

AMERICAN FRIENDS SERVICE COMMITTEE

Hawaii Area Program Office

CONFIDENTIAL

DATE: December 21, 1981

TO: Mr. Randy Kalahiki
Native Hawaiian Legal Project,
Legal Aid Society of Hawaii

FROM: Dr. Meda Chesney-Lind, Sociologist, Honolulu Community College;
Instructor, Hoomana School, O.C.C.C.

Ian Y. Lind, Political Scientist; Lecturer, Hoomana School,
O.C.C.C.; Criminal Justice Task Force, American Friends Service Committee

SUBJECT: EVENTS DURING "SHAKEDOWN" AND CURRENT SITUATION AT O.C.C.C.

As was explained in our phone conversation this morning, we have gathered this information in conversations with the families of a number of prisoners who visited the facility during yesterday's visiting hours. In addition, we have subsequently been able to confirm much of the information--and to add additional details--through contacts with correctional staff both at Halawa and at O.C.C.C. who were present during these events.

We now believe--based on these multiple reports--that the events of this past week are unparalleled in the history of corrections in Hawaii. It is urgent that they be responded to immediately and with the encouragement of the state's highest authorities. We would be glad to provide further details or to attempt to arrange contacts with our sources if that proves necessary.

1) Violence during the "shakedown" of this past week.

It is now clear that extensive violence occurred at O.C.C.C. during the shakedown. Families reported seeing "many" inmates with signs of physical abuse--black eyes, body bruises, abrasions, etc. They also reported being told of other inmates who received more serious injuries. Inmates reported to have been beaten most severely are now being denied any visitors or other contacts with people outside, including their attorneys. One attorney who spoke with inmates after the events stated that "I haven't talked to anyone who did not get some roughing up." Those reported to us by name are listed in section (2) below.

Inmates report that in some dormitories of the cell block and in certain modules, most residents were beaten. Beatings apparently ranged from single blows with fists or night-sticks to full-scale assaults in which inmates were punched, kicked in various parts of the body, bloodied, and rendered unconscious.

Mr. Randy Kalahiki
December 21, 1981
Page two

Reports from staff indicated that the number of inmates beaten may be higher than we previously believed. One estimate was that perhaps 250 inmates were struck or beaten during the events of the week. Physical abuse apparently began with correctional officers from Halawa, but later spread to include OCCC officers. Administrative staff of the Corrections Division and staff of the Attorney General's office were reported to have been present for at least some of these incidents and either failed to--or were unable to--maintain control and stop the violence. One staff member described the spreading violence as like "a shark frenzy."

Not all correctional officers participated in the violence. Some staff--both those from Halawa and OCCC--intervened in attempts to stop beatings or to protect individual inmates. It has been reported that these staff may now be subject to surveillance and other forms of pressure from their colleagues to prevent them from describing the events.

2) Available names of inmates subject to physical abuse.

It has been difficult to obtain detailed reports of injuries suffered by individual inmates due to the limited contact being allowed by OCCC administration. However, the following names have been collected during the past 24 hours from their families. They are at best only fragmentary but indicate that physical abuse was not confined to isolated instances. There is considerable fear among families that adequate medical treatment has not been available for those suffering injuries.

Roy Kuhia -- beaten badly, reportedly suffered a crushed testicle which is now swollen "as big as a ball."

Norma Flores -- beaten.

Allan Von Trip -- "beaten real bad", held in "the hole".

Tatuna Tanavasa -- hit in the jaw, reportedly after being ordered to first stick his tongue out (apparent effort to make him bite-- or sever--his tongue).

Stuart Silva -- "head cracked open", possible fractured skull.

Ben Matsuo -- bitten by police dog; later beaten and sustained possible internal injuries.

Eric Alfonso -- beaten

Wayne Kama -- kicked in neck and hit with butt of a rifle; large bruise on left shoulder.

Robert Dillard -- beaten.

Peter Phillips -- "beaten up real bad", held "in the hole".

Mr. Randy Kalahiki
December 21, 1981
Page three

_____ Hatori -- beaten, may have suffered eye injury.

_____ Matautia -- body bruises.

_____ Asami -- beaten.

_____ Paia -- beaten.

Joe Akepa -- beaten, "busted ribs".

Residents of Module 2 -- black inmates in this module were reportedly singled out for beatings.

In most cases which have come to our attention, beatings occurred while inmates were stripped naked and surrounded by groups of heavily armed correctional officers.

3) Current situation at O.C.C.C. and recommended action.

