and to admitted persons, correctional diagnostic and evaluation services for diversionary determinations, pre-sentence investigations for the courts, and post-sentence correctional prescription program planning for committed persons;

(c) Provide short-term residential detention for persons awaiting judicial disposition who have not been conditionally released;

(d) Provide such other personal and correctional services as needed;

(e) Monitor and record the progress of persons admitted to the center, who undergo further treatment or who participate in prescribed correctional programs;

(f) Refer persons admitted to the center in selected cases, to community programs pending judicial disposition or where judicial proceedings are discontinued or suspended;

(g) Provide for adult persons, correctional services including but not limited to orientation, social, psychiatric-psychological evaluations, employment counseling, social inventory and programming, medical and dental services, and referral services to community programs;

* * *

The ISC translated these responsibilities into tasks according to the four phases of the criminal justice system as follows:¹⁸

- (1) Apprehension Phase: Police-ISC coordination. Interagency exchange of information with the police, prosecutor, and public defender.
- (2) Pretrial Phase: Reception, intake screening, and pretrial assessment for release recommendations and bail recommendations. Custody admission interviews, residential care, and program planning with institutions. Pretrial supervision, monitoring, and exchange of information with police, prosecutor, public defender, and judges.
- (3) Pre-sentence Phase: Preparation of pre-sentence and diagnostic report includes interviews with the offender, review of arrest reports, conducting special diagnostic tests, and verifying information.
- (4) Post-sentence Phase: Review case data and provide further assessment of offender's needs and classify inmate for

REVIEW OF HCMP IMPLEMENTATION

security. Participate in review of inmate for reclassification or release in furlough programs or parole. Coordinate and refer individuals to community programs.

The ISC also identified other important ISC activities which would be intrinsic to all four phases. These activities include special diagnostic testing on a fee-for-service basis; data gathering and analysis for the monitoring of offenders in programs; and the development of community-based programs.

In 1979, the ISC Advisory Board evaluated the progress of the ISC and noted that there were numerous organizational and management problems which continue to exist despite efforts to resolve them. Little progress has been achieved in resolving those problems since that report was made. The following is a brief account of the status of the ISC programs.¹⁹

Progress in the implementation of the HCMP requirements for the ISC has been slow. Essentially, the ISC has only been involved in the early phases of the criminal justice system. Yet, even in these phases, the ISC involvement has been incomplete for there has been little program development and coordination with other criminal justice agencies.

In the apprehension phase, the ISCs on Oahu and Maui have made arrangements with the police to conduct interviews with potential candidates for pre-trial release at the police cellblock. The Maui ISC is currently working with the police to establish citation release programs.

In the pre-trial phase, the ISC on Oahu and Maui have workers available at district court arraignments to interview potential clients and provide pre-trial services. In all jurisdictions, the ISC conducts pre-trial investigations and bail studies and makes recommendations to the courts as to those offenders who qualify for pre-trial release. Pre-trial offenders placed on supervised release by the courts are supervised by the ISC.

The ISC is not involved in intake at the CCCs or in providing services for pre-trial detainees. The CCCs have continued to provide these services since the ISC has not had sufficient staffing to devote to the full pre-trial intake process which requires staffing beyond eight hours since admissions occur during all hours of the day. The ISC has not been involved in residential placement and program planning activities with the facilities. ISC services to pre-trial detainees who do not qualify for pre-trial release are minimal. The ISC has been concentrating on pre-trial release and has not had sufficient staff or time to provide services and programs for the pre-trial detainees although this is supposed to be one of the primary purposes of the ISC.

In the pre-sentence phase, the ISC has been conducting pre-sentence investigations (hereinafter PSIs) for misdemeanants on the neighbor islands at the request of the district courts since 1978. On Maui and Kauai, the ISCs perform PSIs on some felony cases. In Hawaii county, the ISC also assisted the circuit court in preparing PSIs for felons but this practice ceased about a year and one-half ago. On Oahu, the ISC does not perform any PSIs, and from all indications, it seems unlikely that the courts will ever request such services from the ISC.

PROGRESS OF HCMP IMPLEMENTATION

The primary reason for the ISC involvement in PSIs on the neighbor islands is due to limited personnel resources in the neighbor island courts. Maui and Kauai counties do not have a separate district court counseling service like Oahu and Hawaii counties so they refer most of their PSIs for misdemeanants to the ISC so their probation officers can concentrate on the PSIs for felons. If the neighbor island courts had sufficient staffing to handle all PSIs, the ISCs would probably not be requested to conduct any PSIs as there appears to be a preference by the courts to have their own personnel do the work.

In the post-sentence phase, the ISC has taken over supervision of the Community Service Restitution project previously handled, on a limited basis, by the Judiciary on the neighbor islands. There are no diagnostic and program prescription services provided to the facilities for residential placement and programming decisions on offenders or to the paroling authority for minimum sentencing decisions.

The information system, while it has produced extensive statistical reports on offenders, has not yet achieved its most important function of compiling and translating correctional data from which effective and consistent decisions by the ISC and Corrections Division regarding offender treatment can be made. Much of the problem involves an absence of coordination between the ISC and the Corrections Division regarding the input and output requirements of the information system. The OCIS was having difficulty in controlling the quality of data that was being submitted by the correctional facilities and the facilities allege that information has not been readily available in meaningful form to assist them in making decisions affecting the offender. The absence of communication and coordination between the two agencies resulted in the production of numerous reports by OCIS which have not been fully used by the intended user group.

Recognizing this problem, the DSSH formed a study team in July, 1981, composed of representatives of the Corrections Division adult branches, the ISC, and the paroling authority to develop a centralized automated information system to meet the operational needs of the correctional system. Although the study was limited to the coordination problems of the Oahu branches, the recommendations are intended to be flexible and capable of integrating the interests and concerns of the neighbor island branches. The final report,²⁰ if agreed to by the agencies, will be a major accomplishment toward the ISC coordination effort. Other recent efforts toward coordination include the development of statewide sentence calculation policies and procedures, and a central records system to assist the paroling authority, Corrections Division, ISC, and adult probation.

As the intended coordinating agency for the implementation of the HCMP, the ISC has been unsuccessful in achieving much progress. The ISC does not enjoy the status of systems coordinator planned for by the HCMP. There is no coordinated central intake process, and the criminal justice agencies continue to function as independently as they did prior to the HCMP. The only area of coordination has been in the pre-trial release programs with the police, prosecutors, and courts. The extent of cooperation, however, among the criminal justice agencies in most jurisdictions is, at best, only one of accommodation. Relationships between the ISC statewide office, the Judiciary,

REVIEW OF HCMP IMPLEMENTATION

and the Corrections Division have been strained over the past five years although there are continued attempts initiated by the ISC at resolving differences.

In the area of community-based program development, the ISC has not implemented any new programs other than those programs in the pre-trial diversion area. With insufficient staffing and overcrowding in the correctional facilities, the ISC at the onset determined that priority would be given to the pre-trial diversion area since a large portion of the detained population at that time was comprised of pre-trial detainees.

Halawa High Security Facility

Although the Halawa Jail was turned over to the State on June 20, 1975, it could not function as a maximum security facility until after March, 1980, when the new facility was ready for occupancy. At that time, the population consisted primarily of pre-trial detainees and it was not until June, 1981, that Halawa transferred 46 pre-trial inmates to OCCC and received three maximum security inmates from OCCC in exchange. The Corrections Division attributed the delay of transferring pre-trial inmates to the overcrowding problem in the community correctional centers.²¹

As of October 6, 1981, Halawa's population totalled 78 inmates and consisted of 39 not-sentenced, no misdemeanants, and 38 felons.²² Negotiations between the Halawa and OCCC administrations regarding the transfer of other inmates is continuing and it was anticipated that by the end of 1981, Halawa would be housing only maximum security inmates. When this happens, Halawa's administrator intends to implement programs as envisioned by the HCMP wherein residents will be segregated by module and by quadrants within modules for a sequentially phased program which offers residents the opportunity to work their way to better privileges within the facility and eventually, perhaps, to a CCC. The programs will be geared to keep the inmates busy and out of trouble, not to rehabilitate the inmates. There are presently two general education programs at Halawa, one offered by Kamehameha School and one by Aiea Community School. New classes will include industrial courses through Hoomana School and college level courses.

The Halawa facility has a central program area consisting of a printshop, library, gymnasium, and a classroom. Each module has an outdoor recreation courtyard adjacent to the module. Certain inmates classified as maximum security custody within the facility must remain in their modules and are only allowed into the module's recreation yard. All other program areas are off limits to those inmates. At present, however, the printshop and library areas are not being used for program purposes because those areas have been used as housing space to meet the demands of overcrowding in the past and are now undergoing renovation for program use.

Oahu Community Correctional Center

The HCMP envisioned the OCCC as a residential center for the Oahu not-sentenced and minimum to medium security sentenced inmates. It was

PROGRESS OF HCMP IMPLEMENTATION

anticipated that there would be a number of minimum security residents who could qualify for community-based programs and that the pre-trial detainees would be quickly processed by the ISC and diverted from lengthy incarceration. However, as of June 30, 1981, the OCCC population of 651 inmates consisted of 471 sentenced felons, 39 sentenced misdemeanants, and 141 not-sentenced. Of the sentenced population, over fifty per cent were medium security, two per cent were minimum security, and twelve per cent were maximum security.²³ As of November 1, 1981, the headcount at OCCC rose to 758 and the OCIS contends that the majority of the residents are still the high to medium security felons and not-sentenced detainees. Of the 758 inmates, 541 were felons, 15 misdemeanants, and 202 were not-sentenced.

All but four of the modules planned by the HCMP have been constructed. There are currently eleven modules available for housing inmates but, of that number, three (Modules 17, 18, and 19) which were completed in August, 1981, are not in use because of equipment problems and staffing shortages. Construction plans for the last four modules have been delayed pending completion of the 500-bed medium security facility planned for Halawa since the site is presently being used as a "makeshift" recreation yard for the OCCC inmates. Since the total capacity of the eleven modules is 276 inmates and the population at OCCC is 758, the cellblock still houses a large number of maximum security inmates together with medium security inmates. The overcrowding has impeded the OCCC's flexibility to segregate its population appropriately for control and programming purposes.

The OCCC has been troubled with staff turnovers due to the stressful atmosphere at the facility. While some of the ACOs like the module setting because there are less residents and each can be locked up individually, some ACOs feel more apprehensive since there are some high security inmates in the module. Furthermore, there is more direct contact between the inmates and the ACOs at OCCC because the module control station is constructed like a circular reception desk with no security enclosure as provided for the Halawa High Security Facility or the neighbor island CCCs.²⁴ As of September, 1981, out of a total of 236 authorized ACO positions (196 permanent; 40 temporary), 83 were vacant (54 permanent; 29 temporary). OCCC has had difficulty finding appropriate personnel for the ACO IV positions (para-professional counselors) because the job requires the ability to work and communicate with inmates. The ACO III (security) positions are difficult to fill because there are not enough applicants and for many who do apply, English is not their primary language.²⁵

Staffing shortages have also affected the professional levels at OCCC. Out of 9 unit supervisor positions, only 7 are filled and out of 14 social worker positions, although 9 are filled, 3 are emergency hires. Insufficient professional staffing has resulted in the doubling up of unit supervisors and counselors to unit teams and has thus minimized the module and individualized program development capability of the unit teams.²⁶

The mixed rather than segregated population in the modules has hampered the implementation of programs in the modules. The module residents, however, have more program opportunities than the cellblock inmates for craft and hobby classes, group interaction programs, religious programs, and

REVIEW OF HCMP IMPLEMENTATION

counseling and tutoring sessions because the modules have been designed with space for such programs.

The availability of programs outside the modules in the central program area is limited primarily because of inadequate space. The HCMP assumed that most of the program needs of the OCCC residents could be met through the use of community resources. Accordingly, central program space was minimally planned. The OCCC has a Hoomana School industrial program but most classes are limited to around 25 students per class because of limited workshop space and security personnel needed to conduct classes. Recreation outdoors for the OCCC residents is provided by a recreation hall that is a covered basketball and tennis court complex with a stage, and a "makeshift" ball field that was established after the old prison recreation yard had to be closed for the construction of the new modules.

The ability to provide programs in the cellblock is limited because the cellblock dormitories have no program space like the modules. Programs must therefore be carried out in the central program areas. The library and lanai area of the old administration building provide some space for group activities such as bible study classes, alcoholics anonymous meetings, tutoring, and hobby classes. All cellblock inmates, excepting the maximum security inmates are also allowed to participate in the educational and vocational program areas of the module complex.

Pre-trial detainees housed in the holding unit or Keehi Annex are provided minimal programs by the Corrections Division such as recreation, field days with families, and basic needs services such as contacts with lawyers, employers, and doctors. The HCMP intended that the ISC would provide the crisis and counseling services for all of the pre-trial population, but the ISC has only been providing such services for those who qualify for release programs and for particular inmates in crisis situations.

Although there is a wide variety of programs offered at the OCCC, many inmates are only involved in workline activities which were discouraged by the HCMP for extensive use. The workline activities generally include laundry, janitorial, kitchen, and yard work chores around the facility. Many inmates are idle a large part of the day.

The OCCC does not have a Program Center as recommended by the Hawaii Pre-Design. The program committee still functions as it did prior to the HCMP's adoption and the program control administrator is responsible for the overall planning of the programs for the OCCC. There is no assistance in program planning provided by the ISC.

Neighbor Island Community Correctional Centers

The breakdown of the headcount at the neighbor island CCCs as of November 1, 1981, is as follows:

PROGRESS OF HCMP IMPLEMENTATION

<u>County/ Capacity</u>	<u>Felons</u>	<u>Misdemeanors</u>	<u>Not- Sentenced</u>	<u>Total</u>
Hawaii (24)	10	8	23	41
Maui (22)	19	1	34	54
Kauai (15)	15	2	6	23

Overcrowding on Hawaii and Maui is attributable to the inordinate amount of not-sentenced residents detained at the facilities. The problem on Maui is compounded by the exceptionally lengthy detention time served by the not-sentenced residents.²⁷

Program implementation as recommended by the HCMP has been hampered by the overcrowding and the large number of pre-trial detainees. The neighbor island CCCs only have one correctional counselor to coordinate and implement the program needs of the facility since the HCMP expected the neighbor island CCCs to rely on community resources for programming. Experience has shown, however, that personnel and facility resources are limited on the neighbor islands where the populations are small. Thus, while the CCCs provide a variety of general activities by religious groups, alcoholics anonymous, and volunteer tutors, the hobby and music classes that are popular among the inmates are only available when volunteer instructors can be obtained. Programs are also affected by the limited program space available and the number of ACOs on duty to monitor the activity area. The neighbor islands have an added problem when an ACO (sometimes two) is required to escort an offender to court. Especially on Hawaii, this can mean a whole day's absence from the facility if the offender has to be escorted to Kona.

The Maui and Kauai CCCs have outdoor recreation courts while the Hawaii CCC has an enclosed recreation court with skylights. The recreation courts adjoin the module program areas and provide such activities as weightlifting, volleyball, or ping-pong.

