



**DEPARTMENT OF PUBLIC SAFETY**

**RESPONSE TO  
ACT 259, SECTION 66  
SESSION LAWS OF HAWAII 2001**

**December 2001**

## **Background**

Because of the overcrowding in our correctional facilities, the Legislature, over the years, has funded the transfer of up to 1200 Hawaii inmates to various private correctional institutions across the country. Additionally, the 2000 Legislature provided funds to house up to 100 inmates at the newly constructed Federal Detention Center in Hawaii to lessen overcrowding at the Oahu Community Correctional Center.

Currently, the Department has contracts to house inmates in the following mainland facilities:

### **Males**

Oklahoma	Diamondback Correctional Facility
Arizona	Florence Correctional Center

### **Females**

Oklahoma	Central Oklahoma Correctional Facility
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## **Transporting and Housing an Inmate on the Mainland verses the Hawaii Federal Detention Center**

An Expenditure Report for Out-of-State Inmates for FY 2000-2001 is attached for reference.

The cost of housing inmates in private facilities on the mainland for FY 2001-2002 is \$50.00 per inmate per day for male inmates, and \$47.99 per inmate per day for female inmates. The cost does not include certain medical expenses, transportation of inmates to and from Hawaii, inmate compensation for employment, contract monitoring and other miscellaneous costs.

In contrast, the current cost for an inmate housed at the Federal Detention Center is \$90.00 per day. It is expected that the first wave of Hawaii inmates will be accepted for housing at the Federal Detention Center on or around February 1, 2002. The Hawaii inmates would be transferred in groups of 20 to 25 until the quota of 100 beds is filled. The Department of Public Safety had anticipated that the Federal Detention Center would accept all detainees, but federal law restricts the Center to accepting only convicted inmates. Therefore, the Department and the Federal Detention Center agreed that convicted but not yet sentenced inmates would be transferred to the Federal Detention Center. The Attorney General has advised the Department that these inmates can be classified as "pre-trial" because their cases are not finally disposed of. Transfer of these inmates will significantly assist OCCC.

If all cost factors for Mainland transports and all cost factors for renting beds at the Hawaii Federal Detention Center remain constant, it becomes more cost-effective for Hawaii inmates to be transferred out-of-state rather than remain in Hawaii at the Federal

Detention Center. However, the profile of the population is constantly shifting, and at times, we do not have enough inmates who fit the criteria listed below.

We believe the best way to maximize current bed availability would be for the Department of Public Safety to have the flexibility to use the amount allocated for either Federal Detention Center beds or out-of-state beds.

### **Selection Criteria**

There are two sets of criteria used for mainland placement:

1. The first criteria is set by the state in which the facility is located:
  - a. State of Oklahoma limits Hawaii from placing the following type of inmates:
    - i. No Sex Offender
    - ii. No person convicted of Escape in the First Degree
    - iii. No person convicted of Murder in the First Degree
    - iv. Must be classified as no higher than Medium Custody
2. The State of Hawaii honors the limitations of the receiving state's criteria. Additionally, Hawaii **considers** the following:
  - a. Inmate's time left to serve.
  - b. No pending charges or appeals.
  - c. No extradition pending.
  - d. Physical or mental health issues are resolved and the inmate is able to function within a normal range.
  - e. Inmate has refused to participate in recommended treatment programs, especially substance abuse treatment and sex offender treatment.

This report is submitted to the Legislature as required by Act 259, Section 66.

**EXPENDITURE REPORT FOR OUT-OF-STATE INMATES  
FY 2000-2001**

<b>FACILITY</b>	<b>HOUSING</b>	<b>MEDICAL</b>	<b>WAGES</b>	<b>TRANSPORT</b>	<b>MISC.</b>	<b>TOTALS</b>
<b>OKLAHOMA</b>						
Diamondback	\$ 6,022,669.00	\$ 30,735.82	\$ 88,789.44	\$ 477,027.93	\$ 30,485.97	\$ 6,649,708.16
Central Oklahoma	\$ 1,273,473.60	\$ 3,034.49	\$ -	\$ 32,029.31	\$ 3,171.27	\$ 1,311,708.67
<b>ARIZONA</b>						
Florence	\$ 4,986,373.00	\$ 146,026.67	\$ 179,439.25	\$ 360,473.42	\$ 25,196.03	\$ 5,697,508.37
<b>MINNESOTA</b>						
Prairie	\$ 5,584,431.00	\$ 78,860.50	\$ 144,067.28	\$ 67,268.49	\$ 13,029.88	\$ 5,887,657.15
<b>GRAND TOTAL</b>	<b>\$ 17,866,946.60</b>	<b>\$ 258,657.48</b>	<b>\$ 412,295.97</b>	<b>\$ 936,799.15</b>	<b>\$ 71,883.15</b>	<b>\$ 19,546,582.35</b>