



Hawai'i Correctional System Oversight Commission

Monthly Oversight Coordinator Report – September 2026

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Introduction

In accordance with Chapter §353L-6, the Oversight Coordinator shall submit a monthly report to the Commission, the Governor, and the Legislature. The monthly report shall include actions taken by the Commission and expenses for the preceding month. In addition to the mandated parties this report must be shared with, the Oversight Coordinator publicly posts the monthly report to increase transparency and accountability. This report will also be shared with each individual who has the responsibility of appointing members of the Commission. This includes:

- 1) Governor of Hawaii
- 2) President of the Hawaii Senate
- 3) Speaker of the Hawaii House of Representatives
- 4) Hawaii Supreme Court Chief Justice
- 5) Chairperson of the Board of Trustees of the Office of Hawaiian Affairs

The Oversight Coordinator monthly reports are released on the first Friday of each month, covering the previous month, and will be discussed on the second Thursday of each month at the monthly Commission meetings.

Death in Custody

On September 19, 2026, at approximately 8:36pm, at the Maui Community Correctional Center, staff found a 74-year-old white male unresponsive in a cell. Staff immediately called for medical and conducted CPR. EMS arrived at 8:46pm and continued CPR with an AED. At approximately 9:28pm, EMS took the individual to a nearby hospital. Unfortunately, at 10:44pm, the individual was pronounced deceased at the hospital. An autopsy will determine the official cause of death.

Events Attended

Presentation to the State LGBTQ+ Commission

On Monday, September 14th, the Oversight Coordinator Christin Johnson and Department of Corrections and Rehabilitation Director Tommy Johnson, Deputy Director for Rehabilitation Services & Programs Sanna Munoz, and Corrections Health Care Administrator Romey Glidewell presented to the State LGBTQ+ Commission on how māhū, transgender, gender expansive, and intersex inmates are housed and what services they have access to. The Department committed to updating some outdated language in their policies (noted in the attached presentation) and working with the State LGBTQ+ Commission to ensure language is up to date and appropriate. The Commission appreciated the opportunity to co-present on this topic with the Department.

Circuit Court Jail Diversion Program Graduation

On Friday, September 18, 2026, HCSOC staff attended the First Circuit Court's ceremony celebrating the second graduating class of the O'ahu Post-Booking Jail Diversion Program (JDP). Four participants successfully completed the program, bringing the total number of graduates to eleven since the program's first inaugural ceremony, which took place on March 18, 2026. The continued growth of the program reflects significant progress for this

pilot initiative, which shows strong potential to reduce recidivism, restore communities through a non-punitive approach, and ease overcrowding in Hawai‘i’s jails and prisons.

As with the inaugural ceremony, graduates were recognized by Circuit Court Judge Ronald Johnson, who presented certificates of completion and court orders dismissing their charges. The event again highlighted the program’s collaborative, treatment-focused model, which diverts eligible individuals directly from jail into crisis stabilization and community-based services. Graduates shared reflections on their recovery journeys, emphasizing the importance of consistent judicial engagement, coordinated case management, and access to behavioral health treatment. The program’s promising results underscore its value as an alternative to traditional carceral pathways and an essential component of Hawai‘i’s ongoing efforts to improve correctional outcomes.

For more information about the Post-Booking Jail Diversion Program’s implementation in both Circuit and District Court please visit:

https://www.courts.state.hi.us/news_and_reports/2026/03/first-circuit-court-celebrates-first-jail-diversion-program-graduates

2026 NACOLE Quarterly Jail & Prison Oversight Forum

On Tuesday, September 22, 2026, HCSOC staff virtually attended NACOLE’s final quarterly Jail and Prison Oversight Forum. The focus of the forum was on restrictive housing and its effects on public health. The guest speaker, Jessica Simes, Ph.D., presented research data, observations, and insights into her academic research and provided a brief analysis of solitary confinement practices within the Pennsylvania Department of Corrections (PA-DOC). PA-DOC boasts the 6th largest incarcerated population in the nation, approximating 50,000 persons annually. Professor Simes presented her research methods and findings, which are expected to be published later this year.

