

**Electronically Filed
Supreme Court
SCPW-20-0000200
24-APR-2020
06:06 PM**

SCPW-20-0000200 and SCPW-20-0000213

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

SCPW-20-0000200

OFFICE OF THE PUBLIC DEFENDER, Petitioner,

vs.

CLARE E. CONNORS, Attorney General of the State of Hawai'i;
DONALD S. GUZMAN, Prosecuting Attorney, County of Maui;
MITCHELL D. ROTH, Prosecuting Attorney, County of Hawai'i;
JUSTIN F. KOLLAR, Prosecuting Attorney, County of Kaua'i;
DWIGHT K. NADAMOTO, Acting Prosecuting Attorney, City and County
of Honolulu, Respondents.

SCPW-20-0000213

STATE OF HAWAI'I OFFICE OF THE PUBLIC DEFENDER, Petitioner,

vs.

DAVID Y. IGE, Governor, State of Hawai'i; NOLAN P. ESPINDA,
Director, State of Hawai'i Department of Public Safety;
EDMUND (FRED) K.B. HYUN, Chairperson, Hawai'i Paroling Authority,
Respondents.

ORIGINAL PROCEEDING

CONCURRENCE RE: INTERIM ORDER
(By: Wilson, J.)

There has not been a meaningful decrease in the number of inmates held at the Oahu Community Correctional Center since the initial report of the special master was filed on April 9, 2020. On April 13, 2020, the head count was 909 and the assigned count was 993. One week later, on April 20, 2020, the population had increased to a head count of 916 and an assigned count of 1018. (Department of Public Safety weekly population report April 13, 2020 and April 20, 2020.) A chart in the April 23, 2020 report of the special master lists the inmate population on April 23, 2020 as 838 at OCCC—a number that is not identified as either a head count or an assigned count.

This court has ordered: "Efforts shall continue to be undertaken to reduce the inmate population of correctional centers and facilities to design capacity." The design capacity of OCCC is 628 inmates. Id. As noted, on April 13, 2020, the head count for OCCC was 909 and, utilizing the chart in the most recent special master's report, the population has decreased no more than seventy-one incarcerated citizens since April 13, 2020.

DATED: Honolulu, Hawai'i, April 24, 2020.

/s/ Michael D. Wilson
Associate Justice