The atmosphere at O.C.C.C. today is extremely tense. Unfortunately, the situation is complicated by a series of factors:

- a high level of tension which pre-existed the shakedown
- the anger and resentment over beatings and other forms of abuse experienced by inmates
- the lack of "objective" information available to inmates and their families, which encourages the spread of rumors
- the failure to account for inmates removed from their dormitories or modules
- threatened cancellation of the Christmas "field day" and other holiday activities, which are major events looked forward to long in advance
- the reported tacit approval or possible witnessing by Corrections Division administrators and Attorney General's staff of instances of physical violence against inmates, which renders these officials largely incapable of defusing the situation
- finally, the danger of inmates perceiving no legitimate recourse or channel for redressing grievances.

The immediate need is to defuse the potential for significant violence that is inherent in this situation. We feel it necessary to stress that no comparable circumstances have ever been faced in Hawaii and, to avoid unnecessary violence and bloodshed, official action must be taken.

It is our feeling, given the widespread belief among inmates and their families that officials of the system were implicated in the violent events of the week, that it seems imperative to initiate an investigation by competent and respected third parties in order to clear the air by dispelling rumors and gathering factual accounts of events. There is precedent for this within Hawaii's correctional system. In the early 1970's, a "Citizen's Inspection

Mr. Randy Kalahiki
December 21, 1981
Page four

Team" headed by Fr. Robert Mackey helped to deal with earlier troubles at the facility. A comparable team today might include representation from the Hawaii Council of Churches, the Office of Hawaiian Affairs, the American Civil Liberties Union, Hawaii Bar Association, and similar groups.

4) Possible consequences of a failure to act.

The situation at O.C.C.C. is already unstable and will get worse as the full extent of the week's events becomes known to inmates, their families, and the public. Inmates believe--correctly or not--that delay in responding to the situation is a function of an administrative desire to have injuries heal before full contact with the outside world is restored. This widespread sense is reinforced by the refusal to allow attorneys to visit clients or to allow the news media to interview inmates.

Without hope of legitimate outlets for their grievances, and without the removal of those correctional officers most responsible for incidents of violence, there is sure to be some form of "retaliation" by inmates. As one source put it, "something big is gonna come down if they don't change guards". Another stated, "pretty soon going be one riot unless something happen". The possibility of a large-scale disturbance cannot be discounted. Action must be taken so that inmates can see directly that there are other avenues than simple recourse to violence.

There is an additional danger which is at least as serious. If such widespread acts of violence are allowed to go unsanctioned, those staff who refused to participate will be driven from the system. A few, apparently, have already left.

In conclusion, it appears that corrections in Hawaii is at a crossroads. We can choose, as a system and as a community, to go the route of mainland prisons with their routinely high levels of violence or to maintain Hawaii's unique history as a state which has pursued an innovative and humane prison system. But we may not have the choice for long.

We look to you for help and stand ready to do whatever we can as well.

TESTIMONY CONCERNING
THE HAWAII STATE PRISON SYSTEM AND HAWAII PRISON INMATES

Before the
Office of Hawaiian Affairs Board of Trustees
Frenchy DeSoto, Chairperson of the Board of Trustees

The Legal Aid Society of Hawaii Prison Law Project respectfully submits this testimony concerning conditions of confinement within the Hawaii State Prison System. Although the testimony focuses on conditions at the Oahu Community Correctional Center (hereinafter, "OCCC") and the Halawa High Security Facility (hereinafter, "HHSF") it also deals with policies and procedures observed in all facilities of the Hawaii Corrections Division.

The Hawaii prison system is at the crossroads of either improving itself or deteriorating to the level of prison systems found in the Southern United States. The Legislature and Corrections officials must decide whether to spend hundreds of millions of dollars in building a new facility or force themselves to examine alternatives to improve the present system. The Prison Law Project finds it difficult to justify building an entirely new facility when present facilities throughout the state cannot be adequately staffed and cannot provide adequate programs, training, or counseling for its inmates. The Legislature and Corrections officials must at least explore alternatives to improve our present system. These alternatives include expansion of facilities at the Kulani Correctional Facility to accommodate more qualified inmates, the possibility of reopening the Olinda Facility on Maui, shifting responsibility of

incarceration of pretrial detainees to the Judiciary Branch or Honolulu Police Department, recruiting more community programs or facilities to assist in the care and training of low-risk inmates, and minimizing the use of precious space and facilities for misdemeanants and other low-risk inmates. All of these alternatives will certainly require expenditures of money to be successful. However, these alternatives would certainly cost less than the building, staffing, and operation of an entirely new facility to house Hawaii inmates.