A key takeaway for HCSOC staff was better understanding national “norms” for restrictive housing. It was noted that PA-DOC can expect 4-5% of its incarcerated population to be housed within restrictive housing at any given time, which is in-line with the national average. This indicates that CoreCivic’s Saguaro Correctional Center is out of alignment with that average. Saguaro’s Special Incentive Housing Program (SHIP) has an estimated 14.7% of its Hawaii incarcerated population housed there (this total does not include pre-SHIP disciplinary segregation).

Senate Concurrent Resolution 89 Advisory Committee

In accordance with Senate Concurrent Resolution 89, the Commission was requested to establish an advisory committee to develop recommendations on the implementation of alternative models for rehabilitation and restorative justice on Oahu. The Advisory Committee met on Tuesday, September 29th for its first meeting. The meeting included a presentation of Breaking Cycles by University of Hawai‘i Design Center (UHCDC) by Director Cathi Ho Schar, progress update on the new OCCC by Director of Corrections and Rehabilitation Tommy Johnson, and future steps from our Chair, Mark Patterson. The Commission looks forward to working with the members to submit recommendations to

the Department of Corrections and Rehabilitation. Additional information regarding SCR89 can be found here:

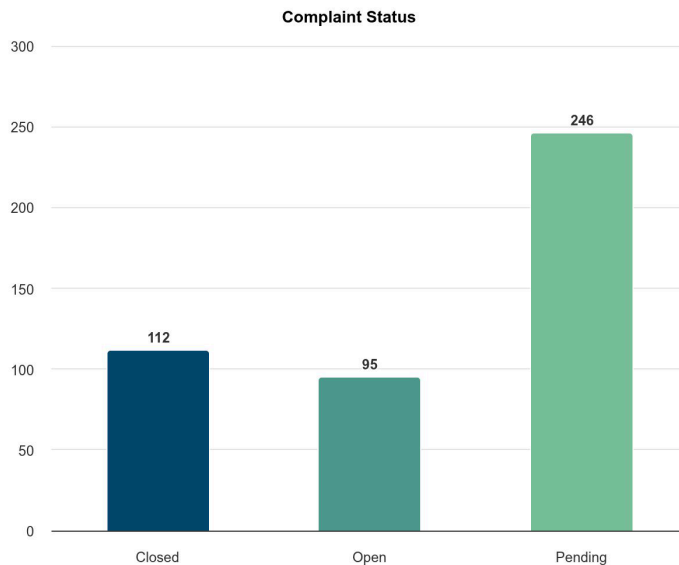
https://www.capitol.hawaii.gov/sessions/session2026/bills/SCR89_SD1_.pdf

Complaints Received by the Commission

Below is a breakdown of the office's current status of complaints including open complaints, pending complaints, closed complaints. Additionally, there is a breakdown of how many complaints the Commission has received from each correctional facility.

Complaint Status

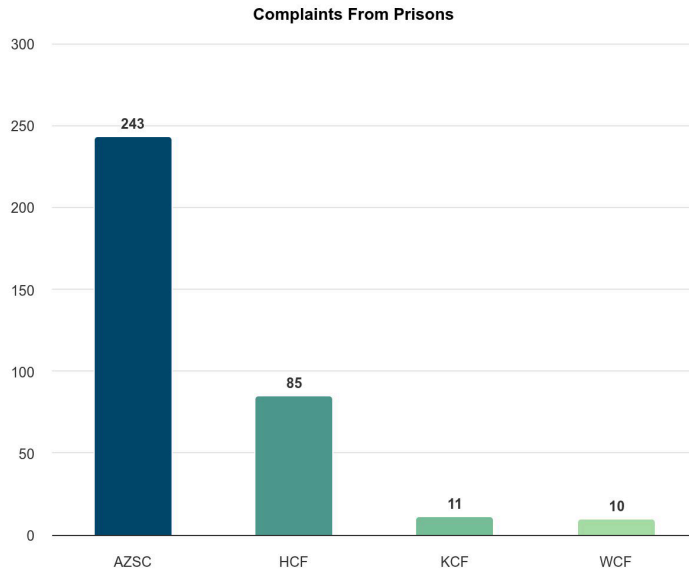
As of October 1, 2026, the Commission had 112 closed complaints and 246 complaints pending waiting for review and potential investigation. The Jail and Prison Oversight Specialists currently have 95 complaints that are open and being actively investigated.