The modules were designed for more freedom of movement within a large secured area with the intention of limiting the cell confinement period. However, the overcrowding problem on the neighbor islands, especially on Maui, has resulted in longer confinement period for residents in their individual rooms since there is only one program area in the module and most activities have to be conducted in shifts.

Half-way Residences

There are currently four half-way residential programs operating in the State, all of which are on Oahu. Two are operated by the Corrections Division's conditional release branch and two are operated by the John Howard Association of Hawaii under contracts with the ISC and Corrections Division.

The two conditional release centers under the Corrections Division were in operation prior to the adoption of the HCMP. The Laumaka Conditional Release Center, established in 1968, and the Kamehameha Conditional Release

REVIEW OF HCMP IMPLEMENTATION

Center, established in 1973,²⁸ provide housing for those felons who can be trusted in a minimally controlled environment which resembles the community life-style the inmate must reintegrate into upon release. The centers offer inmates a work release program wherein the inmates can pay for their own room and board and for their family's support. Programs in the centers are highly structured into sequential phases of goals and objectives agreed upon by the inmate and staff at the onset and the inmate is awarded increased privileges based on successful performance and good behavior.

The Liliha House I program of the John Howard Association, which is funded through the ISC, provides housing for pre-trial offenders released on supervised release or on their own recognizance, probationers sentenced as a special condition of probation, and probationers determined by the court as in need of more structured program than conventional probation. Liliha House II, which is funded through the Corrections Division, provides selected male and female felons with a pre-parole release program designed to ease the transition from institutional life to community living. Programs in the residence are similar to that provided at the conditional release centers where employment is stressed as the primary means for the inmate to effectively reintegrate into the mainstream of the community.

All four community residence programs were evaluated and were found to be effective as alternatives to incarceration as envisioned by the HCMP.²⁹ A report by a citizens committee which conducted an evaluation of the conditional release branch in 1977 concluded that the program demonstrated the capability of the Corrections Division to "deinstitutionalize" corrections but that the Division lacked a commitment to the program and had failed to develop this potential by not providing a concrete plan for community-based programs. The Corrections Division contended that the establishment of half-way houses has been hampered by community opposition. This was vividly demonstrated in August, 1977, when a neighborhood, supported by its legislators, successfully defeated the Division's plan to relocate the Kamehameha center from the prison grounds to a home in the Kalihi area.³⁰ As a result of this opposition, the center was moved "temporarily" to the superintendent's cottage at the Hawaii Youth Correctional Facility (HYCF). Later attempts by the Division to relocate the Kamehameha center also failed and the center still remains on the grounds of the HYCF. Because of such strong community opposition to the establishment of centers in their neighborhoods, the Corrections Division began furlough programs from the CCC facilities. This, in combination with the contention by the Corrections Division that there are less inmates today who can qualify for minimal security programs, has resulted in the two conditional release centers being only half filled and future Division expansion plans are moving toward CCC facility-based rather than community-based release programs.

Chapter 6

FINDINGS

External Factors Affecting HCMP Implementation

The HCMP was developed during a time when the economy was healthy and Hawaii, as a young state, took pride in its progressive social programs. When the HCMP was finally completed, however, the economic picture dimmed, corrections administrators and legislators involved with the HCMP development were replaced by others not as familiar with the HCMP, and the public's sympathetic attitude toward criminals changed.

Inmate Population Growth. The most significant and unexpected change that occurred after the HCMP was adopted was the sudden inmate population growth. The HCMP's population projections were based on the assumption that the slow but steady growth that occurred between 1930 to 1970 would continue. Commencing in 1973, however, the mainland states experienced a sudden growth in inmate population. That trend reached Hawaii a few years later as the new HCMP facilities were being constructed.¹ Experts have reasoned, after much studying and conjecturing, that the unexpected and accelerated growth pattern was attributable to the baby boom after World War II which produced a large crime-prone age group for today; an increase in crime; a retributive public mood resulting in mandatory and longer minimum sentences; conservative parole policies and an increase in the number of persons per capita that are committed to prison.² Whatever the reason, Hawaii like most other states in the nation found itself unprepared.

The Fiscal Picture. To compound the problem of an unanticipated inmate population surge, Hawaii, as well as the federal government, was in a period of high inflation and fiscal constraint. All state government agencies were competing for the same limited resources. While the legislature was generous in appropriating funds for the construction of new facilities, there was little money for the implementation of programs. The construction of new facilities necessarily was assigned a higher priority over program implementation because the state prison and county jails were designated antiquated in the early sixties. With the rising inmate population in 1976, the urgency of constructing new facilities was intensified. Funds from the LEAA were becoming scarce and with soaring construction costs, the legislature was required to appropriate much more for capital improvements than it had anticipated. As was forewarned by the HCMP, without diversionary program alternatives to incarceration, drastic increases in facility capacity needs resulted.

"Get-tough" Public Mood. The decade of the seventies experienced a sharp increase in the state crime rate (the proportion of offenses per 100,000 population). From 1970 to 1979, the crime rate increased by 37.5 per cent, of which 146.9 per cent represented an increase in crimes against the person.³ A corresponding increase in the public's fear of being victimized resulted in demands on government and elected officials to "get-tough" on crime and to keep the criminals off the streets.

REVIEW OF HCMP IMPLEMENTATION

Since 1976, the legislature has responded to the public outcry by enacting mandatory minimum sentencing legislation. Such laws have, in effect, taken away much of the discretion of the courts and paroling authority in making sentencing decisions which was the essence of the indeterminate sentencing philosophy of the Hawaii penal code. The commentary on section 706-605, Hawaii Revised Statutes, noted that:

...the Code takes the position that, with the exception of murder, the Legislature should not compel imprisonment for any crime before the circumstances of the crime and facts concerning the defendant are known to the sentencing authority.

This provision rests on the view that no legislative definition or classification of offenses can take account of all contingencies. However right it may be to take the gravest view of an offense in general, there will be cases comprehended in the definition where the circumstances were so unusual, or the mitigations so extreme, that a suspended sentence or probation would be proper. We see no reason to distrust the courts upon this matter or to fear that such authority will be abused. (Footnote omitted)

When the mandatory minimum sentencing law for repeat offenders was first enacted, it applied only to those offenders convicted of class A felonies such as murder, first degree rape, kidnapping, first degree sodomy, first degree robbery, first degree promotion of dangerous drugs, and first degree promotion of harmful drugs; and to persons convicted of class B felonies such as first degree assault and second degree promotion of dangerous drugs.⁴ Mandatory minimum sentences of five to ten years were also provided for first-time and repeat offenders convicted of class A and B felonies involving firearms.⁵ Today, the law has been expanded to include over three times as many crimes including class C felonies. The mandatory minimum law for repeat offenders provides that persons convicted of class A and certain class B felonies⁶ will be automatically sentenced to a minimum of five years on the second conviction and ten years on the third conviction without the possibility of parole. An offender committing other class B and certain class C felonies⁷ would be sentenced to three years on the second conviction and five years on the third conviction without the possibility of parole.

In 1981, the legislature also imposed a mandatory minimum sentence of thirty days in jail for repeat offenders convicted of prostitution which is a misdemeanor.⁸ For first-time offenders of class A felonies, a new law in 1980 provides for an automatic imprisonment sentence by denying the options of suspension of sentence and probation as alternatives to incarceration.⁹

The minimum sentencing and release decisions by the Hawaii Paroling Authority have also been affected by the public's get tough mood. Although the HCMP expected the average felony sentence to be reduced to 18 or 16 months by 1982, the average length of time served by felons has shown a

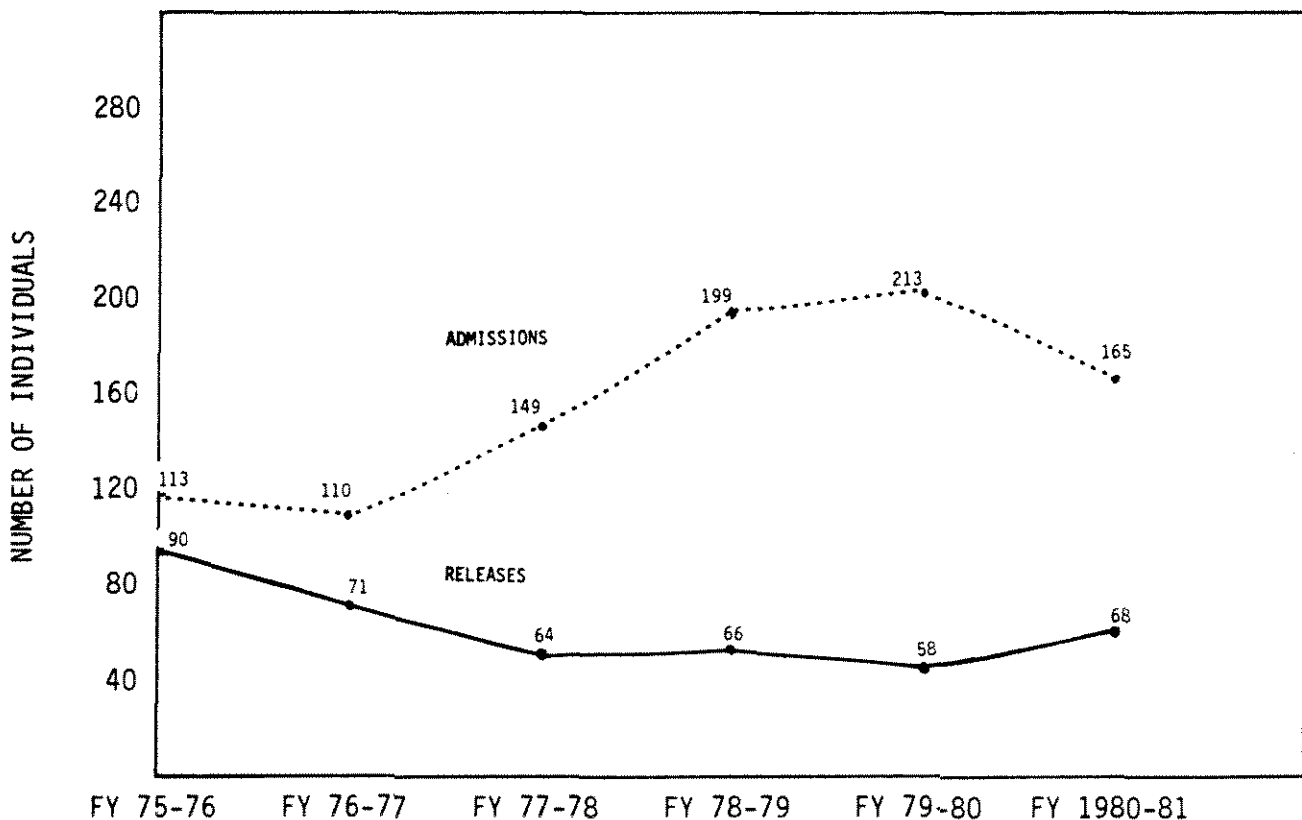
FINDINGS

steady upward trend from 30.2 months in fiscal year 1975-76 to 47.4 months in fiscal year 1980-81.¹⁰

As mentioned in Chapter 4, the HCMP assumed that a significant portion of the inmate population would be diverted from incarceration and, with better diagnostic capabilities and reintegration programs, offenders who require incarceration would be serving shorter sentences. But, the aforementioned mandatory sentencing laws and the stricter minimum sentencing and release decisions of the Hawaii Paroling Authority, over the last five years have affected the State's prison capacity in that as admissions and length of detention have increased, only a conservative number of felons have been released (see Figure 1).

FIGURE 1

Felon Admissions and Releases*
FY 1975-76 through FY 1980-81



Source: *Data provided by OCIS.

REVIEW OF HCMP IMPLEMENTATION

In addition, the average time served by offenders released in fiscal year 1980-81 showed a dramatic increase from fiscal year 1975-76 (see Table C).

TABLE C

Release By Time Served
By Offense Class*
FY 1975-76 to FY 1980-81

	<u>FY 1975-76 Months</u>	<u>FY 1980-81 Months</u>
Personal Crimes	39.7	67.8
Property Crimes	29.5	36.9
Other Crimes	24.0	31.8
Technical Violations	9.5	22.4
Drug-related Crimes	<u>32.5</u>	<u>51.2</u>
Average	30.2	47.4

Rates of Change
FY 1980-81 Over FY 1975-76

Personal Crimes	+71.0%
Property Crimes	+25.0%
Other Crimes	+33.0%
Technical Violations	+136.0%
Drug-related Crimes	+58.0%

Source: *Data provided by OCIS.

FINDINGS

With the increase in admissions, the facilities were further unprepared for a large pre-trial population. The HCMP's low population projections were premised on the assumption that a large segment of the pre-trial population would not require detention and could be expeditiously diverted from the system. During fiscal year 1978-79, 37.4 per cent of those admitted to the state correctional facilities were pre-trial felons and 33.3 per cent were pre-trial misdemeanants.¹¹ The pre-trial admissions thus accounted for 70.7 per cent of the total admissions. While many pre-trial admissions are diverted from incarceration through various release programs coordinated by the ISC, a large number are still being detained.

In fiscal year 1980-81, there were a total of 326 pre-trial detainees held in correctional facilities until sentencing. The median detention time served by pre-trial felons was 82 days and 44.5 days for misdemeanants.¹² There is insufficient information available to determine why many pre-trial detainees required lengthy detention. Consequently, there is a need for further study by the ISC on pre-trial population in order to establish policies and programs to resolve this problem.

Administrative and Organization Problems

In 1979, the LEAA Office of Audit and Investigation, the Intake Service Center Advisory Board, and SLEPA each conducted a review of the HCMP.¹³ All three agencies reported that the HCMP has been implemented at a less than satisfactory level. Hawaii now has a statewide system of modern correctional facilities which includes the former county jails, and a new agency called the Intake Service Center, but beyond these, there has been little change to the criminal justice system. Generally, the reports found that there was an absence of commitment by the criminal justice agencies to the HCMP; there was no coordination of policies and procedures among the criminal justice agencies; and there was no comprehensive plan for the development of a community-based corrections program.

The reports attributed these shortcomings to a confusion regarding the role of the ISC and the absence of a clear statutory authority and direction to assume overall responsibility for the coordination and implementation of the HCMP. The reports also indicated that the HCMP has been hampered by the public's mood to "get-tough" on criminals which has led to mandatory minimum sentencing laws which have, in turn, led to the incarceration of more felons, longer minimum sentences, and stronger community opposition to community-based programs. Finally, the reports noted that it was too soon (in 1979) to make a fair assessment of the HCMP implementation since the ISC and the CCCs had only been in operation for a few years, and the criminal justice system was still in transition. The Bureau found that the same problems still existed in 1981 and very little progress in program implementation has occurred.

Absence of Commitment to the HCMP. In tracing the history of the HCMP implementation, the Bureau has found a glaring absence of commitment to the HCMP concepts. Despite the HCMP's advocacy of a coordinated systems approach to corrections, the criminal justice agencies have continued to treat the offenders in the same independent manner as they did prior to the

REVIEW OF HCMP IMPLEMENTATION

adoption of the HCMP. Despite the HCMP's emphasis on reintegration through community-based programs and its de-emphasis on incarceration, the opposite has occurred:

- (1) There have been very little funds appropriated for program development;
- (2) There has never been an implementation plan by the Corrections Division or the ISC for the development of a network of community-based programs;
- (3) The legislature has enacted mandatory minimum sentencing legislation;
- (4) Judges have been more frequently applying the sentencing option of incarceration as a condition of probation; and
- (5) Minimum sentences and length of time served before parole as determined by the Hawaii Paroling Authority have increased rather than decreased.