Aside from these general improvements in the prison system, specific areas concerning Hawaii's inmates need to be improved. One such area is the "Adjustment" process where inmates face charges of rule violations or misconduct. The disciplinary process is hampered first by the lack of adequate representation for Hawaii's inmates when they face disciplinary committees to answer charges of misconduct. One attorney from the Prison Law Project cannot adequately represent all of the inmates facing disciplinary charges each week. More cooperation from prison administrators to help find counselors or other knowledgeable inmates to represent these persons must be provided. Fair play, honesty and logical decisions must be given by prison administration and staff during disciplinary proceedings.

A second area that needs improvement or overhaul is the security classification system presently used in all facilities statewide. The present system is based on a federal model assigning points on subjective and objective criteria. Many times, however,

points in subjective areas are not properly assigned. This error or unfairness can arise because of personality conflicts, lack of staff to adequately monitor or communicate with the inmate or a failure within the system to properly reward an inmate for good conduct. For example, corrections officers are quick to submit reports about an inmate's bad attitude or poor performance. This is not the case with regard to an inmate's good attitude or conduct. The system also fails to reward an inmate in another manner. There are many inmates at OCCC who presently qualify for a lower security classification based upon the point totals they have attained during their incarceration. However, a "catch-all" allows prison administrators to withhold reduction of an inmate's security classification for reasons such as the seriousness of a person's crime. This is absolutely illogical as well as unfair. A person could be withheld from reduction in security classification for his entire term of incarceration due to this one reason. Many of the same inmates presently in this situation could otherwise qualify for entry into the Kulani Correctional Facility, the Conditional Release program or other Halfway houses in the community. Nothing is being done to alleviate this problem at the present time. Tension and frustration could be relieved if a fair approach is provided to this problem.

More "Catch-22" situations arise because of the lack of programs and training provided in Hawaii's prison facilities. It is extremely difficult to reduce one's security classification without participating in some type of work or educational program.

Security classification and paroling authority reviews of an inmate's record of incarceration might be prejudiced if an inmate cannot show that he has participated in such training or programs. These problems are faced not only by the men but the women located at the OCCC facility. Their problems are sometimes magnified because of their small numbers. The small population is used to justify denial of programs or certain activities. The women are not allowed to organize or participate in groups such as the Stay Straight or Huki Like programs. Women are also severely restricted from participating in the conditional release program or furlough program. Although these women are guilty of less violent crimes than many of their male counterparts, the numbers of women participating in the in-community programs is drastically smaller.

As a final and most unfortunate part of the testimony, it has become apparent that recent allegations of brutality by prison guards upon inmates are continuing . . . While guards have been subjected to abuse in the past, the pendulum has swung to the other extreme where prison inmates claim of being assaulted without provocation or justification. The recent allegations of brutality during the December shake-down are not the only instances of alleged assaults by prison guards. Allegations of assault had been reported in isolated instances from the Halawa High Security Facility but these incidents could not be verified. Allegations of brutality at OCCC began appearing in larger numbers during the Fall of last year. This practice has apparently continued and was corroborated by the recent arrest of four prison guards.

Hawaii has been fortunate in not having faced the problems or situations found in Attica, New Mexico or other mainland institutions. However, with the continued increase in inmate population and by allowing further deterioration in the prison system itself, mainland problems and prison conditions will become all too real in Hawaii. It is incumbent upon prison administrators and staff, legislators, the judiciary, and support groups, attorneys and the public to ensure that deterioration of our prison system does not continue. Improvements to the areas discussed above and many other issues must be made in the very near future. If this is not done, Hawaii's prison system will be taking a disastrous turn at the crossroads that it now faces.

Thank you very much for considering this testimony.
Further information can be made available upon request.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Edward M. Tsuji".

EDWARD M. TSUJI
PLP Attorney

AMERICAN FRIENDS SERVICE COMMITTEE
2426 Oahu Avenue
Honolulu, Hawaii 96822
808-737-5428

April 14, 1982

To: OHA Board

From: Ian Lind

Subject: Conditions at the Prison

As you know, the situation at the prison, now officially referred to as the "Oahu Community Correctional Center" (OCCC) is quite tense and there is a real danger of violence in the institution. I would like to encourage OHA to become more actively involved in efforts to improve the situation, either in cooperation with other community groups or by taking an independent initiative.

Actions of prison officials during and after the "shakedown" of last December appear to have seriously violated the basic human rights of inmates. In addition, there are a number of long-standing problems which underly and aggravate the current tensions. While the community as a whole should be interested in these problems, there are additional reasons for OHA's particular concern.

First, there are many Hawaiians who are directly hurt by this situation. According to figures published by DSSH in August 1980, Hawaiians made up over 50% of the prison population. These men and women, and their families and friends, are a part of the Hawaiian community with particular needs that OHA should address.