***Note:** number of incoming complaints is subject to change as some letters may contain multiple complaints*

Complaints from Prison System

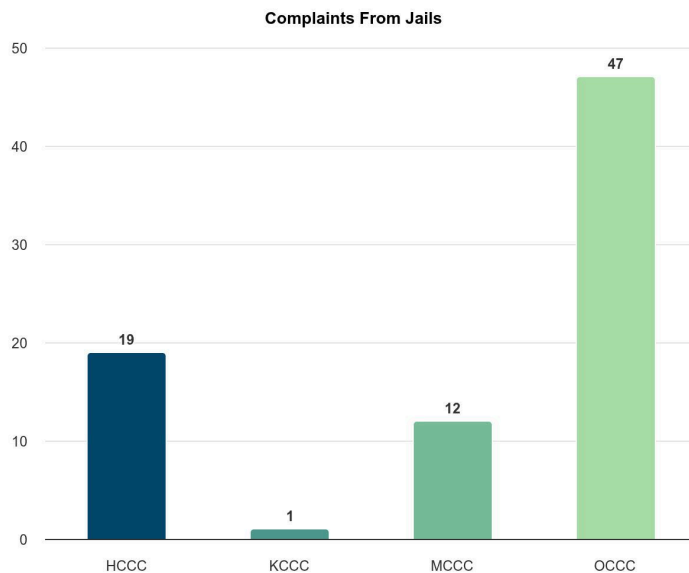
The Commission received a total of 350 complaints from the prison system (not including the Women's facility which is detailed below). A total of 243 complaints came from Saguaro Correctional Center (AZSC), a privately run facility in Arizona, 85 complaints from Halawa Correctional Facility (HCF), 11 complaints from Kulani Correctional Facility (KCF), and 10 complaints from the Waiawa Correctional Facility (WCF).



***Note:** number of incoming complaints is subject to change as some letters may contain multiple complaints.*

Complaints from Jail System

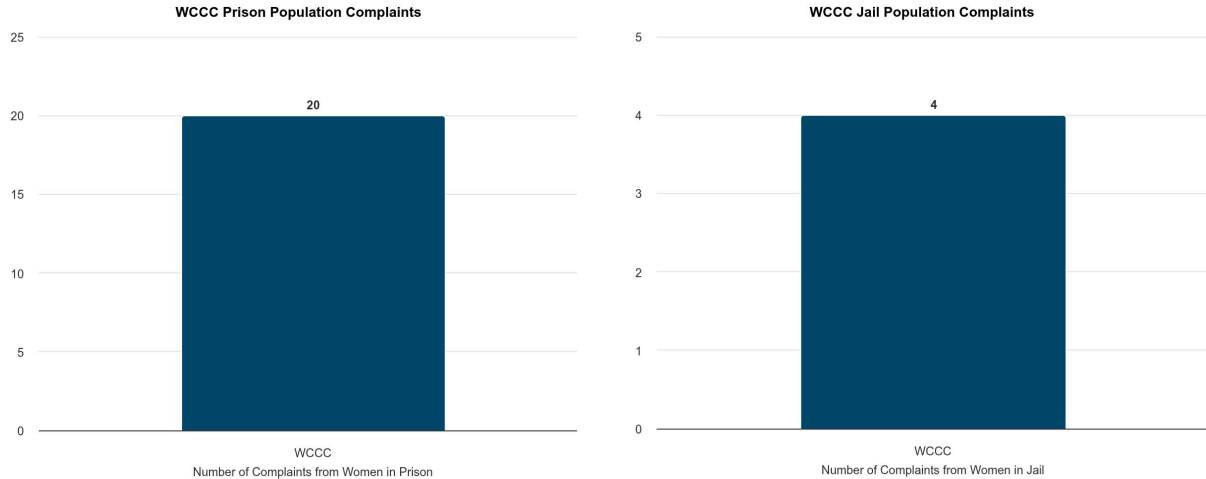
The Commission has received a total of 79 complaints from the jails (not including the Women's facility which is detailed below). A total of 19 complaints came from the Hawaii Community Correctional Center (HCCC), one complaint from the Kauai Community Correctional Center (KCCC), 12 complaints from the Maui Community Correctional Center (MCCC), and 47 complaints from the Oahu Community Correctional Center (OCCC).