Despite the intent of the HCMP to provide Hawaii with a planned, programmed approach to correctional planning, correctional decisions have still been made on a reactive and piecemeal basis. The HCMP may have served as the blueprint for the design and construction of the new facilities, but it has not been used as the guide for program planning. The incomplete implementation is largely due to an apathetic attitude toward the HCMP and apparent nonchalant disregard for its requirements.

It is impossible for the Bureau to assess the merits of the HCMP concepts in view of the partial program implementation, but it is reasonable to conclude that the HCMP cannot be effective in meeting Hawaii's future correctional needs if there is no commitment to its concepts. A master plan which is not adhered to or supported by the affected agencies is useless and ineffective.

The absence of commitment by the criminal justice agencies and the legislature to the HCMP can be attributed to the lack of leadership and of a coordinated functional and implementation plan which articulates the master plan concepts into public policies and enumerates the standards that must be adhered to, and the actions that must be taken by the criminal justice agencies without compromising their effectiveness.

Absence of a Functional Plan. In assessing the progress of the HCMP, it must be remembered that the HCMP was intended as a flexible guide. The specifications for program implementation, therefore, were left to the implementors since the HCMP planners could not predict the availability of financial and community resources. Act 179, Session Laws of Hawaii 1973, was purposely drafted with an assumption that all criminal justice agencies were aware of and in agreement with the HCMP requirements and that changes in the system would occur in due course. This assumption was primarily due to the involvement of the Ad Hoc Committee, which included key representatives from the criminal justice agencies, in the HCMP planning process.

FINDINGS

Immediately following the enactment of Act 179, SLH 1973, the ISC director should have been appointed to spearhead the development of a detailed systemwide implementation plan. There was too much time between the enactment of Act 179 in 1973 and the appointment of the ISC director in 1976, and during that period, the only activity on HCMP implementation was the construction of new facilities. By 1976, many of the individuals in policymaking positions changed and the eager support for the HCMP's community-based programs waned.

Although the DSSH initiated an effort toward the development of functional plans by contracting with Peat, Marwick, Mitchell and Company and Arthur Young and Company, the resulting reports were not coordinated and there were some incongruities as to the functional relationships of the ISC and the Corrections Division which, until today, have not been resolved.

In May, 1977, SLEPA published a report on standards and goals in adult corrections.¹⁴ The report contained standards developed by a task force on adult corrections. The underlying philosophy of the project was that of "reintegration of the offender into the community without undue danger to the public" with a fundamental objective of "securing a normal cultural and living pattern of community life for the offender."¹⁵ This document could have served as the beginnings of an implementation plan for the HCMP, but for some reason, there was no formal adoption of the standards and goals and the agencies have not adhered to them.

Lack of Faith in the ISC. The three studies in 1979 maintained that coordination was hampered by the vagueness of Act 179, SLH 1973. Interviews with agencies, however, revealed that there is no dispute that the ISC is supposed to be the coordinator of the HCMP since Act 179, in its purpose clause, adopted the HCMP concept of an integrated system and that concept is built around the ISC as the heart of the system. What has been at issue is the manner in which the ISC has chosen to proceed with its HCMP mandate. There is also doubt among these agencies as to whether the ISC is capable of developing programs and assuming the responsibility for central intake and diagnosis for the entire system.

The ISC began its operations in 1976 by assuming the existing responsibilities of other agencies before starting program development, but there was little effort by the ISC to coordinate its work or to communicate with other criminal justice agencies. Some observers have noted that this may have been a tactical error on the part of the ISC since merely taking over functions without providing any supplemental assistance to other agencies led to the development of animosity toward the ISC.

While the ISC contends that the HCMP was to be implemented sequentially beginning with the construction of facilities and formulation of the ISC, and that the assumption of functions was a necessary initial step in the planned evolution of the ISC, the Bureau could not find any written evidence of such intent except in the PM&M report which is just one interpretation of the HCMP and Act 179. This is not to say that the ISC is wrong. On the contrary, the Bureau found that a major problem throughout the history of the HCMP has been an absence of documentation of legislative intent. Act 179 was based on the assumption that the parties involved knew what was expected of

REVIEW OF HCMP IMPLEMENTATION

them. But, since 1973, many of the administrators and policymakers have changed and the assumptions are no longer clear or binding with the present policymakers. If the alleged assumptions made in 1973 regarding the HCMP implementation had been documented in the committee reports or in a coordinated functional plan, there might not have been the present conflicting interpretations over the role of the ISC vis-a-vis the other criminal justice agencies.

Since its inception, the ISC has made several attempts to obtain sole statutory authority over the pre-sentence investigation function which under Act 179 was assigned to both the ISC and the Judiciary. This one issue has been the focal point of the endless debate in the legislature over the past few years and has been the primary cause of criticisms against the ISC and the Judiciary.

The Bureau's investigation revealed that the relationship between the Judiciary and the ISC has become so strained that there is little hope for a resolution to the problem that will be agreeable to both agencies. Too much time and energy have been expended on the issue of assuming the pre-sentence investigation function to the detriment of the ISC. In concentrating its efforts on the assumption of existing programs, the ISC neglected its other responsibilities in the areas of program development and establishment of a central intake process. Consequently, no one is aware of what the ISC is capable of doing. With increasing public demands for accountability in the controlling of crime, punishment of offenders, and in alleviating prison overcrowding, criminal justice agencies are not willing to leave the fate of their decisions in the hands of an unproven agency like the ISC. Some agencies are not confident that the ISC has the knowledge and practical experience to make appropriate recommendations for inmate sentencing, placement, and programs.

Since June of 1981, the ISC, under a new executive director, has been attempting to downplay the pre-sentence investigation controversy and has redirected its efforts toward the establishment of a coordinated implementation plan between itself, the Corrections Division, and the paroling authority for central intake, classification, and diagnosis. While some progress has been made with the corrections agencies under DSSH, it appears unlikely that the ISC can obtain the respect and cooperation it needs from all the criminal justice agencies in order to become the systems coordinator and central intake, diagnostic, and information agency envisioned by the HCMP.

There Has Been No Change in the Philosophy of Corrections

There has been much discussion in recent years of the ineffectiveness of the rehabilitation philosophy in curtailing crime and that the HCMP is inappropriate because it is premised on a philosophy that is not in consonance with the public mood. As stated in Chapter 3, the HCMP philosophy is a community treatment philosophy that advocates the non-institutional and individualized treatment of offenders. In criminal justice jargon, the term "rehabilitation" usually refers to an approach to crime based on the medical model theory that crime is a disease and criminals can be cured through

FINDINGS

various treatment programs. The HCMP, however, is based on the opposing sociogenic model theory that considers crime as a social phenomenon and rather than seeking to "cure" the offender, its emphasis is on helping the offenders to cope with society. The goal of the HCMP is reintegration of the offender, not rehabilitation.

The Bureau believes that a distinction must be made between the philosophy of sentencing and the goal of corrections. The "get-tough" mood of the public has resulted in a move toward the implementation of a punishment-oriented philosophy in sentencing to deter crime since the present rehabilitative sentencing structure of the penal code has not proven to be effective in reducing crime. Regardless of which sentencing philosophy Hawaii operates under, the goal of corrections must remain the same. Unless Hawaii adopts a sentencing philosophy which advocates life without parole for all crimes, offenders will eventually be returned to the community after serving their sentences. Thus, the function of corrections must be to ensure that offenders who return to the community are not dangerous to the public.

While the present sentencing and paroling practices indicate a move toward a philosophy of punishment through increased incarceration, Hawaii still has a high number of offenders being diverted from incarceration. In a recent report by the Hawaii Criminal Justice and Statistical Analysis Center, it was found that of the 2,726 felony arrests disposed of during the period from September 1, 1979 to August 31, 1980, only a total of 401 cases (14.6 per cent) resulted in convictions and of that amount, only 91 offenders (22.6 per cent) were sent to prison while 310 offenders (77.3 per cent) received non-prison sentences such as probation.¹⁶

The HCMP philosophy is broad and incorporates elements of both rehabilitation and punishment in that it contends that while community-based alternatives to incarceration are the preferred treatment for low-risk offenders, there are offenders who are dangerous and must be incarcerated in institutions since they cannot be safely released into the community. Most of Hawaii's laws on mandatory minimum sentences are not necessarily inconsistent with the HCMP in that the high-risk offenders are being incarcerated. There has just been an increase in offenders considered to be high-risk and a decrease in offenders considered as low-risk...the reverse of that anticipated by the HCMP.

Cost-effectiveness of Pursuing a Philosophy of Incarceration

It is impossible to determine the cost-effectiveness of a policy that is not yet developed. The costs of a stronger incarceration sentencing policy can be increased or decreased depending on such factors as the kind of release policies that are established or the inmate security classification system. The longer an offender is detained or the more medium to high security inmates there are established, the higher the cost.

If Hawaii were to officially adopt a stronger incarceration policy which would substantially decrease the non-prison sentences, it must anticipate and be willing to pay the probable concomitant high costs of inmate care and new

REVIEW OF HCMP IMPLEMENTATION

prison construction. The 1981 Corrections Yearbook reported that the cost of inmate care in Hawaii during fiscal year 1979-1980 was the fourth highest in the nation at \$12,771 per inmate.¹⁷ In a comprehensive national survey of American prisons and jails, it was estimated that the projected cost of constructing additions to prison capacity in the western states for 1978-1982 would be \$41,600 per bed.¹⁸ The report also found that there is a relationship between population and capacity which suggests that the more prison space that is available, the more offenders will be incarcerated.¹⁹

The Corrections Division recently estimated that approximately \$40 million would be required for the construction of the planned 500-bed medium security facility at Halawa and for expansion of the Maui and Kauai community correctional centers. In view of the present overcrowding and fiscal constraints, the adoption of a stronger incarceration policy should be cautiously approached and consideration should be given to the provision of some mechanism to regulate the flow of offender intake and release. The sentencing and release policies of the State must be developed with a view toward what is feasibly affordable and the use of cheaper incarceration alternatives such as half-way houses should not be abandoned.

Chapter 7

CONCLUSIONS AND RECOMMENDATIONS

The underlying reintegration philosophy of the HCMP as it applies to correctional treatment is still sound. The concept of a centralized systems approach to corrections appears to be theoretically sound, but the designation of one agency over other criminal justice agencies as the coordinator has proven to be impractical and unworkable in the present environment.

The HCMP has provided Hawaii with new and decent correctional facilities that provide for better inmate control by separating the population into smaller groups and that can facilitate a wider variety of programs to keep inmates busy and out of trouble. This alone is a major accomplishment. Unfortunately, the unanticipated overcrowding of correctional facilities and inadequate staffing have impeded program implementation in the facilities. If the overcrowding and staffing problems can be moderately controlled, there is great potential for improving prison conditions, provided that a program implementation plan is developed and followed, and leadership is present.

The HCMP, like most master plans, is broad and conceptual, and requires further specifications for action on an operational level. The Hawaii Pre-Design was primarily an architectural rather than operational implementation plan; the Peat, Marwick, Mitchell and Company and Arthur Young and Company reports were primarily concerned with organizational structure; and there was no follow-up on the SLEPA standards and goals report. Without a functional and implementation plan, it is unclear as to (1) what the roles and responsibilities of each criminal justice agency are under the new centralized system; (2) what agency actions are necessary to implement the HCMP; and (3) the nature and extent of required communication and interaction between agencies. This has resulted in a constant battle among the criminal justice agencies over their roles in areas that overlap, and the legislature has been without a framework upon which to enact appropriate legislation and to allocate funds.

The failure of the HCMP is also due to the absence of commitment by criminal justice agencies to accept and implement its coordinated approach to offender treatment. Consequently, the concept of a unified criminal justice system with a central intake and diagnosis process has not been implemented. The reason for this failing is due to problems in administrative implementation rather than in the law or the HCMP itself. Act 179, Session Laws of Hawaii 1973, is sufficiently broad to allow the ISC to take charge and proceed with the implementation of the central intake process but a coordinated implementation plan was never developed. Even with the dual designation of responsibility by the ISC and Judiciary for pre-sentence investigations, a timely implementation plan could have clarified the relationship between the ISC and Judiciary regarding this function. Absent a coordinated plan, the ISC and the Corrections Division, the primary implementing agencies, proceeded to implement the HCMP from their own independent perspectives. The ISC never assumed a coordinating role since it did not believe it had clear statutory authority to do so. Accordingly, other justice agencies continued to operate as they did in the past. When the ISC finally attempted to become the sys-

REVIEW OF HCMP IMPLEMENTATION

tems coordinator, differences emerged regarding the proper role of the ISC and the other agencies would not recognize the ISC as their coordinator.

Strained relationships that developed over the past five years indicate that voluntary cooperation with the ISC is difficult to obtain. Even if Act 179 were amended to specifically order the criminal justice agencies to cooperate with the ISC, there could be some problems concerning the constitutional separation of powers since the criminal justice system is composed of agencies from different branches of government. The agencies are required to assume adversarial roles at times and independent decision-making by each agency is essential for the preservation of justice. Yet, a certain amount of dependency is required among the agencies for the sharing of information and coordination of actions in order to make the appropriate decisions.

Requiring cooperation by coercion in such a unique system is not the appropriate answer. The HCMP recognized this and was premised on a spirit of voluntary cooperation among the agencies. The only way to achieve this today is to, in effect, begin all over again. Too much time has passed since the adoption of the HCMP and consequently its purposes and goals are vague to many people. After eight years of treading water, it is evident that the HCMP requires modification in order to accommodate changed attitudes and to provide a new direction for corrections. There is an urgency for the formulation of a new integrated correctional policy that is reflective of today's differing criminal justice needs but founded on a unified system's goal for offender treatment. The Bureau's recommendations are primarily based on its assessment of what the consensus opinion was of the many experts interviewed as to the problems with the HCMP implementation and the corrective actions required to resolve such problems.

Recommendations

(1) While the Bureau believes that the HCMP concept of a unified criminal justice system is sound, it does not believe that the approach advocated by the HCMP of having the ISC as the systems coordinator is viable since there is too much resistance from criminal justice agencies to accept the ISC in that capacity. Accordingly, the concept of central intake, as it relates to a coordinated flow of offender processing, should be retained as a goal of the HCMP but the role of the ISC should be redefined to that of an information facilitator for the Corrections Division and Hawaii Paroling Authority. The ISC should provide information to facilitate assessment, diagnosis, and classification for the Corrections Division and Hawaii Paroling Authority, and should serve as the information coordinator for the correctional agencies under DSSH, not as the criminal justice system coordinator. The Bureau agrees with the assertion in the Arthur Young Report that the degree of effectiveness between the ISC and CCC personnel may make the difference between success or failure of the correctional system. Thus, the ISC's efforts should be redirected toward this end. The effort by the DSSH Offender Base Application Transfer Study Group discussed in Chapter 5 is an optimistic indication that a coordinated implementation plan among corrections agencies can be realized.

