



DEPARTMENT OF PUBLIC SAFETY
REPORT TO THE 2008 LEGISLATURE

ACT 8 (2007)

SPECIAL SESSION, PART 1, SECTION 7(c),
RETURN OF OUT-OF-STATE INMATES

SPECIAL SESSION, PART 2, SECTION 7,
INMATE TRANSITION AND REENTRY
INTO THE COMMUNITY

SPECIAL SESSION, PART 7, SECTION 21,
INMATE REENTRY INTO THE COMMUNITY

SPECIAL SESSION, PART 7, SECTION 22,
TAX INCENTIVES FOR EMPLOYERS
WHO HIRE EX-INMATES

January 2008

Act 8 (2007) Special Session, Part 1, Section 7(c)
Return of Out-of-State Inmates

The Department of Public Safety (PSD) has made every effort to comply with the requirement in Act 8, that inmates housed in contract facilities on the mainland are to be returned to the state within one year of their parole or release date. However, as there is limited bed and program space within our state facilities, the department has been unable to fully comply with this requirement.

There have been over 2,000 inmates maintained on the mainland during the last year, and every correctional facility within the state has operating at or over their capacity the majority of the year. Therefore, there are sometimes inmates that would be eligible to be returned to state facilities, but the department has no available bed and program space to return the inmates to. These inmates are generally returned as soon as beds are available, and are generally returned no later than six months prior to their anticipated release. It should be noted that in order ensure that inmates are transferred to and from mainland facilities in a timely manner, quarterly transfers between correctional facilities in Hawaii and the mainland take place.

Further, the department returns inmates that are to be released after completing their entire sentence within one year of the release date. Most of the inmates that are returned for release on parole do not have a firm parole date until they are returned from the mainland. Therefore, this aspect of the requirement is sometimes difficult if not impossible to meet. In addition, inmates on the mainland are usually paroled by the parole board with the Chair of the Hawaii Paroling Authority to fix the date of release upon notification of the inmate's return to Hawaii and/or when other pending issues of regarding the parole release are resolved. Some of which are beyond the department's control (i.e., verification of an appropriate residence by the Hawaii Paroling Authority).

Act 8 (2007) Special Session, Part 2, Section 7
Inmate Transition and Reentry into the Community

The department has been evaluating the requirements of the proposed Day Reporting Center. However, as this project was only funded for one year and not on an ongoing basis, it has been difficult to plan and implement a significant project including finding and leasing a location, establishment of positions, recruitment, hiring, and training, and the development of the program and all the necessary protocols required with less than a year's span of time.

In addition, because there was no guarantee of continued funding for the project beyond a single year, any contract, lease, or binding agreement would be difficult to negotiate, execute, and impossible to maintain without continued funding.

Based on these difficulties, the department will request that the funds allocated for the Day Reporting Center pilot project be reallocated to enhance current facility and community-based re-entry and re-integration programs, and to initiate a real time GPS electronic monitoring system for offenders. This will allow the department to release more inmates into the community without jeopardizing public safety.

**Act 8 (2007) Special Session, Part 7, Section 21
Inmate Reentry into the Community**

The department has explored and continues to research all options to comply with the requirements of Act 8. There were many reentry programs already operating within the department prior to the enactment of Act 8. At this time, the existing reentry programs continue to function well, and no changes have been implemented. We will continue to make necessary adjustments to programs as the need arises, and use evidence based practices to accomplish the adjustments.

**Act 8 (2007) Special Session, Part 7, Section 22
Tax Incentives for Employers Who Hire Ex-Inmates**

The department has worked with the Department of Labor and Industrial Relations to develop a legislative initiative to comply with the requirement in Act 8 to develop a tax incentive for employers who hire ex-inmates. The initiative has recently been completed and will be introduced in the next legislative session. In addition, the department has been actively seeking public and private partners to provide and expand employment opportunities for transitioning inmates.