***Note:** number of incoming complaints is subject to change as some letters may contain multiple complaints.*

Complaints from Women's Hybrid System

The Women's Community Correctional Center (WCCC) functions as the State's only hybrid facility housing the jail and prison population of women. The Commission has received 20 complaints from the prison side of WCCC, and four complaints from the jail side of WCCC.



Note: number of incoming complaints is subject to change as some letters may contain multiple complaints.

The Commission will continue to report on complaints on a monthly basis based on feedback from the Commissioners and public on what statistics are best to make available. If you have feedback you would like to share regarding complaint information you would like to see, please email us at hcsoc@hawaii.gov.

Findings on Lack of Movement Throughout the Prison System

Concerns Regarding Lack of Bed Utilization at Minimum Custody Facilities

The Commission has consistently reported on concerns regarding a lack of bed utilization at minimum custody facilities. Hawaii has two minimum custody prisons for men - Kulani Correctional Facility (KCF) and Waiawa Correctional Facility (WCF). These facilities are designed for people who pose low public safety risk and are eligible for rehabilitation-focused programming. WCF can hold 334 individuals, and KCF can hold 160 individuals. Despite this:

- Both facilities are less full now than they were in 2023 (WCF is at 50% capacity, KCF is at 48% capacity).
- At the same time, **hundreds of people who qualify for minimum custody** remain housed in Halawa Correctional Facility (HCF) (a higher-security prison), or Saguaro Correctional Center in Arizona (AZSC) (higher security, out-of-state prison).

The Commission has found that minimum custody beds are sitting empty while eligible individuals are housed in more expensive, more restrictive, and less rehabilitative settings.

	2023 Hawaii Male Prison Security Classifications						
Male Prison	Community	Minimum	Medium	Close	Maximum	Unclassified	Total Population
AZSC	--	53	455	369	--	--	877
HCF	4	183	435	187	2	11	822
WCF	27	154	--	--	--	--	181
KCF	24	61	--	--	--	--	85

Source: Hawaii Department of Public Safety Roster, Dated Nov. 13, 2023

	2024 Hawaii Male Prison Security Classifications						
Male Prison	Community	Minimum	Medium	Close	Maximum	Unclassified	Total Population
AZSC	--	77	506	411	--	--	994
HCF	6	179	306	204	6	5	706
WCF	23	113	--	--	--	--	136 - DECREASE FROM 2023
KCF	13	65	--	--	--	--	78 - DECREASE FROM 2023

Source: Hawaii Department of Corrections and Rehabilitation Roster, Dated Oct. 14, 2024

	2025 Hawaii Male Prison Security Classifications						
Male Prison	Community	Minimum	Medium	Close	Maximum	Unclassified	Total Population
AZSC	--	67	409	340	--	--	816
HCF	4	173	351	271	5	8	812
WCF	17	148	--	--	--	--	165 - DECREASE FROM 2023
KCF	23	62	1	--	--	--	86 - DECREASE FROM 2023

Source: Hawaii Department of Corrections and Rehabilitation Roster, Dated Nov. 17, 2025

	2026 Hawaii Male Prison Security Classifications						
Male Prison	Community	Minimum	Medium	Close	Maximum	Unclassified	Total Population
AZSC	--	33	402	365	--		800
MSTC	--	--	13	25	--	--	38-NEW CONTRACTED FACILITY
HCF	2	122	375	221	8	6	734
WCF	28	173	--	--	--	--	201
KCF	11	60	--	--	--	--	71 - DECREASE FROM 2023

Source: Hawaii Department of Corrections and Rehabilitation Roster, Dated August 31, 2026

The above charts highlight that since 2023, between 230–260 people classified as *minimum custody or below* have remained in Halawa or Saguaro. Meanwhile, Waiawa’s population dropped from 181 (2023) to 136 (2024) to 165 (2025). In recent months, Waiawa’s population has increased to 201. Kulani’s population dropped from 85 (2023) to 78 (2024) to 86 (2025) and 71 (2026). The Commission believes that this is not a year-by-year fluctuation, but a sustained pattern.