CONCLUSIONS AND RECOMMENDATIONS

(2) Since pre-trial detainees are technically presumed innocent until proven guilty, they should be differentiated from the sentenced population, but accorded the same opportunities for counseling services and programs. Accordingly, the ISC should maintain the responsibility for pre-trial diversion processing and for providing programs and services for pre-trial detainees. The Corrections Division should continue to provide custodial care for pre-trial detainees since the ISC does not have a detention facility or security staff.

(3) Most persons interviewed have agreed that while it is theoretically ideal to have one agency perform all diagnostic and program prescription work for the criminal justice system, it does not matter who does the work as long as the information is objective and accurate. It is important to the central intake concept, however, that information be shared among the agencies on a formal and consistent basis. Moreover, the Bureau believes that the HCMP never intended that the ISC had to perform all pre-sentence investigations in order to achieve the central intake concept. Accordingly, the pre-sentence investigation function should remain with the Judiciary, but there must be a mechanism for the exchange of information between the ISC and the Judiciary on reports made on offenders to maintain the central intake concept and to eliminate, where possible, duplication of effort.

(4) While the Bureau is recommending a coordinated implementation plan among corrections agencies it believes that a criminal justice system perspective must be integrated into such a plan. Accordingly, it is recommended that the legislature appoint an Ad Hoc Committee to develop corrections standards and goals for adoption by the legislature as state policies. The Ad Hoc Committee should be composed of representatives of the criminal justice agencies, the legislature, private social service agencies, and public citizens. The Committee should define the roles of each criminal justice agency in implementing state correctional policies; and establish standards and goals for the criminal justice system to reflect a unified and coordinated approach to corrections.

The Committee should use as its base, the 1977 SLEPA report entitled Hawaii Criminal Justice Standards and Goals: Adult Corrections¹ and make necessary modifications. The result of the Committee's work upon adoption by the legislature would serve as the State's policies for corrections. It should serve as a framework by which the legislature and the Governor can control correctional planning for Hawaii.

The Committee's review should include but not be limited to:

- (A) Articulation of the philosophy and goal of corrections;
- (B) Establishment of policies for sentencing and parole that are consistent with the goal of corrections;
- (C) Establishment of policies for a comprehensive offender classification system and for the placement of offenders in facilities and release programs;

REVIEW OF HCMP IMPLEMENTATION

- (D) Establishment of policies for the use of community-based residential programs;
- (E) Establishment of policies for inmate care, treatment, and programs in correctional facilities;
- (F) Establishment of policies for a centralized information system affecting corrections;
- (G) Establishment of a requirement for the submission of impact statements to the legislature for proposals affecting the flow of inmates in correctional facilities and the availability of correctional and fiscal resources of the State; and
- (H) Suggested legislation to implement the standards and goals established by the Committee.

(5) Following the legislative adoption of standards and goals for corrections, the Corrections Division, the ISC, and the Hawaii Paroling Authority should be directed to develop a functional and implementation plan for the HCMP in accordance with the policies articulated in the standards and goals. In developing the plan the HCMP philosophy of corrections should be rearticulated to appropriately reflect the philosophy of the standards and goals and the changes to the conceptual approach of the HCMP. Those aspects of the HCMP that are still in consonance with the standards and goals should be outlined and used as the basis for the functional and implementation plan. As a starting point for the development of details for the plan, the agencies should review and evaluate the ISC's long-range plan and the Corrections Division's program implementation plan with a view toward coordination and applicability to the corrections standards and goals.

(6) In a report to the Western Governor's Conference,² it was emphatically stated that the Governor, as the highest elected state official, must assume a leadership role in establishing a unified criminal justice systems response to corrections. Without a commitment from the Governor, "it is unlikely that the issues will receive the attention they warrant, or that the full range of criminal justice actors will participate in addressing corrections policy." The Bureau believes that this is especially true for Hawaii's criminal justice system where leadership has been lacking for many years due to the unsuccessful implementation of the ISC as the systems coordinator.

Therefore, it is recommended that responsibility for the monitoring of the new correctional master plan and standards and goals be vested in the Governor. The ISC policy board is still regarded by agencies as a policy board for ISC operations only, and not as a criminal justice system forum. Accordingly, the Bureau recommends that the ISC policy board be abolished and a new Corrections Advisory Board to the Governor, composed of the heads of criminal justice agencies, be created in its place. The Advisory Board would serve as a forum for addressing systems coordination problems that would affect correctional policy. It would be responsible for evaluating the HCMP implementation, updating the corrections standards and goals to keep pace with changes that occur in the State, and making recommendations for legislative action required.

CONCLUSIONS AND RECOMMENDATIONS

The Governor has already proceeded in this direction with the creation of the recent Conference on Crime planned by the Governor's Criminal Justice Planning Committee. The Bureau believes that a flaw in the HCMP was the proposal of a "superagency" as the overseer of the criminal justice system. As such, a criminal justice forum such as the Conference on Crime which can assist the Governor to direct correctional policy through legislative proposals might be more productive in dealing with conflicting actions and desires of Hawaii's criminal justice agencies since it rises above jurisdictional limits.

FOOTNOTES

Chapter 2

1. Hawaii, Governor's Committee on Prison Site Selection, *Report of Interim Committee to Conduct a Study on a New Prison Site*, September, 1964, p. 2.
2. 1964 Haw. Sess. Laws, Act 52, Item B-6-C.
3. 1965 Haw. Sess. Laws, Act 195, Item L-1.
4. The custody and treatment facility would provide small residential units with counselors in such units for ready accessibility to inmates. Religious training, academic and vocation education programs, on-the-job training programs through the correctional industries program, recreation and leisure time activities would be provided through a complex of program facilities consisting of an auditorium, gymnasium, open recreation yards, and a swimming pool. The Olinda and Kulani conservation camps would be maintained to play an important role in the plan since it was anticipated that approximately twenty per cent of the inmate population could be placed in such camps. Additionally, the plan proposed the establishment of conditional release centers, the first of which would be located at the vacant state-owned Hawaii State Prison Superintendent's residence and operable in 1968. Hawaii, Department of Social Services, Corrections Division, *Hawaii's Design for Protection* (Honolulu: 1966).
5. *Honolulu Advertiser*, March 20, 1970.
6. House Standing Committee Report No. 429 on H.R. No. 75, Fifth Legislature, 1969, State of Hawaii, p. 3.
7. Testimony by Emmet A. Cahill, Executive Director of the John Howard Association of Hawaii and by John J. Blaylock, Chief of the Mental Health Team for Courts and Corrections on H.R. No. 75, April 7, 1969.
8. House Standing Committee Report No. 429, pp. 4-6.
9. National Council on Crime and Delinquency, *Correction in Hawaii: A Survey of Correctional Services in Hawaii*, 1969, pp. 7.10-7.20.
10. *Ibid.*, pp. 7.01-7.06.
11. *Ibid.*
12. *Ibid.*, pp. 7.10-7.20.
13. *Ibid.*, pp. 7.46-7.49.
14. *Ibid.*, pp. 7.50-7.51.
15. *Ibid.*, pp. 5.27-5.29.
16. *Ibid.*, pp. 7.52-7.56.
17. *Ibid.*, pp. 5.03-5.07, 7.21-7.36.
18. *Ibid.*
19. 1970 Haw. Sess. Laws, Act 179.
20. The plan proposed a correctional system consisting of (1) honor camps; (2) community centers such as conditional release centers, pre-parole centers, and community treatment centers; (3) an Adult Correctional Training Facility for those in need of firm controls while undergoing specialized training and guidance (facility to be composed of an Adjustment Center, Isolation Center, and Training and Education Program Center); (4) a men's correctional facility providing for medium security confinement between furloughs for employment, education, and re-socialization and recreation (institutional care provided in facility while the training would be from the community resources); (5) a women's correctional unit comparable to the men's unit; and (6) a community correctional center which would be the replacement of the county jails and would be used for pre-trial detention and for sentenced misdemeanants and felons on probation who are required to spend some time in detention as a condition of probation. Hawaii, Department of Social Services, *Report on H.R. No. 75, 1968, Requesting DSS to Present Corrections Master Plan* (Honolulu: 1969).
21. Hawaii, Special Committee Report No. 11 re: Improvement of Hawaii's Corrections System, Fifth Legislature, 1970, March 23, 1979.
22. John Howard Association of Hawaii, *An Approach to the Problem of a New Prison: A Tentative Proposal from the John Howard Association* (Honolulu: 1968).
23. *Honolulu Star-Bulletin* and *Honolulu Advertiser*, March 20, 1970.
24. 1970 Haw. Sess. Laws, Act 179.
25. State Law Enforcement, Planning Agency, *Progress and Assessment Report of the Hawaii State Correctional Master Plan* (January 1980), pp. 9-10.
26. National Clearinghouse for Criminal Justice Planning and Architecture, University of Illinois, Urbana, Illinois, and State Law Enforcement and Juvenile Delinquency Planning Agency, *Correctional Master Plan* (Honolulu: 1972), Vol. I, pp. 1.14-1.15, hereinafter referred to as *Correctional Master Plan*.
27. *Correctional Master Plan*, Vol. I, pp. 1.17-1.18.
28. The Ad Hoc Committee which was originally established by the Joint Legislative Interim Committee was expanded to include representatives from concerned agencies such as the courts. *Correctional Master Plan*, Vol. I, p. 1.5.
29. Hawaii, State Law Enforcement and Juvenile Delinquency Planning Agency, *Progress Report on the Correctional Master Plan* (Honolulu: 1971).

30. *Honolulu Star-Bulletin*, March 17, 1972. See also Special Committee Report No. 2, 1973, House Interim Committee on the Correctional Master Plan.
31. *Honolulu Star-Bulletin*, April 11, 1973.
32. Act 179, Session Laws of Hawaii 1973, provided: (1) in section 32 that no additional general funds will be appropriated during the 1973-75 biennium; (2) in Section 33 that no agency or department would be required to provide services or create facilities not provided for by, or in existence prior to, the Act until appropriated by the Legislature; and (3) that the Legislature is not obligated to make such appropriations. See also *Honolulu Star-Bulletin*, April 11, 1973.
33. Planning Design Institute of the University of Illinois, *Hawaii Pre-Design* (Illinois: 1974).

Chapter 3

1. National Clearinghouse for Criminal Justice Planning and Architecture, University of Illinois, Urbana, Illinois, and State Law Enforcement and Juvenile Delinquency Planning Agency, *Correctional Master Plan* (Honolulu: 1972), Vol. 1, p. 1.15, Vol. 4, p. 4.3, hereinafter referred to as *Correctional Master Plan*.
2. *Ibid.*, Vol. 1, pp. i-ii.
3. Planning Design Institute of the University of Illinois, *Hawaii Pre-Design* (Illinois: 1974), pp. 38-40, hereinafter referred to as *Hawaii Pre-Design; Correctional Master Plan*, Vol. 4, pp. 4.6-4.8.
4. *Correctional Master Plan*, Vol. 4, pp. 4.159-4.178.
5. *Ibid.*, pp. 4.116-4.117.
6. *Ibid.*, pp. 4.118-4.120.
7. *Ibid.*, pp. 4.130-4.137.
8. *Ibid.*, pp. 4.138-4.142.
9. *Ibid.*, pp. 4.59, 4.143.
10. *Ibid.*, pp. 4.34-4.113.
11. *Ibid.*, Vol. 3, p. 3.26.
12. *Ibid.*, p. 3.88.
13. *Ibid.*, Vol. 5, pp. 5.26-5.29; *Hawaii Pre-Design*, p. 141.
14. *Hawaii Pre-Design*, pp. 141, 163; *Correctional Master Plan*, Vol. 3, pp. 3.61-3.91.
15. *Correctional Master Plan*, Vol. 3, pp. 3.61-3.91.
16. *Hawaii Pre-Design*, pp. 162, 169; *Correctional Master Plan*, Vol. 5, pp. 5.15-5.19.

17. *Correctional Master Plan*, Vol. 3, pp. 3.90-3.91.
18. *Ibid.*, p. 385.
19. *Ibid.*, Vol. 4, pp. 4.147-4.156.
20. *Ibid.*, pp. 4.185-4.188.
21. *Hawaii Pre-Design*, pp. 6, 20-25.
22. *Ibid.*, pp. 91-92.

Chapter 4

1. National Clearinghouse for Criminal Justice Planning and Architecture, University of Illinois, Urbana, Illinois and State Law Enforcement and Juvenile Delinquency Planning Agency, *Correctional Master Plan* (Honolulu: 1972), Vol. 1, p. 1.74, hereinafter referred to as *Correctional Master Plan*.
2. *Ibid.*, Vol. 3, pp. 3.26-3.27.
3. *Ibid.*, p. 3.83.
4. *Ibid.*, p. 3.61.
5. *Ibid.*, p. 3.27-3.33.
6. *Ibid.*, Executive Summary, pp. 89-90.
7. Planning Design Institute of the University of Illinois, *Hawaii Pre-Design* (Illinois: 1974), pp. 15-18, hereinafter referred to as *Hawaii Pre-Design*.
8. *Ibid.*, pp. 26-28.
9. *Correctional Master Plan*, Vol. 4, p. 4.5.
10. *Ibid.*, p. 4.8.
11. *Ibid.*, p. 4.10.
12. *Ibid.*, p. 4.11-4.14.
13. *Ibid.*, p. 4.11.
14. *Ibid.*
15. *Ibid.*
16. *Ibid.*, Vol. 3, p. 3.1.
17. *Hawaii Pre-Design*, pp. 38-40.
18. *Ibid.*, p. 37.
19. *Ibid.*, pp. 37-38.
20. *Ibid.*, pp. 65, 181.
21. *Correctional Master Plan*, Vol. 3, p. 3.71.
22. *Ibid.*, p. 3.62.
23. *Ibid.*, pp. 3.75-3.79.