Partially because of this high proportion of Hawaiians in the prison population, there is a tendency for the public to stereotype Hawaiians as "criminals". Thus, as public opinion becomes less well informed and prone to simplistic "law and order" views, its attitudes spill over and effect the Hawaiian community in general. Sensationalistic coverage of the So-called "Nanakuli rape case" and the resulting negative public attitudes towards those living along the Nanakuli-Waianae coast was a dramatic example of this process. This is a second reason that OHA should be involved in investigating prison conditions and educating the public with your findings.

Third, it is evident that there is deep racism which colors community attitudes towards the prison. For example, while the public at large has not been overly concerned with evidence of widespread brutality during the December shakedown, there was a substantial outcry against the beating of a haole teacher recently sentenced to prison for child abuse. Public concern with this case is proper, but it stands in stark contrast to the

general silence regarding the shakedown's brutality. It is difficult to avoid the conclusion that racism, perhaps unconscious, is at the root of this difference. As a representative of Hawaiians, OHA should take the lead in working against racism in all forms.

ISSUES

SHAKEDOWN INVESTIGATION: There is now sufficient evidence to state without any doubt that there was widespread official brutality during the December shakedown. Some of this has been described in news reports, while considerably more has been spread by word of mouth. We have accumulated a considerable amount of documentation, as have other agencies. OHA staff have been monitoring the situation and collecting information as well. I have attached two brief examples of statements written in the days following the shakedown by inmates who witnessed the events. The names of the inmates have been blanked out to protect them from retaliation.

Despite the overwhelming evidence, the state administration remains reluctant to investigate and "clean up" the situation.

SHAKEDOWN AFTERMATH: Since the shakedown, inmates have been threatened repeatedly in efforts to keep them from telling the truth. Some legitimately fear for their lives. One of the men involved in the most recent escape attempt was badly beaten and attacked by a police dog during the shakedown, and then placed in the "Holding Unit" where guards threatened to kill him if he talked of his experience. He wrote the following to his family:

"I already got mobbed three times in one day (by Halawa goon squad). I got eight stiches on my head, black eye, dog bite on my leg, bruises all over my body. I think I got internal bleeding. Well, besides all that I just got threatened by a O.P. guard. He said I'm on a hit list & I'm going to get hit. Mom, I'm scared I going get killed....I don't know when this nightmare going end."

In another case, the president of the inmate council was beaten up by a guard. Despite being the victim of this assault, he is still being held in the "Holding Unit" and denied normal visiting.

Due to the lack of official action to resolve the shakedown controversy or prevent the ongoing threats and attacks by guards, inmates are growing increasingly angry and frustrated. People

close to the prison scene believe that this adds to the danger of large-scale violence being triggered by even an unrelated incident.

LIVING CONDITIONS: The list of problems here is quite long, and I will only list a few of them here. Programs available to inmates are extremely limited, and even some of this meager offering have been cancelled since the shakedown. Educational opportunities for self-improvement are extremely limited, and a lack of administrative support threatens even the current program. Physical conditions are quite bad, especially in the older "cell block" which holds about half of the prison population. In winter the roof leaks badly, while in summer there is no ventilation and temperatures are very high. Administrative actions aggravate physical problems. For example, despite the fact that it is cold at night in the cell block, and always cold in the air-conditioned modules, the administration recently banned all lined jackets. And fans were also taken away from inmates preparing for the heat of summer.

Other problems, including arbitrary enforcement of rules, lack of access to soap and other personal items, a lack of clothing, extremely limited job opportunities, sexual harassment and discrimination, lack of grievance procedures, etc, might seem less significant. However, within a "total institution" such as the prison, these are magnified into explosive dimensions.

LETTERS to the Editor

Prison Punishment at Christmas

By Ian Y. Lind and Meda Chesney Lind

IT WAS THE WEEK before Christmas and, it seems, a good time to beat up prisoners. During December's "shake-down" at the Oahu Community Correctional Center, a large number of inmates were attacked by groups of armed guards and beaten while they stood naked and obviously unarmed. Some men were beaten very badly. A few were subjected to obscene forms of pseudo-sexual abuse.

But most people in Honolulu were already caught up in the holiday season and in no mood for hearing about, much less responding to, serious issues.

They did their best to avoid the wives, mothers, and girlfriends of inmates who told tearful tales of violence and systematic brutality.

Lawyers also tended to be immersed in office parties, on long-scheduled vacations, or otherwise "busy" until the new year.

Social agencies usually attentive to prison problems seemed too weighed down with holiday cheer to respond effectively. The governor, to his discredit, refused to observe the season of Christ's birth with goodwill to all people and instead closed his eyes and ears so as to avoid or suppress the truth.