Within the past month, the Department of Corrections and Rehabilitation has begun utilizing a new CoreCivic contracted facility: Tallahatchie County Correctional Facility, Mississippi (MSTC). **The Commission was not formally notified by the Department of its intention to expand its usage of contracted facilities under CoreCivic.** This is a developing issue and the first HCSOC monthly report to track statistics of this new facility.

What the Commission Has Recommended (and Why)

Since 2023, the Commission has recommended transferring eligible minimum custody individuals from Halawa and Saguaro and fully utilizing Kulani and Waiawa. This recommendation aligns custody level with actual risk, maximizes rehabilitative impact, improves reentry outcomes, and uses state facilities as intended. However, the recommendation has **not been implemented**. The same underutilization continues into 2026.

Although the Commission understands that not all Minimums will be eligible to be in a Minimum facility (based on factors such as finishing programming, waiting for and passing medical clearance, pending misconduct adjudication, etc.), the Commission is still concerned regarding the high number of lower-level classifications in higher level facilities. Leaving minimum custody facilities 50% underused while eligible individuals sit in higher custody settings undermines rehabilitation, public safety, and responsible stewardship of state resources. The Commission will continue to report on this issue until it has been appropriately addressed.

Past Meetings

Monthly Commission Meeting

On Thursday, August 13, 2026, the Commission hosted its monthly public meeting. All past meeting agendas, video recordings, meeting minutes, and testimonies can be found on our website here: <https://hcsoc.hawaii.gov/2026-meetings>. All meetings are live streamed on our [Facebook](#) and [YouTube channel](#).

Expenses for the Preceding Month – September

Item	Cost	Qty	Total	Description
Operating Expenses			\$332.14	
TELEPHONE	\$272.14	1	\$272.14	JULY 20 - AUG 19, 2026
ARIZONA DEPT. OF HEALTH SERVICES	\$20.00	3	\$60.00	DEATH CERTIFICATE REQUESTS
Inter-Island Travel			\$654.60	
CAR RENTAL-ANJ	\$78.00	1	\$78.00	08/27 - ENTERPRISE
AIRFARE-MKP	\$192.20	1	\$192.20	08/27 - ALASKA
AIRFARE-GC	\$192.20	1	\$192.20	08/27 - ALASKA
AIRFARE-ANJ	\$193.20	1	\$192.20	08/27 - ALASKA
AIRFARE-CMJ	\$192.20	1	\$192.20	08/27 - ALASKA
AIRFARE-RMB	\$192.20	1	\$192.20	08/27 - ALASKA
AIRFARE-CMA	\$192.20	1	\$192.20	08/27 - ALASKA
AIRFARE-RMB	-\$192.20	1	-\$192.20	05/14 - AIRFARE REIMBURSEMENT
AIRFARE-CMJ	-\$192.20	1	-\$192.20	05/14 - AIRFARE REIMBURSEMENT
AIRFARE-CMA	-\$192.20	1	-\$192.20	05/14 - AIRFARE REIMBURSEMENT
Mainland Travel			\$791.81	
AIRFARE-ANJ	\$791.81	1	\$791.81	11/06 - UNITED
Conferences			\$0.00	
TOTAL			\$1,778.55	

** All expenses reflect posted transactions procured*

General Office Information

Mailing Address: Hawaii Correctional System Oversight Commission
235 S. Beretania Street, 16th floor
Honolulu, HI 96813

Website: <https://hcsoc.hawaii.gov>

Submit Testimony: <https://hcsoc.hawaii.gov/submit-testimony>

Email: hcsoc@hawaii.gov

Social Media: [YouTube](#)
[LinkedIn](#)
[Facebook](#)
[Instagram](#)

Monthly Meetings

This report will be discussed at the monthly Hawaii Correctional System Oversight Commission meeting on October 8, 2026. The next monthly meeting is scheduled to occur on November 12, 2026, at the Hawai'i Community College, 1175 Manono Street, Room: 388-101, Hilo, Hawaii, 96720, or online via teleconference. More information can be found on the Commission's webpage here: <https://hcsoc.hawaii.gov/information>.



Hawai'i Correctional System Oversight Commission

Housing and Care of Transgender People in Hawai'i Jails and Prisons

Legal requirements, clinical standards, and DCR's
published policy

Introduction

Publicly Known Facts

- Denise Foster, a 55-year-old transgender woman, died after an alleged assault in her cell at Hālawā Correctional Facility on August 4, 2026.
- Her family reported that she was beaten and strangled.