Chapter 5

24. *Hawaii Pre-Design*, p. 65.
 25. *Ibid.*
 26. *Ibid.*
 27. *Correctional Master Plan*, Vol. 3, pp. 3.63-3.70.
 28. Three hundred twenty-two residents for the OCCC and 72 for the ISC, *Hawaii Pre-Design*, pp. 215-217.
 29. *Correctional Master Plan*, Vol. 3, p. 3.84.
 30. *Ibid.*
 31. *Ibid.*, p. 3.85.
 32. *Hawaii Pre-Design*, p. 20.
 33. *Ibid.*
 34. *Ibid.*, p. 31.
 35. *Ibid.*, pp. 31-33.
 36. *Ibid.*, pp. 18, 33-35.
 37. *Ibid.*, p. 33.
 38. *Correctional Master Plan*, Vol. 4, pp. 4.80-4.113.
 39. *Hawaii Pre-Design*, p. 67.
 40. *Correctional Master Plan*, Vol. 4, pp. 4.80-4.113.
 41. *Hawaii Pre-Design*, p. 67.
 42. The planned bed capacities for the neighbor island CCC's were as follows: Hawaii 20, Maui 20, and Kauai 14. *Hawaii Pre-Design*, p. 235.
 43. *Hawaii Pre-Design*, pp. 182-183.
 44. *Ibid.*
 45. *Ibid.*, p. 63; *Correctional Master Plan*, Vol. 4., pp. 4.44-4.45.
 46. *Hawaii Pre-Design*, pp. 63-64; *Correctional Master Plan*, Vol. 4, pp. 4.55-4.56.
 47. *Correctional Master Plan*, Vol. 4, pp. 4.52, 4.57.
 48. *Ibid.*, p. 4.48.
 49. *Ibid.*, pp. 4.153-4.154.
 50. *Ibid.*, p. 4.156.
 51. *Hawaii Pre-Design*, p. 64.
 1. The Maui County Jail was the first to be transferred effective July 4, 1974. Halawa was transferred effective June 1, 1975; Hawaii County Jail on July 1, 1975; and Kauai County Jail on June 20, 1977.
 2. The total package cost estimated by the *Hawaii Pre-Design* report was \$25 million, but \$11 million of that amount was for projected operating costs which the report indicated would be about the same as would be required to operate the old system. Planning Design Institute of the University of Illinois, *Hawaii Pre-Design* (Illinois: 1974), pp. 235, 248, hereinafter referred to as *Hawaii Pre-Design*.
 3. The authors of the HCMP contended that full implementation of the construction of facilities may not be required depending on the successfulness of diverting offenders from incarceration through alternative programs. *Honolulu Star-Bulletin*, March 21, 1974. The *Hawaii Pre-Design* stated that facility capacity was "considered in relationship to projected populations which are based on the maximum use of alternatives to incarceration" and acknowledged that a drastic increase in facilities would be required if alternatives did not materialize. *Hawaii Pre-Design*, pp. 99-92.
 4. The *Hawaii Pre-Design* recommended that the OCCC/ISC complex be constructed in phases. The recommended plan called for construction in four phases (1) construction of four residential and program modules containing 130 rooms; (2) construction of four modules containing the central kitchen and 96 rooms; (3) demolition of cellblock and old prison administrative building; construction of eight modules for the ISC administration and program space; construction of two modules for recreation and three modules for maintenance and rehabilitation program areas; and (4) construction of four OCCC residential modules for 96 residents.
- Option A reversed the order of phases two and three. The reason Option A was chosen was due to limited capital funds in the future. Since the ISC was considered the most critical component for diverting the inmate population from the facilities, it was hoped that early implementation of phase three would ease the pressure on the institutional capacity. This option, however, provided problems in the relocation of the offender population during the construction. Inmates in the cellblock would not have new modules to move into with the construction of phase three first and the cellblock demolition would have to be postponed. *Hawaii Pre-Design*, pp.103-127.

5. There were approximately \$8 million in state funds and \$6 million in federal funds available. *Honolulu Star-Bulletin*, December 10, 1975.
6. *Honolulu Star-Bulletin*, December 10, 1975; *Honolulu Advertiser*, January 30, 1976. See also, *Honolulu Star-Bulletin*, March 3, 1975.
7. The John Howard Association, Hawaii Council of the National Council on Crime and Delinquency and the Hawaii Correctional Association protested the Governor's appropriation request at legislative hearings. The groups alleged that too much emphasis in the HCMP implementation was being placed on the construction of facilities and little has been done toward the development of community-based programs which would divert offenders from incarceration. With an inmate population explosion occurring nationwide, Hawaii's master plan facilities would soon be inadequate without the alternative programs. Therefore, the groups opposed the appropriation until the administration could demonstrate a commitment to implementing non-institutional programs. *Honolulu Star-Bulletin*, February 10, 1975; *Honolulu Advertiser*, March 17, 1976.
8. 1976 Haw. Sess. Laws, Act 226.
9. The residency modules at the Oahu CCC were not ready for occupancy until early 1980 because beds for the new modules did not arrive from the mainland on time.
10. The inmate headcount at the end of each fiscal year was as follows: FY 75-76 - 476; FY 76-77 - 505; FY 77-78 - 547; FY 78-79 - 699; FY 79-80 - 782; and FY 80-81 - 945. Office of Correctional Information and Statistics, *Intake Service Center Facility Population Statistics, Volume II: Headcount*.
11. *Honolulu Star-Bulletin*, April 27, 1978.
12. The Annex, consisting of five buildings (one administrative building and four dormitories) with an inmate capacity of 80, was constructed for interim housing of pre-trial inmates. Halawa was being converted to a maximum security facility and a reduction of space due to construction plus an increased pre-trial population necessitated additional facilities. *Honolulu Star-Bulletin*, July 6, 1978.
13. Peat, Marwick, Mitchell & Co., *Correctional Master Plan: ISC Organization Structure and Assumptions* (Honolulu: 1976).
14. Peat, Marwick, Mitchell & Co., *Correctional Master Plan: ISC Information System Requirements and Design Concepts* (Honolulu: 1976).
15. Arthur Young & Company, *Final Report on the Organizational Analysis of the Corrections Division and Its Facilities* (Honolulu: 1976).
16. Intake Service Center Staff Development and Training Committee, *Introduction to Intake Service Center* (Honolulu: 1979).
17. 1981 Haw. Sess. Laws, Act 1, First Special Session.
18. Hawaii, Intake Service Center Advisory Board, *Intake Service Center Evaluation Report* (Honolulu: 1980), pp. 25-27.
19. For more detail, see Hawaii, Intake Service Center Advisory Board, *Intake Service Center Evaluation Report* (Honolulu: 1980).
20. Hawaii, Department of Social Services and Housing, The Offender Base Application Transfer Study Group, *A Management and Planning Document for a Central Offender Information System* (Honolulu: 1981), herein-after referred to as The Offender Base Application Transfer Study Group.
21. *State of Hawaii Department of Social Services and Housing, Annual Report 1980* (Honolulu: 1980), p. 14.
22. Halawa's population on June 30, 1979 was 147 (120 not-sentenced, 8 misdemeanants, and 41 felons). On June 30, 1980 the headcount was 94 with 50 not-sentenced, 3 misdemeanants, and 41 felons. Thus, Halawa has been slowly achieving its goal of housing only the maximum security long-term felons.
23. The not-sentenced residents are not classified although the HCMP intended that pre-trial residents be classified by the ISC for security and programming purposes, the ISC has not yet developed a classification system.
24. The neighbor island CCCs have only one control station for both module and facility security so it is enclosed and secure from the program area. Halawa being the maximum security facility has module control stations that provide maximum security for the ACOs while still facilitating zone observation and communication with inmates.
25. The Offender Base Application Study Group, Appendix C-21-23.
26. *Ibid.*
27. In a report by the ISC, Maui CCC averaged 156.6 days in the time served by not sentenced felons while the other neighbor island CCCs average detention time was between 30 to 40 days. See Hawaii, Intake Service Centers, Department of Social Services and Housing, *Time Served: Sentenced and Non-sentenced Misdemeanants and Felons, FY 1978-1979*, Report No. 80-010, August 29, 1980.
28. The Kamehameha center originally began in 1971 as the Adult Furlough Center but was changed to a second conditional release center when it was found that the automatic placement of pre-parolees in a minimum security setting was not working out.
29. See Hawaii, University, Social Welfare Development and Research Center, *Liliha House: An In-Community Residential Program, Evaluation and Recommendations of Liliha House I & II*, Report No. 157; Hawaii, The Citizens Corrections Inspection Committee, *Inspection of the Community Center Branch and the Two Conditional Release Centers* (Honolulu: 1977); Hawaii, University, Youth

Development and Research Center, *Liliha House: An In-Community Residential Program, Evaluation and Recommendations of Liliha House I & II Programs*, Report No. 250 (Honolulu: 1980); and Kamehameha Conditional Release Center: *An In-Community Residential Program, Evaluation and Recommendations*, Report No. 264 (Honolulu: 1981).

30. *Honolulu Star-Bulletin*, September 16, 1977; *The Sunday Star-Bulletin and Advertiser*, September 25, 1977; *Honolulu Star-Bulletin*, December 6, 1977 and July 26, 1978.

Chapter 6

1. U.S. Department of Justice, National Institute of Justice, *American Prisons and Jails*, Volume I: Summary and Policy Implications of a National Survey (Washington: 1980), p. 12, hereinafter referred to as *American Prisons and Jails*.
2. "American Prisons: No Vacancy", *State Government News*, July 1981, p. 4.
3. Hawaii Criminal Justice Statistical Analysis Center, *Comparative Crime Trends, State of Hawaii 1970-1979* (Honolulu: 1981), p. 7.
4. 1976 Haw. Sess. Laws, Act 181.
5. *Haw. Rev. Stat.*, sec. 706-660.1.
6. Class A felonies include murder, kidnapping, first degree rape, first degree sodomy, first degree robbery, first degree promotion of dangerous drugs, first degree promotion of harmful drug, criminal coercion involving dangerous weapons, and extortion involving dangerous weapons. Class B felonies include first degree assault, second degree promotion of dangerous drugs, and first degree burglary. *Ibid.*, sec. 706-606.5(1).
7. Class B felonies include second degree rape, manslaughter, second degree sodomy, first degree promotion of child abuse, first degree extortion, first degree criminal property damage, second degree robbery, first degree escape, intimidation of correctional worker, intimidation of juror and first degree promotion of prostitution. Class C felonies include second degree burglary, first degree theft, ownership or possession of firearms or ammunition by persons convicted of certain crimes; ownership of prohibited weapons, offenses relating to permits to carry, negligent homicide, second degree assault, first degree reckless endangering, first degree unlawful imprisonment, first degree terroristic threatening, third degree rape, first degree sexual abuse, incest, second degree promotion of child abuse, second degree extortion, and intimidation of a witness. *Ibid.*, sec. 706-606.5(2).
8. *Ibid.*, sec. 712-1200(4)(b).
9. *Ibid.*, sec. 706-659.

10. Data provided by OCIS.
11. Hawaii, Department of Social Services and Housing, Intake Service Centers, *Population Characteristics of Admissions to Adult Correctional Facilities for FY 1978-1979* (Honolulu: 1980), p. 10.
12. Data provided by OCIS.
13. The reports are (1) U.S. Department of Justice, Law Enforcement Assistance Administration, Office of Audit and Investigation, *Audit of Part E Discretionary Grants for the Implementation of the Correctional Master Plan in the State of Hawaii*, Audit Report No. GR-90-79-077 (Sacramento: 1979); (2) Hawaii, Department of Social Services and Housing, Intake Service Center Advisory Board, *Intake Service Center Evaluation Report* (Honolulu: 1980); and (3) Hawaii, State Law Enforcement Planning Agency, Progress and Assessment Report of the Hawaii State Correctional Master Plan (Honolulu: 1980).
14. Hawaii, State Law Enforcement and Juvenile Delinquency Planning Agency, *Hawaii Criminal Justice Standards and Goals: Adult Corrections* (Honolulu: 1977).
15. *Ibid.*, p. 1.
16. Hawaii Criminal Justice and Statistical Analysis Center, *Adult Arrest Dispositions in Hawaii, September 1, 1979 - August 31, 1980* (Honolulu: 1981), pp. 15 and 17.
17. Leah Brumer, *The Stresses on State Correctional Systems: Major Issues and Potential Policy Directions*, Preliminary Report to the Western Governors' Conference, The Council of State Governments (San Francisco: 1981), p. 62.
18. *American Prisons and Jails*, Vol. I, p. 123.
19. *Ibid.*, Vol. I, p. 27.

Chapter 7

1. Hawaii State Law Enforcement and Juvenile Delinquency and Planning Agency, *Hawaii Criminal Justice Standards and Goals: Adult Corrections* (Honolulu: 1977).
2. Leah Brumer, *The Stresses on State Correctional Systems: Major Issues and Potential Policy Directions*, Preliminary Report to the Western Governor's Conference, The Council of State Governments (San Francisco: 1981).

Appendix A

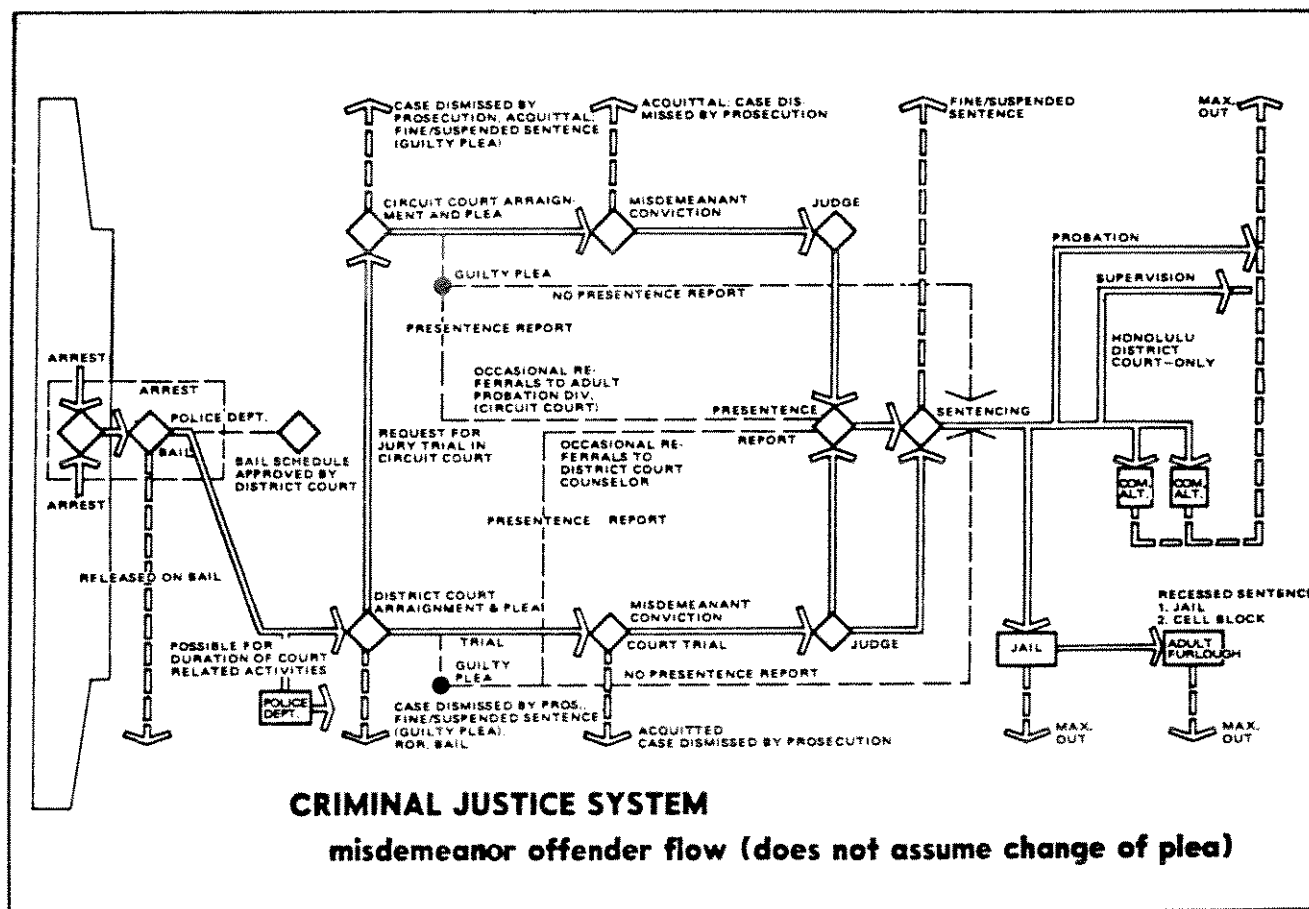
DESCRIPTION OF ADULT JUSTICE SYSTEM

Overview

Misdemeanor Offender Flow. An adult arrested for a misdemeanor is processed at the police department. After completion of processing, he is released on bail pursuant to a bail schedule previously approved by the District Court. If the arrestee is unable to post bail, he is held at the police department until the date of arraignment.