It was, after all, the week before Christmas. A good time for the state to beat people.

BENEATH THIS SEASONAL callousness, however, lies a public sentiment far more ominous in its implications: "They are only prisoners, so why should

While state officials deny prisoners were beaten, two island residents concerned with the condition of inmates decry what they claim was a brutal crack-down last December.

we care if they were beaten and brutalized? They are in prison — they must deserve it."

A few people — friends, liberals, "progressive" figures in this community — had the courage to express this view directly. In most cases, however, it was implicit in the silence of people who should have known better. It was Christmas, but they are only prisoners. No room in our inn — or our overcrowded hearts — for them.

The public's understandable but dangerously exaggerated fear and hatred of all "criminals" distorts and obscures two fundamental realities.

First, we need to remember that only a very few of those people in prison are guilty of violent acts.

Second, whatever their crimes, prisoners are people too. This is something that we have learned painfully while teaching at the prison school.

Prisoners may have been convicted of a crime and sentenced to do time, but they have not surrendered their basic human qualities or their basic human rights. They are able to laugh at some

of the institution's arbitrary aspects, get angry at the misuse of official power, fear for their own safety, agonize over the well-being of their families, and reflect on the meaning of their own situations.

IT MAKES LITTLE SENSE — and creates considerable injustice — for the community to make scapegoats of the men and women confined in prison.

It is even more outrageous — and dangerous — for politicians to manipulate the public fear of crime, contributing to the further dehumanization of prisoners in order to further their own careers and ambitions. These people may have done wrong, but they cannot be held responsible for all of society's ills.

There is a serious choice facing the community now. If the state can attack such a large number of people and beat them; if some can be beaten brutally and subjected to other abuse; and if these acts can be denied by those in the highest positions of state authority and successfully covered up; then we are in serious trouble, for it will be easier to do again.

And next time the victims may not be "mere" prisoners — they could be anyone. On the other hand, perhaps we can still regain our balance and have the courage to say that such acts of violence will not be tolerated in Honolulu.

If so, we can still redeem something positive from the pain of this past Christmas season.

DEC. 15, TO 20,

My name is [REDACTED] T. I am a resident of [REDACTED] module 11. This is a statment I am writting concerning the shakedown at O.C.C.C. THAT BEGUN 12/14/81. I saw inmates from the cell-block erea going to the recreation field monday the 14 where they remained untill the 15. As they were coming back from the recreation field (the inmates that is) they were subject to skin search in the hall-ways and 4-way between module 11 and 3. What I witnessed was FAR WORSE THAN ANY HORROR MOVIE I have ever seen! There were gaurds lining both sides of the hall-way. At one time I counted 34 gaurds, AS the inmates came through they were mobed by the gaurds, One was bitten by a police dog, Others were beaten with night sticks for no reason. The inmates were brought the hall-way 6 at a time. In the begining 3 out of the 6 were severally beaten then twards the end everybody was PUNCHED, KICKED, and SLAPPED SEVERAL TIMES. ONE inmate was forced to eat a bar of soap while he was beaten very badley, and at the same time a NIGHT STICK was shoved up his ANAL while he was spread eagle against the wall.

I have lived in fear ever since I saw these things happen. I feel that these were very violent ACTS, And if my mind will ever forget what happened I will THANK GOD" because there is no staff that helped us at all. I even saw the ATTERNEY GENERAL AND ADMINISTRATOR STANDING IN THE HALL-WAY, And they didnt lift a finger to stop any of this INHUMAN HELL HOUSE.

DATE 12/23/81

signed

[REDACTED]
JAMES. MOORCROFT

This statement is from my own recollection of the shake-down and the horrifying events that took place that day. When the inmates were brought back in from the recreation field there were gaurds lineing both sides of the hall-way that leads to module 5.

The inmates were brought in 6 at a time to under go a body search which includes taking off all your clothes and spread eagle.

As the inmates came through the hall-way and into the 4-way they were slammed against the walls and glass partitions, They were bruttaly beaten untill they fell helplesly to the floor bleeding from various parts of there body, Even when they were on the ground they were being STOMPED, KICKED IN THE FACE, AND STOMACH, Then they were draged off to module 5 were GOD knows what happened to them.

I recall one inmate being SLAMMED against the wall, Spread eagle and a night stick shoved up his ANAL section and then beaten half to death, "WHY"! There were 4 to 6 gaurds beating on one inmate while all this INJUSTICE was going on, Even the ATTORNEY GENERAL AND ADMINISTRATER WAS THERE, Again "WHY didnt they stop all those beatings, WHY, because they wanted it to happen.