The criminal and administrative investigations remain separate from this policy review.

Questions That Have Been Raised

- What are current policies and practices of housing and treatment of transgender inmates?
- How do these policies and practices align with federal and state protections?



Key terms for a public discussion

Definitions

Gender identity - an individual's sense of being a woman, a man, neither of these, both or somewhere along a spectrum

Transgender - a wide variety of people whose gender is different from the gender they were assigned at birth.

Gender-affirming care - a range of social, psychological, behavioral, and medical interventions "designed to support and affirm an individual's gender identity" when it conflicts with the gender they were assigned at birth.



Framework and Standards

Binding Law:

- **Prison Rape Elimination Act (PREA)**
- **US Constitution**
- **Hawaii Revised Statute**

Professional Standard:

- **National Commission on Correctional Health Care (NCCHC)**

DCR Written Policy:

- COR.10.F.10 **Cross Hormone Therapy Transsexual/Intersex Patients**
- ADM.O8.O8 **Prison Rape Elimination Act (PREA)**

NATIONAL
PREA
RESOURCE
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Role of Protections

Authority	Role in this review
PREA regulations	Specific sexual-abuse prevention requirements, including express transgender provisions.
U.S. Constitution	Protection from serious harm and inadequate care. Fourteenth Amendment protections also apply.
Hawai'i law	Medical records, recognition of gender transition, disability protections, and state constitutional rights.
NCCHC	Professional guidance on transgender health care. Accreditation requirements require a separate standards review.
DCR written policy	ADM.08.08 and COR.10.F.10 direct staff conduct. <i>Policy text alone cannot prove implementation.</i>

PREA Compliant Screening

- § 115.41(d)(7): risk screening must consider actual or perceived transgender, intersex, or gender-nonconforming status, alongside other vulnerability factors.
- § 115.41: screen ordinarily within 72 hours, reassess within 30 days, and reassess when new information or incidents warrant. Protect sensitive screening information.
- § 115.42(a)–(b): use screening to make individualized housing, bed, work, education, and program decisions that separate likely victims from likely abusers.
- § 115.41(h): do not discipline someone for refusing to disclose the specified sensitive information.

PREA Compliant Housing:

- § 115.42(c): assess male or female facility placement and other assignments case by case, considering health, safety, and management or security concerns.
- § 115.42(d): review placement and programming at least twice a year for threats to safety.
- § 115.42(e): give serious consideration to the person's own views about safety.
- § 115.42(f)–(g): offer separate showers. Do not create dedicated placements solely because of LGBTQI status except under a qualifying decree, settlement, or judgment.

PREA Compliant Searches

- § 115.15(e): no search or physical examination solely to determine a transgender or intersex person's genital status.
 - If status is unknown, staff may ask the person or review records. If necessary, a medical practitioner may determine it during a broader examination conducted privately.
- § 115.15(f): train security staff to search transgender and intersex people professionally, respectfully, and as unobtrusively as possible, consistent with security needs.
- § 115.31(a)(9): train employees in effective, professional communication with LGBTQI and gender-nonconforming people.

PREA Compliant Protection

- § 115.43: assess all alternatives before involuntary segregation for risk of sexual victimization. Use it only when no available alternative can separate the person from likely abusers.
- An interim placement while assessing alternatives must last less than 24 hours. Placement ordinarily cannot exceed 30 days, with review every 30 days.
- Preserve access to programs, privileges, education, and work to the extent possible. Document restrictions and the reasons for segregation.
- §§ 115.62 and 115.67: act immediately on a substantial risk of imminent sexual abuse and protect people who report or cooperate from retaliation.

US Constitution Protection from Violence

- For convicted individuals, officials violate the Eighth Amendment when they know of and disregard a substantial risk of serious harm. They must respond reasonably to a known risk.
- Farmer v. Brennan involved a transgender woman who alleged rape and assault after placement in a men's prison. The law requires prison officials to respond reasonably to a known substantial risk of serious harm. Transgender status does not remove that protection.
- Estelle v. Gamble addresses deliberate indifference to serious medical needs. *A bad outcome alone does not establish the constitutional violation.*
- Pretrial detainees receive Fourteenth Amendment protection.