Arraignment of a misdemeanor occurs at the District Court within 24 hours after his arrest. At the arraignment, the defendant is advised of his constitutional rights, formally charged with the commission of criminal offense(s) and is asked to plead to same.

In the event the defendant pleads "not guilty" to the crime charged, his case is set for trial, without jury, on a given date and time in the District Court. If the defendant requests a jury trial, the case is removed to the Circuit Court for trial. Subsequent to a "not guilty" plea, a defendant not already on bail may request a (1) release on recognizance (ROR) or (2) reduction in the amount of bail set on the bail schedule. If such requests are granted, the defendant is then released until the date of trial. In the event that the request is not granted, the defendant will be held in custody at the Halawa Jail until the date of trial.



A defendant entering a guilty plea at Arraignment in the District Court is usually sentenced at that time. The sentencing alternatives available to the district court judges are (1) incarceration at the Halawa Jail, (2) fine, (3) community alternatives, (4) supervision (probation), (5) suspended sentence, or (6) any combination of the foregoing. In the event a pre-sentence report is desired by the district judge, sentencing is deferred until a later date and the district court counselor is requested to prepare a pre-sentence report. At the future date of sentencing, the same sentencing alternatives listed above would be available to the District Court judge.

Misdemeanor cases may also be dismissed by the prosecuting attorney at the arraignment if, among other reasons, the prosecutor, after reviewing the case, feels that the evidence is insufficient to support the charge against the defendant.

Trials of adult misdemeanor cases may be held in the District Court, without jury, or in the Circuit Court with a jury. A case may be dismissed by the prosecuting attorney at any time until the defendant is convicted.

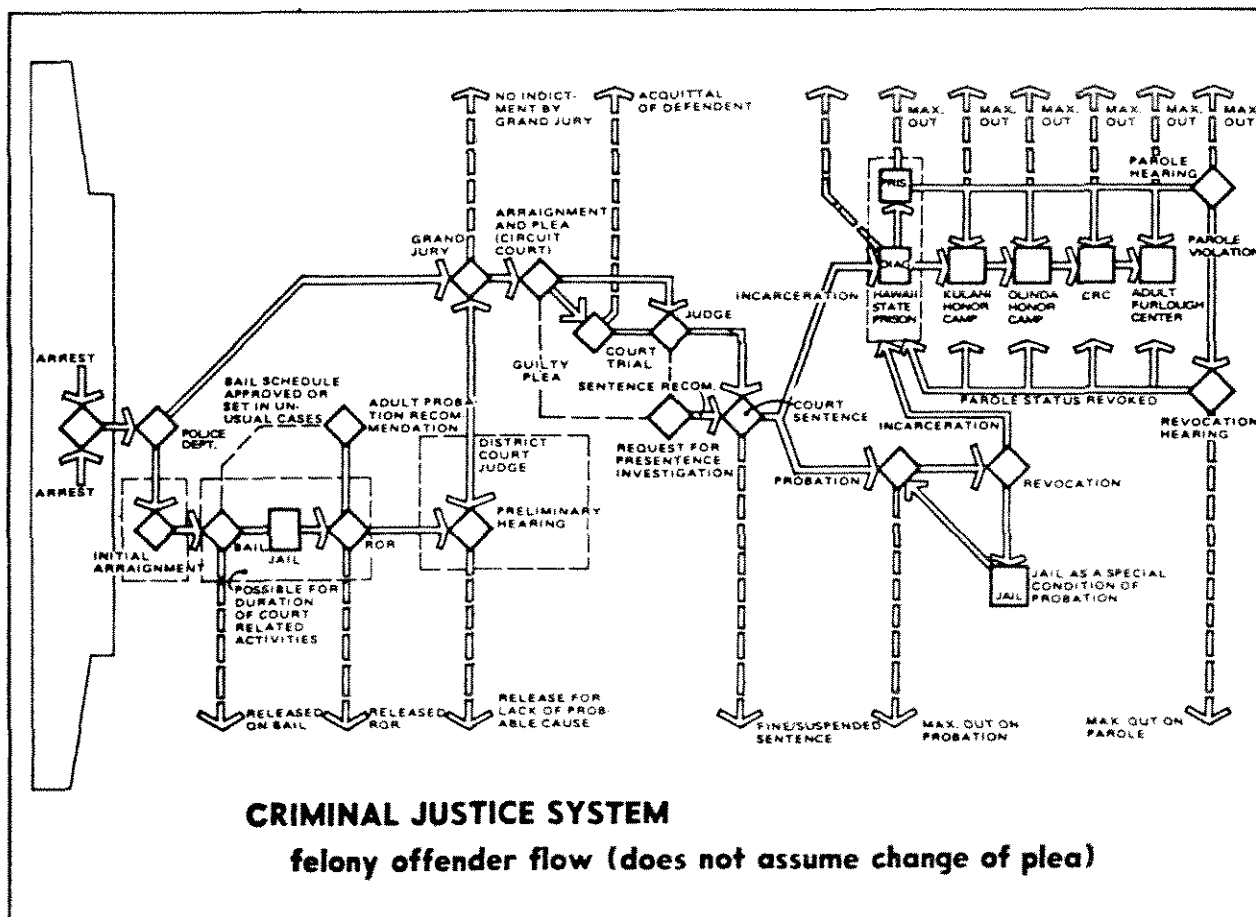
A defendant who is acquitted in either the District or Circuit Court is released. A convicted defendant in either the Circuit or District Court may appeal his case directly to the Hawaii Supreme Court.

A convicted defendant, in both courts, is usually sentenced immediately after completion of the trial. The six dispositional alternatives listed above are available to the judges. In the event that a presentence report is requested by the judge, the date of sentencing is deferred until the district court counselor or Adult Probation Division of the Circuit Court can prepare such reports. Again, the same six sentencing alternatives, indicated above, would be available at the time of sentencing.

A misdemeanor sentenced to incarceration is sent to the jail and released after serving out the duration of his sentence. An adult misdemeanor may also be sentenced to a "recessed sentence," i.e., incarceration at the jail or cell block during certain hours while continuing his regular employment.

A misdemeanor sentenced to supervision (probation) is provided professional counseling and, after completing the duration of his supervision (probation), is released.

Felony Offender Flow. An adult arrested for a felony is processed at the police department. Immediately after completion of police processing, the offender is taken to the District Court for an initial arraignment.



At the initial arraignment in the District Court, the defendant is informed of his constitutional rights by the District Court Judge, including the defendant's right to a court appointed attorney. A date for a preliminary hearing and the amount of the defendant's bail are also resolved at the initial arraignment.

After the initial arraignment, a defendant able to post bail is released until the date of preliminary hearing. A defendant unable to post bail is taken to jail wherefrom a request for "release on recognizance (ROR)" may be made to the Circuit Court through the Adult Probation Division of the Circuit Court. The Adult Probation Division will investigate and prepare an "ROR" recommendation for the Circuit Court judge. If the defendant is not granted "ROR", he is held in custody. If granted an "ROR" he is released until the date of the preliminary hearing.

The preliminary hearing is held at the District Court by a District Court judge to ascertain, among other things, whether there is probable cause to indicate that (1) a crime has been committed, and (2) the defendant has committed the crime. Upon a ruling by the judge that there is no proven probable cause, the defendant is released; however, he is still subject, though released, to an indictment by the Grand Jury. If the judge rules that probable cause has been proven by the prosecutor, the defendant's case is turned over to the Grand Jury for a formal indictment.

The Grand Jury may return a "no bill" on a defendant in which event no charges are lodged against him. In the event that a "true bill" is returned, however, the defendant's case is set for arraignment (formal reading of charge

against the defendant) and plea in the Circuit Court.

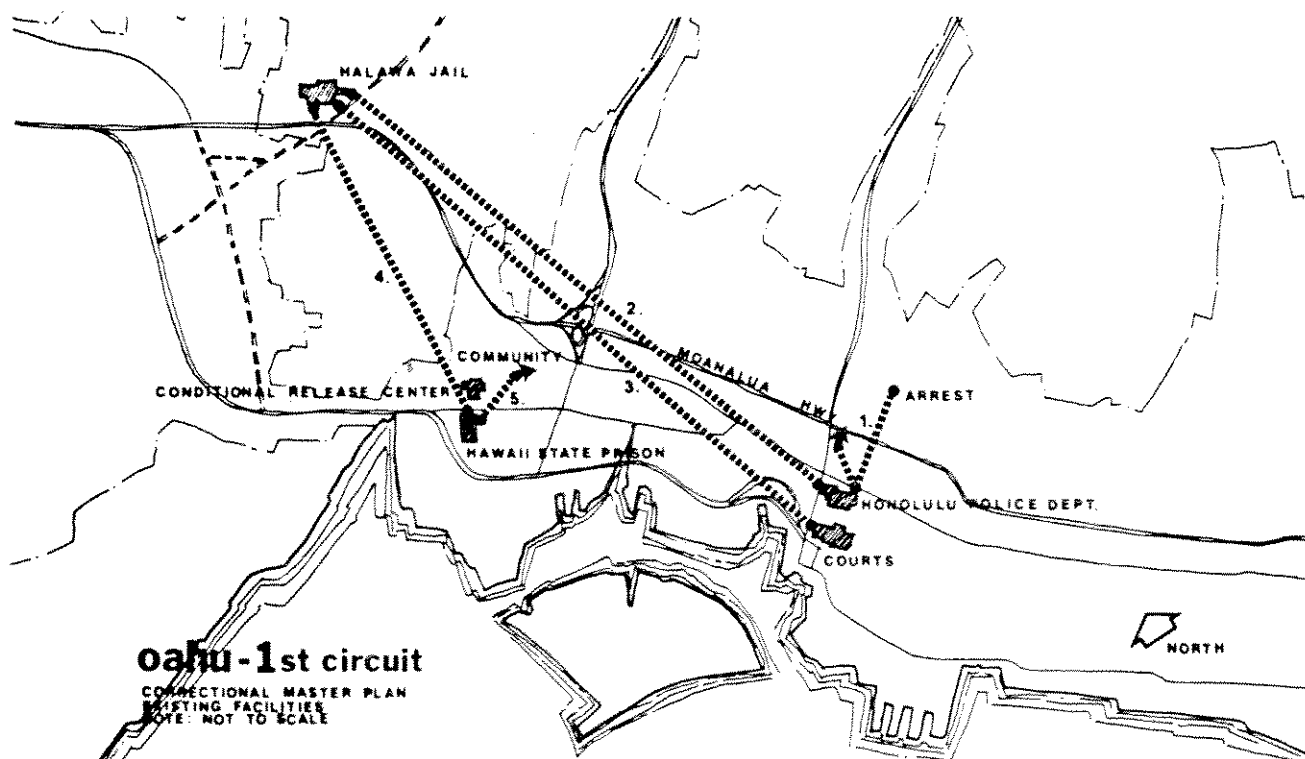
At the Circuit Court's arraignment and plea, the case of a defendant who enters a plea of "not guilty" is set for trial. An offender who pleads "guilty" has his case set for sentencing and a request for a presentence report is made to the Adult Probation Division of the Circuit Court.

At the Circuit Court trial for the defendant, the defendant may be acquitted and released. A convicted defendant may, though rarely practiced, be sentenced immediately after trial, in which event the following dispositional alternatives are available to the Circuit Court judge:

- Incarceration
- Fine
- Community Alternatives
- Probation
- Suspended Sentence
- Any combination of the foregoing.

A defendant who is sentenced to be incarcerated is sent to the Hawaii State Prison's Diagnostic Center for examinations after completion of which he is (1) released from Hawaii State Prison or assigned to the (2) Hawaii State Prison, (3) Kulani or Olinda Honor Camps, (4) Conditional Release Center, or 5) Adult Furlough Center.

An incarcerated defendant is released after serving the duration of his sentence. He may also be placed on parole after a parole hearing and be released after serving out the duration of his parole. A parolee who violates the terms of his parole may, after a revocation hearing, have his parole (1) continued, or (2) revoked and the offender reinstitutionalized.



Appendix B

Adult Intake Service Flow. An adult arrested for a misdemeanor would be booked and processed at the police department, and if unable to post bail, he would be transferred to the Intake Service Center until arraignment in the District Court. Arraignment would follow as soon as possible, but no more than 24 hours after the arrest. During the process, the offender is screened for eligibility to appropriate other pre-trial dispositions, with recommendations being so made to the judiciary.

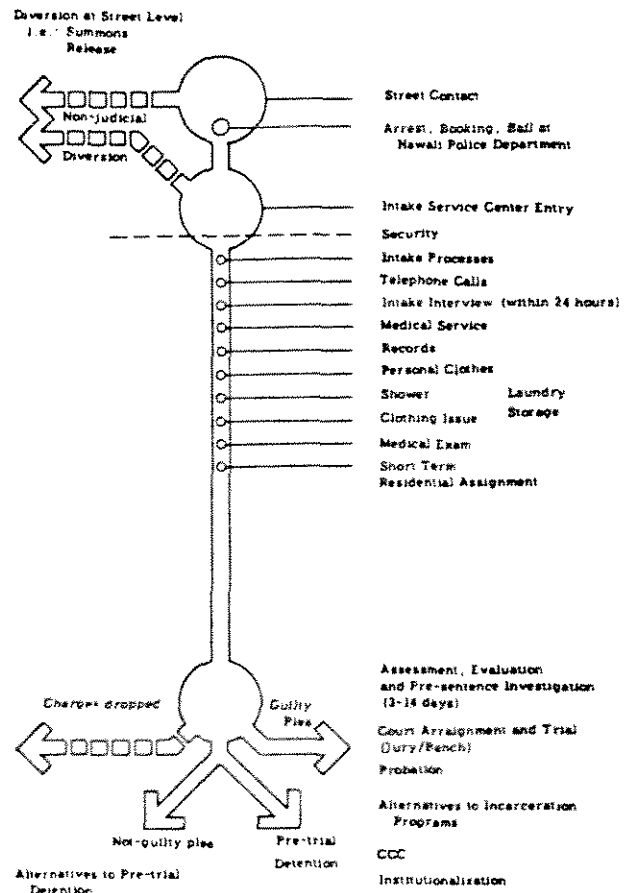
Similarly, an adult who is arrested for a felony and who, before and after initial arraignment in the District Court, is unable to post bail or obtain release on own recognizance, would then be admitted to the Intake Service Center for pre-trial screening and appropriate recommendations.

The adult intake assessment and rehabilitation process is shown below. The procedure is basically similar to the process described for juveniles. It involves the following components, the exact combination of which would vary according to the specific needs of the individual.

