



DEPARTMENT OF PUBLIC SAFETY
REPORT TO THE 2013 LEGISLATURE

ACT 8 (2007)

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

December 2012

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

The Department of Public Safety (Department) continues to make every effort to comply with the requirement in Act 8 to return inmates housed in contracted private facilities on the mainland within one year of their parole or release date. The Department has implemented screening mechanisms to ensure that qualified inmates are returned to Hawaii's facilities in a timely manner. Qualified inmates are measured by the completion of all recommended programs, misconduct-free records, and minimum custody levels.

From November 2011 to October 2012, a total of 937 inmates met the timeframe of being within one year of their parole or release date. As of October 2012, the Department brought 503 out of 937 qualified inmates back to Hawaii for parole or work furlough participation. There are approximately 120 qualified inmates that meet the requirement of this Act that remain on the mainland and will be eligible to return on the Department's next mass movement.

The following information accounts for the balance of inmates that have not been returned in 2012:

- 1) Non-compliance in programs (i.e. Refuse programs, termination of programs);
- 2) High/Greatest category misconducts within last 18 months;
- 3) Escape history within past 7 years that precludes reclassifying to and/or housing in a minimum custody facility;
- 4) Detainers (i.e. Immigration, Federal, State) that precludes minimum reclassifying to and/or housing in a minimum custody facility;
- 5) Refuse to participate in work furlough programs; prefer to max out; and
- 6) Refuse to participate in work furlough programs; pending parole release to another state other than Hawaii (Inter State Compact).

Although, both bed and program space in our Hawaii facilities are limited, the Department has maintained a proactive approach to bringing inmates back to Hawaii in a timely manner and strives to achieve the goals and objectives of Act 8. Currently, the Department is working on expanding its work furlough program at the Oahu Community Correctional Center (OCCC); target date of completion is November 2012. This provides the Department the flexibility to return additional qualified inmates to Hawaii who have committed themselves to their rehabilitation and successful return back to society.

The Department will continue its proactive approach to return its qualified inmates back to Hawaii within a year of their tentative parole date (TPD).