There was BLOOD on the walls and windows, It took gaurds with 4 mop buckets to wash away all the BLOOD from the hall-way and 4-way it was sick. It is our hope that an investagation will be conducted in this slaughter house beating.

Since I saw this horrifying event I feel my life is in danger from prison officials PLEASE WILL SOMBODY HELP US.....!

DATE 12/23/81

SIGNED

LIONEL KEKONA

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808-737-5428

TESTIMONY PRESENTED TO THE SENATE JUDICIARY COMMITTEE IN SUPPORT
OF SENATE RESOLUTION 139 AND SENATE RESOLUTION 16

Senate Conference Room #4, April 20, 1982

The Hawaii Executive Committee of the American Friends Service Committee supports Senate Resolution 16 calling for a Senate investigation of brutality at the Oahu Community Correctional Center. We also support Senate Resolution 16 and Senate Concurrent Resolution 16 calling for a management audit of the prison facility.

A number of our members have been close to the prison situation. Some have worked or taught within the prison, while others have visited prisoners or have been involved in community programs which come in contact with the families of prisoners. Based on our experience, and especially our painful understanding of the events surrounding last December's "shakedown", we feel strongly that an investigation of brutality and an audit to probe the underlying problems and issues are both necessary in order to "clear the air" and avoid unnecessary future violence at O.C.C.C.

ISSUES

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Despite the overwhelming evidence, the state administration remains reluctant to investigate and "clean up" the situation. An independent Senate investigation of these charges would make an invaluable contribution to defusing the situation.

SHAKEDOWN AFTERMATH: Since the shakedown, inmates have been threatened repeatedly in efforts to keep them from telling the truth. Some legitimately fear for their lives. One of the men involved in the most recent escape attempt was badly beaten and attacked by a police dog during the shakedown, and then placed

in the "Holding Unit" where guards threatened to kill him if he talked of his experience. He wrote the following to his family:

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In another case, the president of the inmate council was beaten up by a guard. Despite being the victim of this assault, he is still being held in the "Holding Unit" and denied normal visiting.

Due to the lack of official action to resolve the shakedown controversy or prevent the ongoing threats and attacks by guards, inmates are growing increasingly angry and frustrated. People close to the prison scene believe that this adds to the danger of large-scale violence being triggered by even an unrelated incident.

LIVING CONDITIONS: The list of problems here is quite long, and we will only list a few of them here. Programs available to inmates are extremely limited, and even some of this meager offering have been cancelled since the shakedown. For example, one prominent casualty has been the well-known and respected delinquency prevention program run by inmates ("Stay Straight") which has been arbitrarily suspended by the prison administration. Educational opportunities for self-improvement are extremely limited, and a lack of administrative support threatens even the current program. Physical conditions are quite bad, especially in the older "cell block" which holds about half of the prison population. In winter the roof leaks badly, while in summer there is no ventilation and temperatures are very high. Administrative actions aggravate physical problems. For example, despite the fact that it is cold at night in the cell block, and always cold in the air-conditioned modules, the administration recented banned all lined jackets. And fans were also taken away from inmates preparing for the heat of summer.

Other problems, including arbitrary enforcement of rules, lack of access to soap and other personal items, a lack of clothing, extremely limited job opportunities, sexual harrassment and discrimination, lack of grievance procedures, etc, might seem less significant. However, within a "total institution" such as the prison, these are magnified into explosive dimensions.

AMERICAN FRIENDS SERVICE COMMITTEE

Hawaii Area Program Office

CONTACT: Ian Lind (737-5428)
Meda Chesney-Lind
(948-7531)
For calls Monday evening,
988-2714 (before
10 pm)

FOR IMMEDIATE RELEASE: June 21, 1982 7 p.m.

INMATE COUNCIL CALLS FOR RESTORATION OF PROGRAMS

The attached communication was received today from the inmate Huki Like council which represents residents of the "cellblock" area of the Oahu Community Correctional Center. The statement was apparently written over the weekend of June 19-20, 1982, and expresses the concerns and frustrations of inmate leaders who have been trying to work through channels "to do things in the right way so that brutality, be it physical or mental, would not happen again."

During the nearly three weeks that the current "lockdown" has been in effect, all activities have been suspended-- including work assignments, educational programs, counselling sessions, communications with attorneys, religious worship, and library access. Only very limited recreation is available.

In its first public statement since the shakedown and lockdown began in early June, the Huki Like council argues that the majority of inmates "do not condone weapons or violence--to solve things...." However, the lockdown fails to address the causes of inmate fears and resentments. In addition, the Huki Like expresses its concern that continuation

--more--

of the lockdown and additional delays in completing investigations of brutality during the shakedown of last December will further undermine its moderating influence among inmates.