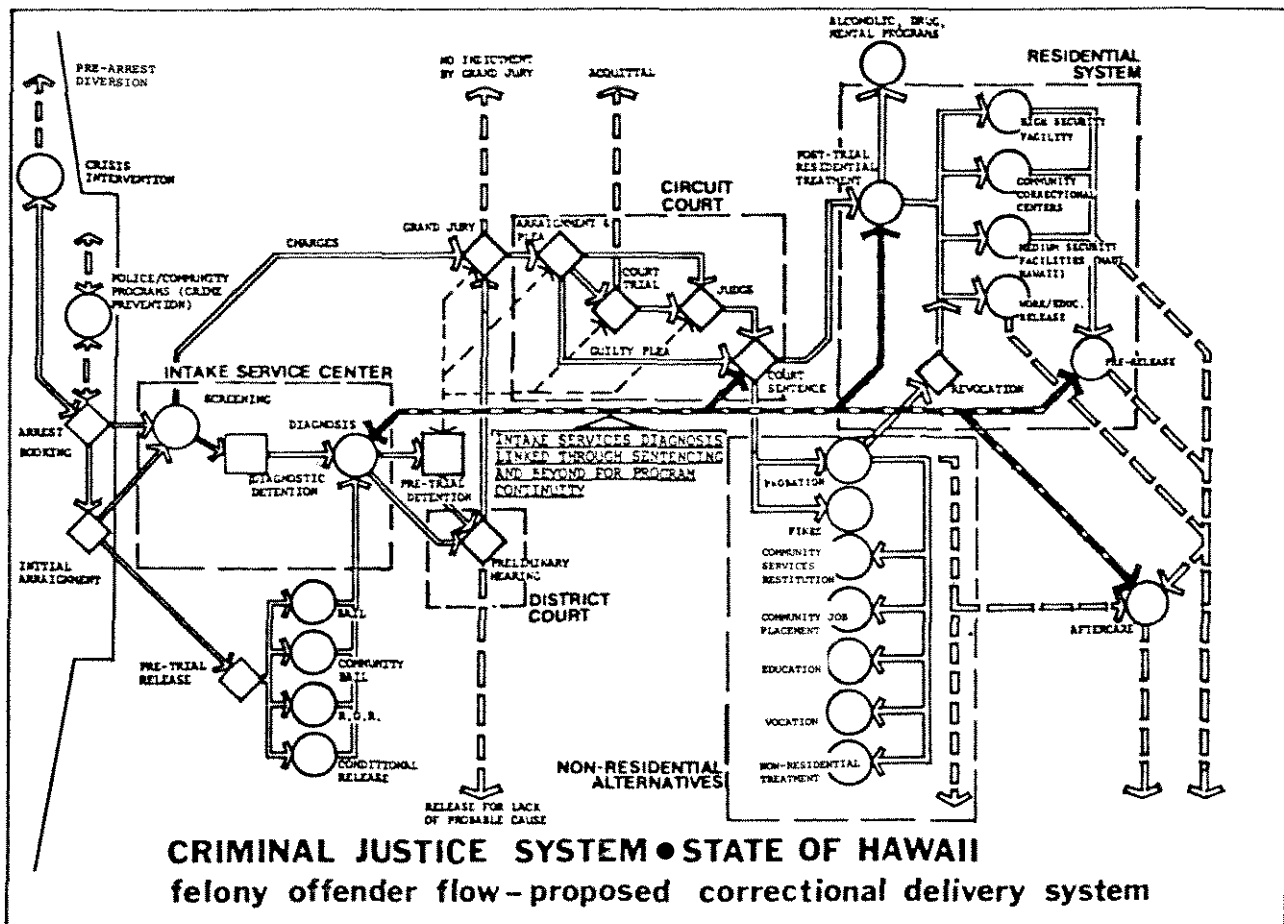
- Processing for the post-arrest begins with the consideration of diversion at the street level and proceeds to the consideration of diversion at initial intake. For those individuals who are subsequently processed, it includes: humane approaches to prisoner handling, the keeping of necessary records, efficient and sanitary processing, medical examinations, and individual interviewing that attempts to humanize the entire process.
- Intake staffing should be sufficient to prevent the use of holding rooms for periods in excess of two hours.
- The intake receiving process should be located within the security perimeter, with adequate physical separation from other portions of the Intake Service Center. Such receiving areas should be also separate from the discharge process.
- Consideration of sanitary conditions within the Intake Service Center requires that intake processing include a hot water shower with soap, the option of clothing issue, and proper checking and storage of personal effects. Throughout the intake process, the dignity of the individual should be preserved.
- All personal property and clothing taken from the individual upon admission must be recorded and stored, with a receipt to the prisoner. The Intake Service Center carries the responsibility for the safekeeping of such effects until the time of their re-issue to the owner.

- Proper record keeping in the intake process is necessary in the interest of both the individual and the criminal justice system. Records should include: name and vital statistics; personal, social, and occupational history; names and addresses of relatives or other persons who are expected to visit or to correspond; ordinary identity data; results of the initial medical examination; results of initial assessment; and evaluation interview. Emphasis should be directed to individualizing the recordtaking operation, since it is an imposition upon the innocent and it represents a component of the correctional process for the guilty.
- Each individual is to be interviewed by a counselor, social worker, or other staff member as soon as possible after being received. The purpose of this interview is crisis intervention so that the arrest of the offender will cause only as much disruption to his daily life and the affairs of his family as is necessary.
- A thorough medical examination of every processed individual is to be made by a physician. It is mandatory that the decision of the physician be followed in all matters pertaining to the health of the prisoner.
- Immediately after being booked, the offender should be given the opportunity to make a reasonable number of telephone calls to individuals of his choosing.

ADULT INTAKE ASSESSMENT AND EVALUATION PROCESS



From: Correctional Master Plan Summary,
pp. 33-35.



The adult Intake Service Center has objectives that are consistent with those of the juvenile center, but they require less modification within the criminal justice system. The function of the Intake Service Center is, of course, removal of individuals from the purview of the criminal justice system and the determination of what resources ought to be directed to a given individual. This is predicated on an effective screening process. The Intake Service Center combines diagnostic and classification activities with the screening function. Pre-trial releases will be directed from the Intake Service Center, and all pre-sentence diagnostic work will take place there. Similarly, the diagnostic and classification services for the entire state correctional system will be carried out in the individual counties at each Intake Service Center in a County. The Intake Service Center will automatically receive all those to be considered for confinement and must immediately screen out those for whom it is unnecessary. The Intake Service Center will also serve some of the functions of the crisis intervention center. Typically, individuals brought to local correctional facilities come with unresolved problems that demand immediate attention. The screening process must deal with these problems.

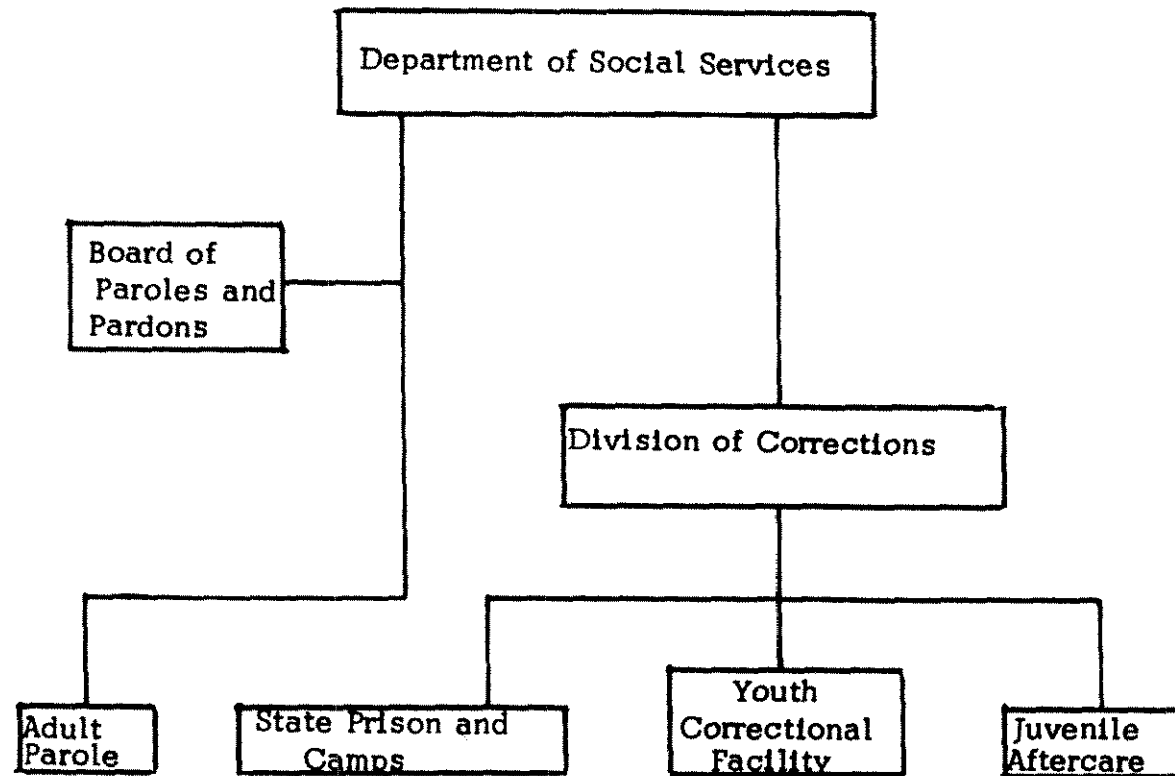
The removal of a substantial body of inmates from local correctional institutions will

open the possibility for expanding the scope of such institutions to include felons as well as misdemeanants. This will ultimately mean the return of inmates in the large State Prison to their communities, prior to their release. It will facilitate the coordination at the Intake Service Center of the gradual reintegration of the offender into his community.

In addition, the Intake Service Center becomes the coordinating point for the various correctional services now based in the community. This involves the development of a classification committee that meets in each Intake Service Center and includes not only staff and professionals from the Center but also parole and probation officers, representatives from volunteer groups (e.g., Alcoholics Anonymous), and the supervisors of relevant government agencies. In this way, the various individuals and organizations working with the individual inmate can make joint decisions and meet as a group with the inmate.

Appendix C

PRESENT CORRECTIONAL ORGANIZATION



```

graph TD
    DSS[Department of Social Services] --> DOS[Division of Supportive Services]
    DSS --> DOC[Division of Corrections]
    DOS --> ISC[Intake Service Center at Oahu]
    DOS --> ISM[C.C.C. at Maui Hawaii & Kauai]
    DOS --> ISH[C.C.C. at Honolulu]
    ISC --> PTD1[Pre-trial Detention]
    ISC --> PTD2[Post-trial Programs]
    ISM --> PTD1
    ISM --> PTD2
    ISH --> PTD1
    ISH --> PTD2
    PTD1 --> HSCF[High Security Correctional Facility]
    PTD1 --> HC[Honor Camps]
    PTD1 --> YCF[Youth Correctional Facility]
    PTD1 --> JAC[Juvenile After Care]
    PTD2 --> HSCF
    PTD2 --> HC
    PTD2 --> YCF
    PTD2 --> JAC
  
```

: Correctional Master Plan, Vol. 3, pp. 3.32-3.33.

-67-

Appendix D

State of Hawaii Department of Social Services and Housing Corrections Division

Comparison of Inmate Population (Headcount) to Bedspace As of November 1, 1981

<u>Facility</u>	<u>Bedspace Capacity</u>		<u>Total</u>	<u>(Headcount) Current Population</u>	<u>Percentage of Population to Bedspace</u>	
	<u>Permanent</u>	<u>Temporary</u>			<u>Permanent</u>	<u>Total</u>
HSF	72	-	72	74	102.8%	102.8%
KCF	90	-	90	73	81.1%	81.1%
CRCs	23	-	23	13	56.5%	56.5%
HCCC	24	-	24	41	170.8%	170.8%
MCCC	22	-	22	54	245.5%	245.5%
KCCC	15	-	15	23	153.3%	153.3%
OSCC	312	330	642	758	243.0%	118.1%
Total	558	330	888	1036	Average 185.7%	116.7%

Comparison of Projected Inmate Population (Headcount) to Bedspace As of January, 1985

<u>Facility</u>	<u>Bedspace Capacity</u>		<u>Total</u>	<u>(Headcount) Projected Population</u>	<u>Percentage of Population to Bedspace</u>	
	<u>Permanent</u>	<u>Temporary</u>			<u>Permanent</u>	<u>Total</u>
HSF	102	-	102	90	88.2%	88.2%
KCF	120	-	120	120	100%	100%
CRCs	23	-	23	23	100%	100%
HCCC	24	-	24	82	341.7%	341.7%
MCCC	22	-	22	86	390.9%	390.9%
KCCC	15	-	15	57	380.0%	380.0%
OSCC	312	410	722	1123	359.9%	155.5%
Total	618	410	1028	1581	Average 255.8%	153.8%

Appendix E

SUMMARY OF POTENTIAL ISC FUNCTIONS

Function	Activities	Objectives	Administration Currently Performing Similar Functions
APPREHENSION PHASE			
Police-ISC Coordination	Communicate regularly with police administration, staff and officers; communicate with ISC booking and intake staff; communicate with prosecutor, public defender and court.	To assist police in developing policies and procedures which result in maximum screening from detention and smooth flow of information and cases.	New
PRE-TRIAL PHASE			
Reception and Registration	Telephone answering, sallyport admission, walk-in referrals, gate security, greet, log. Fingerprint, photo, take identifying information, check ID records.	To receive all alleged offenders arrested and not screened by police. To receive walk-in referrals off the street. To assure identity and registration of all who enter system.	Police Jail
Coordinate Legal Representation	Notify public defender and prosecutor; provide interview space; make client available.	To assure immediate protection of legal rights and immediate protection of community.	Jail Police
Intake Screening	Intake interview; information verification. Consult with public defender, prosecutor and police.	To make decision regarding custody.	New
Pre-Trial Assessment	Interview offender, family, employer, etc. Consult with needed community alternative agencies; evaluate; consult with prosecutor and defender.	To assure opportunity for rehabilitation whenever appropriate. To assure court appearance.	Prosecutor Defense Court
Bail, ROR	Collect data, score data sheets, receive bail funds and provide input for the determination of bail, ROR.	To assure court appearance.	Jail Probation Court
Pre-Trial Report	Intake investigation and assessment. Match needs with program alternatives. Consult with courts.	To assure court appearance. To assure program benefits.	New
Pre-Trial Release Arrangements	Arrange and/or provide for public transportation; arrange program enrollment.	To facilitate release	New
Admission to Custody	Check property Shower Clothing issue, medical exam Room assignment.	To provide sanitary, secure custody for those requiring it.	Jail
Residential Care Program Planning	Program planning and consultation with institutions.	Effective use of time in pre-trial custody.	New