HRS and State Constitutional Protections

- Hawai'i Constitution, article I, §§ 5–6: protects due process, equal protection, specified civil rights, and privacy. Application in custody requires analysis of the particular restriction.

NCCHC Requires:

- Provide competent, individualized care, with specialist support as needed. Assess treatment history, gender dysphoria, mental health, and suicide risk.
- Continue clinically appropriate hormones and provide a pathway to initiate treatment. Use informed consent and evidence-based clinical guidance.
- Use the least restrictive safe placement, obtain health-staff input, and provide equal access to programs and social accommodations.
- Plan for release, including medication supply and connections to community care.

Finding When Comparing DCR Policy to National Standards and Law

- DCR's published PREA policy includes most transgender-specific protections found in 28 C.F.R. 115.15, 115.41, and 115.42.
 - DCR's policy first defaults housing to legal sex, then requires a case-by-case assessment. That sequence can turn individualized review into an exception process.
- DCR has a four-page cross-hormone policy with strong continuation protections, but it does not clearly cover new initiation, broader gender-affirming care, or release continuity. It also has extremely outdated language (ie: transsexual)
- Written policy alone cannot establish what people actually experience. Compliance testing needs person-level records and confidential interviews.





DCR Policy Housing Requirements of Transgender Population

- ADM.08.08 26.1 begins with housing based on legal status as male or female. Medical and mental-health practitioners determine deviations with program and security input at intake.
- Section 26.2 also requires a case-by-case assessment of health, safety, and management or security concerns.
- Section 26.5 requires serious consideration of the person's own safety views.
- A changed birth certificate does not automatically determine placement. The policy retains individualized review and adds PREA Coordinator participation.



DCR Policy – Safety and Protection of Transgender Individuals

- Twice-yearly placement and programming reviews assess threats experienced by transgender and intersex people. DCR requires documentation using Form 8317 or classification review.
- DCR offers separate showering on request in shared dorm shower settings when individual showers are unavailable.
- Dedicated units solely because of LGBTQI+ status are prohibited except under a qualifying consent decree, settlement, or judgment.
- Protective custody requires consideration of alternatives, documentation, and continuing review. Safety measures should preserve access to activities where possible.



DCR Policy – Searches and Respectful Treatment

- ADM 08.08 11–12 restrict cross-gender strip and visual body-cavity searches and require documentation of exceptions.
- The policy directs professional, respectful, minimally intrusive searches of transgender and intersex people.
- Privacy provisions cover showering, changing, and bodily functions, with opposite-gender staff announcements.
- Training includes professional communication. The policy provides reporting channels and retaliation protections. Written rules do not establish staff behavior on every shift.



DCR: hormone-treatment requirements

- COR.10.F.10 4.1 requires medical and psychiatric or psychological evaluation of anyone requesting hormone therapy.
- Sections 4.2 and 5.2 require a bridge order and continuation of community therapy at the same dose, frequency, and route unless clinically contraindicated.
- Section 5.3 requires documented medical reasons for stopping treatment. Dose or route changes require consultation with the outside prescriber when possible.
- Hormones and indicated specialty follow-up are provided at no cost to the patient.

Recommendations to DCR

1. **Update language in COR.10.F.10 to align with appropriate language used today in LGBTQ+ community**
2. **Update COR 10.F.10 to clearly cover new initiation of hormone treatment, broader gender-affirming care, and specific expectations from medical staff when individual is being released to continuity. Work with State LGBTQ+ Commission**
3. **Ensure language in ADM 08.08 aligns with PREA standards verbatim**

HCSOC Commitment

We are committed to the protection of the LGBTQIA+ community along with all vulnerable populations in our facilities.

Questions & answers





Resources

List the resources you used for your research:

- DCR: ADM.08.08, Prison Rape Elimination Act, and COR.10.F.10, hormone therapy. Both reviewed versions took effect January 1, 2024.
- Federal: 28 C.F.R. Part 115 and the constitutional decisions.
State: the HRS sections and Hawai'i Constitution cited on slide 10.
- NCCHC: transgender health-care position statement revised July 31, 2026.