The American Friends Service Committee (AFSC) was among the first community groups to gather evidence and call for an independent investigation of the December shakedown, and has closely monitored the situation at O.C.C.C. since that time. The AFSC is a Quaker organization dedicated to finding peaceful solutions to social conflicts.

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June 1982

To: Concerned People

The inmate Huki Like council has always adhered to its name and purpose; that is, "Huki Like--pull together."

The administration, in its recent statement in the media, among other ambiguous statements said "that the inmate Huki Like has been a big help in keeping sense and peace to prevail."

The truth of that matter is that for a long while the inmate Huki Like's credibility has by degrees become eroded by the administration's attitude or thoughtlessness thereby eroding their own credibility. For instance, something is to be allowed or done and we go and report it to the population. Then, something else or nothing happens. Do this for a length of time and any thinking person knows the results.

It has been a while that we have been waiting for some kind of results from investigations that have produced no positive or discernible results. Many inmates are in despair. We have controlled ourselves--as advised by outside agencies, because we want to do things in the right way so that brutality, be it physical or mental, would not happen again.

The recent "governor's investigation panel"--now five--though made up of responsible persons, is all "flash" to us. They do no investigative work of their own--they have no choice. Instead, theirs is an investigative agency whose existence depends upon the "goodwill" of the state when it has already been established that a "cover-up" might be in progress. The investigative men have already stated to us that "we would not touch this if we're not persuaded."

--more--

The Senate committee on Judiciary working on "heptachlor" seems to have forgotten us and they are our "hope".

To "engineer" things so that we could be "got back at" for having the temerity to complain about "conditions"; "we'll show you how bad it can get"; or "ignorant criminals, liars and thieves, we'll 'straighten your asses out," are attitudes, normal, counter-productive at best and which seems to us a prevalent attitude.

The "offensiveness or defensiveness" of the weapons found in a "particular dorm", while important, is not as important as why they were there. The weapons were in places of "not easy access." That means that they were there for or as an "eventuality". What eventuality? Were inmates threatening inmates? A whole dorm? Will anyone ask for the truth of the matter? Does anyone care? The investigations we asked for are all in progress because there must have been some truth to our allegations. What we are saying is that, while we are not truthful all the time, we do not lie all the time and that goes for all--even in high places.

All is based on "resentment" and "fear" and though we fill the place with "one guard per square inch" or take inmates "one by one" to chow, work, programs or recreation, the results will be the same. We "belabour" the "results" and do nothing about the "cause".

The "big" majority of us do not condone weapons or violence--to solve things--as it will not produce "good" or "lasting" results. We have no objections to the "new plan" as a whole.

In fact we welcome it, but we strongly feel that our "free time"--recreation and phone time--should not be curtailed as punishment or in fear or as an excuse for implementing "long standing" plans of a "few" maybe for their own aggrandizement all of which is undeserved by the majority of inmates. The attitude with which the changes are being made can never produce "good" or "lasting" results. Expedience hurts everything it touches. We want to be heard.

Thank You,

Inmate Huki Like

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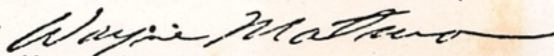
LETTER TO THE EDITOR

The Board of Directors of the Schutter Foundation supports the intent of Senate Resolution 139 to conduct a legislative investigation into allegations of brutality against inmates during the prison shakedown of December 1981.

It has now been four months since the initial allegations were made and no independent investigation and/or findings have been made public. We are cognizant of the continuing investigation by the State Ombudsman but statutory constraints may not allow the dissemination of his report to the public.

Department of Social Services and Housing (DSSH) officials initially denied allegations of inmate abuse but now themselves seek an independent investigator. This is a step in the right direction. However, will an investigator hired by the department administratively responsible for the Corrections Division be viewed as truly independent?

We urge the DSSH to allow the funds earmarked for a private investigator to be placed at the disposal of Senator Dante Carpenter and the Senate Judiciary Committee. These funds would allow the committee to hire someone who could serve as investigator/legal counsel to the committee (perhaps appointed as a special deputy attorney general) and would best serve the concept of an independent inquiry.