Function	Activities	Objectives	Administration Currently Performing Similar Functions
Referral to Community Programs	Call community agencies re: health, financial assistance, housing, family counseling, etc.	To assist offender in gaining access to needed resources.	Probation
Pre-Trial Supervision	Set terms and conditions; provide counseling; monitor progress in programs; reprogram; maintain contact. DAG supervision.	To assure court appearance. To assure law-abiding behavior and benefits from programs.	Probation
DAG Report	Investigation of offender, interview offender, family, employer; consult with prosecutor, defender, judge.	To assure offender will exhibit law abiding behavior and exit from criminal justice system.	Probation
PRE-SENTENCE PHASE			
Pre-Sentence Investigation a. Short b. Comprehensive	Interviews with alleged offender, police, witnesses, family, employer, physician, psychiatrist, etc. Analyze data, develop plan and write report.	To develop a rehabilitation plan.	Probation
Pre-Sentence Report to Court	Appear in court and present report.	To assist court in making well informed case dispositions.	Probation
POST-SENTENCE PHASE			
Diagnosis and Security Classification of Inmates	Review case data; discuss with residential administrators; participation classification decision.	To assure appropriate degree of security during incarceration.	Institutions
Program Committee, Periodic Review, Reclassification of Inmates	Review case data; discuss with residential administrators; participation classification decision.	To assure realistic program services to the offender for return to community or for release.	Institutions
Pre-Parole Hearing and Reports	Institutional progress review; assess available community resources; develop needed case resources; write report and recommendations. Appear at pre-parole hearing and present report.	To assure offender is prepared for release and that resources are available to provide needed support for success upon release. To assist Parole Board in making case dispositions.	Parole
Parole Supervision	Provide counseling; seek needed resources; advocate for opportunities; verify adjustment.	To assure law abiding behavior after release from residential care.	Parole
Parole Condition Enforcement	Place into custody when necessary; notify Parole Board of violation; review case with Parole Board; make recommendations to Parole Board.	To assist Parole Board in disposition of parole violators.	Parole
Probation Supervision	Individual or group interviews with offender, spouse, employer, etc.	To improve offender self understanding of behavior and to assist obtaining access to opportunities for legitimate success.	Probation*

Function	Activities	Objectives	Administration Currently Performing Similar Functions
Probation Condition Enforcement	Place offender into custody when necessary; notify court of violations; review case with judge; make recommendations to court.	To assist court in disposition of probation violations.	Probation*
Assignment to Community Programs	Match offender's needs with available programs; arrange program or program sequence; perform periodic evaluation of offender in program; reprogram.	To assure the availability of appropriate community resources to meet offender's needs.	New
ADMINISTRATIVE SUPPORT			
Medical Service	Direct medical service; refer for hospital care; direct psychiatric evaluation, counseling and drug therapy; refer for mental hospital care; direct dental service.	To assure timely, professional, medical, psychiatric, and dental care for institutional residents.	Health Mental Health
Management Information System	Set up uniform data gathering procedures; gather data centrally; evaluate data; plan and implement research; develop reports.	To assist management in evaluating program cost-effectiveness, loads, staff and resource allocations. To monitor offender status and progress.	New
Community Program Development & Contract Monitoring	Seek service vendors; develop contracts; process contracts for signature; monitor services; evaluate reports; coordinate with community services.	To assure needed services are developed and appropriately contracted for and to assure contract conditions are met.	New
Follow-up Case Evaluation	Interview ex offender, family, employer, etc.	To evaluate program effectiveness.	New
Budget, Accounting, & Forecasting	Gather data, forecast needs; budget present budget request; monitor expenditures.	To budget for anticipated ISC program and contract needs and to assure spending within budget.	New
Personnel Services and Staff Training	Perform personnel services for employees; provide materials, programs, methods for in-service training of staff.	To assure employee well-being; to assure adequate levels of staff proficiency.	New
ISC Administration	Overall planning, supervising, evaluating, budgeting, and coordinating.	To assure attainment of objective and cost effective operation of ISC and to coordinate its functioning with related criminal justice and human service functions.	New

*Will remain with Probation in foreseeable future; ISC may participate where necessary.

Appendix F

EXHIBIT I
Page 1 of 2

RECOMMENDED ISC/CCC FUNCTIONAL ASSIGNMENTS

<u>FUNCTION DESCRIPTION</u>	<u>RESPONSIBLE ORGANIZATION</u>
. Coordinate with police and judiciary to develop criteria for field or station release of offenders.	ISC
. Receive custody of offender from police agency which will include: initial search and confiscation of property and money, booking or registration, shower, institutional clothing issue, offender clothing storage, photographing and fingerprinting.	CCC
. Custody responsibility during intake processing holding.	CCC
. Security responsibility for any movement of offender during the intake process.	CCC
. Initial interview of offender to determine eligibility for pre-trial release or diversion. Includes generation and processing of all related paperwork.	ISC
. Maintenance of basic offender records (via MIS).	ISC
. Responsibility for offender on pre-trial release status.	ISC
. Provide reports to the judiciary for pre-trial appearances.	ISC
. Participate in housing decision for pre-trial offenders not eligible for pre-trial release.	ISC/CCC/ HSF
. Security responsibility for offenders housed in modules or holding facility.	CCC
. Develop community-based post-trial/post-sentenced program resources (includes eligibility criteria).	ISC/CCC
. Develop in-facility recreational (keep-busy) programs for pre-trial and sentenced offenders.	CCC
. Develop in-facility post-trial/post-sentenced rehabilitative programs.	ISC/CCC

RECOMMENDED ISC/CCC FUNCTIONAL ASSIGNMENTS (CONT.)

<u>FUNCTION DESCRIPTION</u>	<u>RESPONSIBLE ORGANIZATION</u>
. Provide in-facility personal counseling - crises intervention services to all short-term pre-trial offenders.	ISC
. Conduct and supervise in-facility recreation programs for all short-term pre-trial offenders.	ISC
. Provide in-facility personal counseling and recreation programs for all long-term pre-trial, and sentenced offenders.	CCC
. Participate in making housing decisions for sentenced offenders.	ISC/CCC/ HSF
. Provide diagnostic services (interviews, testing, etc.) to long-term pre-trial, and sentenced offenders.	ISC
. Develop individual rehabilitative programs for each long-term pre-trial, and sentenced offender based on diagnostic work-up, prior record, and other historical/personal information gathered.	ISC
. Evaluate rehabilitative program effectiveness.	ISC
. Supervise the work release program.	CCC
. Provide input data to the MIS relative to long-term pre-trial, and sentenced offender program participation and overall behavior.	CCC
. Provide referrals to community services for short-term pre-trial offenders who are released at this point in the criminal justice system.	ISC
. Provide references to community services for long-term pre-trial and sentenced offenders as they are released.	CCC

Appendix G
RESOURCE PERSONS

1. Clarence Andrade, Administrator
Hawaii Community Correctional Center
2. Mel Ando, Administrator
Laumaka Conditional Release Center
3. Lester Cingcade
Administrative Director of the Courts
4. Conroy Chow, Administrator
Office of Correctional Information
and Statistics
Intake Service Center
5. John Hamano, Acting Administrator
Oahu Intake Service Center
(previously Administrator of the Oahu
Central Intake Section which handles the
pre-trial services)
6. Michael Hanada, Social Worker
Maui Community Correctional Center
7. Sherwood Hara, Director-Administrator
Family and Adult Probation Services
Fifth Circuit
8. Halo Hirose, Administrator
Adult Probation Division
First Circuit
9. Herbert Honda, Chairman
House Committee on Corrections
and Rehabilitation
10. Thomas Hugo, Jr., Chairman
Hawaii Paroling Authority
11. Walter Ikeda
(formerly deputy attorney general
assigned to SLEPA during the master
plan development; also assisted SLEPA
in the compilation of the 1980 progress
and assessment report on the master
plan)
12. Michael Kakesako, Administrator
Corrections Division
13. Robert Kita, Probation Supervisor
Family and Probation Services
Third Circuit
14. Donald Kobatake, Administrator
Hawaii Intake Service Center
15. Kazumi Kobayashi, Administrator
Maui Community Correctional Center
16. Thomas Kurosaki, Administrator
Kauai Intake Service Center
17. Warren Matsuda, Correctional Counselor
Hawaii Community Correctional Center
18. Howard Murai, Acting Administrator
Conditional Release Branch
Corrections Division
(formerly Administrator of the
Kamehameha Conditional Release Center)
19. Thomas Nakama, Director-Administrator
Probation and Family Court
Second Circuit
20. Jay Nakasone, Administrator
Maui Intake Service Center
21. William Oku, Administrator
Halawa High Security Facility
22. Marc Oley, Police Planning Specialist
State Law Enforcement and Planning Agency
23. Masaru Oshiro
(formerly Administrator of the Oahu
Community Correctional Center and the
Oahu Intake Service Center)
24. Ted Sakai, Administrator
Program Planning Officer
Corrections Division
25. Dan Shoenbacker, Chairman
Intake Service Center Board
26. Edwin Shimoda, Acting Administrator
Oahu Community Correctional Center
(formerly Program Control Administrator,
OCCC)
27. Larry Shohet, Program Administrator
Halawa High Security Facility
28. John Smythe, Administrator
Halawa High Security Facility
29. Irwin Tanaka, Director
State Law Enforcement and Planning Agency
30. Kendrick Wong, Executive Director
Intake Service Centers
(formerly the Corrections Specialist with
SLEPA involved in the master plan develop-
ment)

Appendix H

(To be made one and ten copies)

HOUSE OF REPRESENTATIVES
ELEVENTH LEGISLATURE, 1981
STATE OF HAWAII

H.R. NO. 132
H.D. 2

HOUSE RESOLUTION

REQUESTING A REVIEW OF THE HAWAII CORRECTIONAL MASTER PLAN.

WHEREAS, the rehabilitation and incarceration of persons convicted of crimes are of the utmost importance to the judiciary system and to the welfare of the people of this State and the Hawaii Correctional Master Plan which was authorized nearly nine years ago was to provide for a comprehensive master plan for corrections with an emphasis on rehabilitation, reintegration, and community corrections; and

WHEREAS, the recession in the State's economy since the passage of the Hawaii Correctional Master Plan has resulted in fewer funds for human services, and the construction of new facilities for imprisonment has depleted funds allocated for the Hawaii Correctional Master Plan; and

WHEREAS, the fundamental assumptions on which the Master Plan were based may no longer be sound, the basic philosophies of Correction are changing with more emphasis on incarceration, as the planned use of facilities such as halfway houses, intake service centers, and community correctional centers is not working; and

WHEREAS, the Master Plan is faced with problems of implementation due to unforeseen lack of funding, and this lack of financial sources undermines the facilities and programs envisioned by the Plan; and

WHEREAS, while correctional facilities are set up to secure the confinement of certain offenders and to provide decent living quarters for such confinement, and the quality of prison security, living conditions of inmates, and reintegration are dependent on the number of inmates in the facility, such facilities today are overcrowded and do not meet the purposes for which they are set up; and

WHEREAS, House Resolution No. 280 was passed in 1978 requesting the Dean and certain faculty of the University of Hawaii Law School to establish a task force to study these problems, and this study these problems, and this study is not being done; now, therefore,

BE IT RESOLVED by the House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, that the Office of the Legislative Reference Bureau study and reevaluate the Hawaii Correctional Master Plan, including the Plan's underlying philosophy or conceptual approach, in terms of the Plan's effectiveness in meeting problems and in presenting solutions under current and future conditions in the corrections field and in view of changing community attitudes and laws on sentencing of offenders, the availability of facilities both now and in the future, and the funding which may reasonably be expected, make recommendations thereon, including recommended amendments or changes to the Plan itself; and

BE IT FURTHER RESOLVED that the study shall also include but not be limited to, an identification of those components of the Hawaii Correctional Master Plan which have not been fully, or only partially implemented and a determination of the impact of those components in the Master Plan which were not fully or only partially implemented, and the cost effectiveness of pursuing a philosophy of incarceration as a major response in combating crime; and

BE IT FURTHER RESOLVED that the corrections division of the Department of Social Services and Housing, the Judiciary and other agencies involved in corrections cooperate with the Legislative Reference Bureau on this study; and

BE IT FURTHER RESOLVED that the Office of the Legislative Reference Bureau complete its study and submit its findings and recommendations to the Legislature prior to the opening of the Regular Session of 1982; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Office of the Legislative Reference Bureau, Director of Social Services, and the Chief Justice of the Supreme Court.

PUBLISHED REPORTS OF THE LEGISLATIVE REFERENCE BUREAU

- 1969** 1. Temporary Disability Insurance. 212 p. \$2.50
2. Intoxicating Liquor Laws in Hawaii and the Industry. 312 p. \$3
3. Credit Life and Credit Disability Insurance in Hawaii. 52 p. \$1
4. Nursing in Hawaii, 1968. 52 p. \$1
5. Public Land Policy in Hawaii: An Historical Analysis. 200 p. \$1
6. Compliance of State Agencies with the Hawaii Administrative Procedure Act. 67 p. \$1.50
- 1970** 1. Trial of Traffic Cases in Hawaii. 53 p. \$1
2. New Patterns of Health Care: The Physician's Assistant. 83 p. (out of print)
- 1971** 1. Hawaii Legislative Manual: A Handbook for Legislators. Fourth Edition. 87 p. \$1 (out of print)
2. Prepaid Health Care in Hawaii. 97 p. \$1
3. Hawaii Law School Study. 105 p. \$2
4. Licensure of Foreign Dental Graduates. 66 p. \$1.50
5. Special Education in Hawaii. Part I. 148 p. \$2 (out of print)
6. Special Education in Hawaii. Part II. 151 p. \$1.50
- 1972** 1. New Car Warranties. 71 p. \$1
2. The Implications of Year-Round Education for Hawaii's Public Schools. 88 p. \$1.25
- 1973** 1. Elderly Affairs. 273 p. \$3
2. In-Migration as a Component of Hawaii Population Growth: Its Legal Implications. 90 p. \$1.50
3. Child Care in Hawaii: An Overview. 284 p. \$3
- 1974** 1. Window to the Sea: A Study of the Waikiki Aquarium. 239 p. \$3.50
- 1975** 1. Sanctify the Scales—A Study of Consumer Protection. 196 p. \$3
2. Vocational Education in Hawaii—An Examination of Its Administration. 130 p. \$2
3. Feed for Hawaii's Livestock Industry—Some Problems and Prospects. 124 p. \$2.50
4. Prepaid Legal Services and Hawaii. 87p. \$1.50
- 1976** 1. Privileged Communication and Counseling in Hawaii. 143p. \$2.50 (out of print)
- 1977** 1. Towards a Definition of Death. 181 p. (out of print)
2. Iolani Palace Complex: Some Directions for the Future. 186 p.
- 1978** 1. The Feasibility of Integrating Human Services in Hawaii: Some Issues, Problems, and Opportunities. 262 p.
- 1979** 1. Generic Drug Substitution: Feasibility for Hawaii. 204 p.
2. Preserving the Quality of Life in Hawaii: A Strategy for Population Growth Control. 220 p.
3. Equality of Rights — Statutory Compliance. 73p.
- 1980** 1. Economic Security for Older Persons in Hawaii: Some Issues, Problems, and Opportunities. 192p.
Guide to Government in Hawaii (Seventh Edition). 197 p. \$4.00
Hawaii Legislative Drafting Manual (Fifth Edition). 107 p.
- 1981** Hawaii Legislators' Handbook. Seventh Edition. 117 p. \$3.50