Wayne Matsuo
President

- (your copy) -

March 9, 1982

The Honorable Henry H. Peters
Speaker's Chamber
House of Representatives
State Of Hawaii
State Capitol
Honolulu, Hawaii 96813

Dear Mr. Peters:

I am writing to you about H.B. NO. 2527-82: A Bill for an Act Relating to Furloughs for Prisoners. I am primarily concerned with two (2) sections of the bill: (1) SECTION 1. Section 353-22, at paragraph (C): "The department shall notify the county prosecutors and police chiefs whenever a prisoner is admitted to participate in a work furlough program, conditional release program, or other similar programs. Before a final decision is made and admittance granted to a program, the appropriate prosecutor shall be given an opportunity to express any concerns regarding such prisoner." (2) SECTION 3.: §706-: "Participation in work furlough programs; limited. Any person convicted of a class A felony and sentenced to imprisonment shall remain incarcerated and prevented from participating in any work furlough or conditional release program until the minimum term of incarceration set by the parole authority has been completed."

SECTION 1 (C) of this Bill, if it is enacted into law, would be prejudicial to inmates at OCCC. Once the offender is convicted and incarcerated, the prosecutors and police chiefs should have nothing more to say about the matter, as their appropriate duties would have been discharged subsequent to the incarceration of the offender. Moreover, the prosecutors and police chiefs do not know the inmate, except for what is contained in the inmate's record file, or what they may have gleaned during the prisoner's trial. In as much as the prosecutors and police chiefs have no contact with the inmate, they would not be able to arrive at fair and impartial decisions, as they would not be able to see the inmate improve himself and his situation in a problem solving manner daily for an opportunity to begin reintegration into society. I believe that this is an important consideration, sir.

As I see it, the increase in Hawaii's crime problem may be traced to: (1) The high unemployment rate, accelerated by Reaganomics; (2) The shortage of pre-release and ex-offender programs. I do not believe that SECTION 3, §706 of the abovementioned proposed Act would control Hawaii's crime problem. If anything it would only breed hardened and embittered criminals, as it does not take into consideration an inmate's rehabilitation and re-socialization during incarceration, nor does it consider those sincere inmates who want to live a useful and productive life in society again. The furlough and conditional release programs are solely for those inmates who have proven their worthiness for them by their demonstrated behavior in a structured setting--OCCC. If the above proposed bill is enacted into law, it would make justice a mockery and rehabilitation a joke. Admittedly, the

The Honorable Henry H. Peters
Page 2
March 9, 1982

furlough and conditional release programs may have their faults, largely administrative in nature, but the programs themselves are a sound idea, and the only fair and equitable solution to Hawaii's growing crime problem, for all concerned.

I would sincerely appreciate it if you would look into the concerns I have expressed to you in this letter and work towards the successful resolution of them. If I can be of any further assistance to you in this matter, please feel free to contact me.

Thank you for your time and consideration of my letter, Mr. Peters.

Respectfully,

Kenneth A. Gaut
(Inmate)

Oahu Community Correctional Center

KAG/pem

cc: Mr. Kenneth A. Gaut
cc: The Honorable George R. Ariyoshi, Governor of Hawaii
cc: The Honorable Yoshiro Nakamura, House Judiciary Chairman
cc: The Honorable Dante Carpenter, Senate Judiciary Chairman
cc: The Honorable Herbert Honda
cc: The Honorable Franklin Y. K. Sunn, Director, DSSH

THE HONOLULU FRIENDS MEETING

2426 OAHU AVENUE
HONOLULU, HAWAII, 96822
TELEPHONE 988-2714

March 7, 1982

Senator Dante Carpenter, Chairman
Senate Judiciary Committee
State Capitol
Honolulu Hawaii

Dear Senator Carpenter:

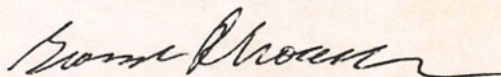
This will support the efforts now being undertaken to investigate the possibility that unreasonable harassment and abuse of prisoners took place during the "shakedown" at the Oahu Community Correctional Center last December.

The Society of Friends (Quakers) holds that every person whatever his or her faults is a creature of God and is entitled to be respected as such. The constitutional injunction against cruel and unusual punishment is a secular outgrowth of this concept and is one of the pillars of a civilized society.

Some of our members and attenders who have worked with or regularly visited the inmates at the prison over the last year or so have been disturbed by descriptions of events alleged to have taken place during the "shakedown". It seems likely that substantial abuses occurred, and we believe it is in the best interest of the people of Hawaii, of the prison administration, and of the prisoners to have these allegations explored in an objective way. Cover-up of abuse, if it occurred, will invite worse incidents in the future. An appropriate inquiry could forestall a worsening of the situation and might bring to light difficulties which could be addressed through administrative or legislative channels.

In view of these concerns we hope you will support appropriate investigation of the alleged abuses.

Sincerely yours,


George Rhoads,
Clerk

cc: Mr. Yoshiro Nakamura
Members, Senate Judiciary Committee

bcc: Huki Like