



DEPARTMENT OF PUBLIC SAFETY
REPORT TO THE 2013 LEGISLATURE

Act 106, Part VII, Sections 133.1

STATE BUDGET:
JUSTICE REINVESTMENT INITIATIVE

October 2012

REPORT TO THE LEGISLATURE

RELATING TO SESSION LAWS OF HAWAII (SLH) 2012, Act 106

This report has been prepared in compliance with Part VII, Sections 133.1 of Act 106, SLH 2012. This Act requires the Department of Public Safety (PSD) to prepare a report on the Justice Reinvestment Initiative (JRI) that includes information on the change in status of inmates affected by the initiative, including the number returned to the State from non-state facilities, number enrolled in reentry programs, and number released from custody, success and challenges of the JRI, and to-date and projected data for the current fiscal year to fiscal year 2015-2016. The Act specifically calls for the submission of a report to the Legislature, thirty days prior to the convening of the Regular Session of 2013.

At this time, there is no information available on the change in status of inmates affected by the JRI. In FY 2011, 527 inmates returned to the State from non-state facilities, and in FY 2012, 522 inmates returned to the State from non-state facilities. As of July 1, 2012, 120 inmates were returned to the State from non-state facilities. As of October 8, 2012, there are 1,611 inmates in contracted facilities in Arizona.

In Fiscal Year 2012, 1553 inmates were released from the custody of the Department. Of this total, 575 inmates were released on parole (compared to 654 inmates released in Fiscal Year 2011) and 978 inmates were released after completing their maximum term of incarceration or for other reasons.

The Department has provided reentry programs (e.g. substance abuse and sex offender treatment, furlough, job services etc.) to inmates for many years. The current number of inmates enrolled in reentry programs that assist inmates with their transition and reentry back into the community can be viewed in Table 1.

As a result of the JRI, three interagency organizational groups: Steering Committee, Core Implementation Team, Issue-Specific Workgroups were formed to plan and implement the changes under Act 139, SLH 2012. Also, a pretrial assessment instrument has been selected that will be used statewide, and pretrial staff have been trained to apply the instrument. The limiting of the parole revocation sanction to six months for first time technical violators began on July 1, 2012. Lastly, the Department has implemented the amendments made to §353-22.6 of the Hawaii Revised Statutes, that mandates the Department to enforce victim restitution orders against *all* moneys earned by the inmate or *deposited or credited to the inmate's individual account while incarcerated*. The amount deducted was increased from 10% to 25% of the total of all moneys earned, new deposits, and credits to the inmate's individual account. The moneys intended for victim restitution is deducted monthly.

JRI has presented some challenges. There are noticeable gaps in resources in the judicial system that could impede the enhancing of the pretrial release process. Also, the need to retrain all of the parole officers and correctional case managers in scoring a validated risk assessment tool has been a bit inundating. Lastly, the filling of the new parole board

member positions and the maintaining of the quorum has been somewhat challenging. Under previous law, decisions made by the parole board required an agreement between two of the three members. Under present law, three of the five members are needed to be in agreement.

The actual to-date and projected data is undetermined at this time as most of these initiatives took effect on July 1, 2012. The funding assistance for implementation from the Council of State Government (CSG) will not be available until December 2012. Any costs for this JRI to-date, will be funded by the Department. Caution should be given to the projected savings that were initially reported by the CSG staff as these figures were provided before any amendments were made to Act 139, SLH 2012.

TABLE 1

CORRECTIONAL FACILITY	Capacity	# of Inmates	Comments
Halawa Correctional Facility:			
• Level II.5 Intensive Outpatient (IOP) Substance Abuse (SA) Treatment:	30	33	
• Level II Outpatient (OP) SA Treatment:	open	24	
• Sex Offender Treatment:	90	88	
• Educational Services:			Current FY 2012: 941 inmates served
Hawaii Community Correctional Center:			
• Furlough program – Hale Nani:	# of furlough depends on availability of bed space in GP	54	Pending entrance: 19 inmates Job Seeking: 7 inmates Work & Re-socialism: 18 inmates Misconducts: 10 inmates
• Extended Furlough:	open	24	
• Sex Offender Treatment:	open	5	
• Educational Services:			Current FY 2012: 353 inmates
Kauai Community Correctional Center:			
• Lifetime Stand:	80	112	
• Level II OP SA Treatment:	open	45	
• Continuing Care for SA:	open	20	
• Work Furlough:	30	55	*Includes 28 CI workline inmates
• Extended Work Furlough:	22	17	
• Sex Offender Treatment (community-based):	open	5	*For inmates on extended furlough
• Educational Services:			Current FY 2012: 22 inmates
Maui Community Correctional Center:			
• Furlough Program:	# of furlough depends on availability of bed space in GP	46	*Furlough inmates housed w/GP *Of the 46, 27 inmates are employed, 19 inmates are seeking employment
• Extended & Electronic Monitoring Furlough (EMF):	open	6	*Of the 6, 6 inmates are on EMF
• Level II OP SA Treatment:	open	41	
• Continuing Care for SA:	open	30	
• Sex Offender Treatment:	open	10	
• Educational Services:			Current FY 2012: 227 inmates served
Oahu Community Correctional Center:			
• Furlough/Laumaka:	96	96	*Includes 32 Project Bridge beds
• Extended Furlough:	open	4	
• Project Bridge SA Reentry Program:	32	32	*A part of the 96 furlough inmates
• Sex Offender Treatment	open	32	
• Module 20:	120	120	*Expansion should be effective 11/1/2012
• Educational Services			Current FY 2012 1095 inmates served

TABLE 1 (cont)

CORRECTIONAL FACILITY	Capacity	# of Inmates	Comments
Waiawa Correctional Facility:			
• Level III/Kashbox SA Treatment:	102	100	
• Level II.5 IOP SA Treatment:	60	59	
• Level II OP SA Treatment:	open	16	
• Continuing Care for SA:	open	7	
• Educational Services:			Current FY 2012: 490 inmates served
Women's Community Correctional Center:			
• Level III Ke Alaula Therapeutic Community SA Treatment:	50	50	
• Level II.5 IOP SA Treatment:	15	15	*Capacity will increase w/new hire
• Level II OP SA Treatment:	open	8	
• Continuing Care for SA:	open	10	
• Work Furlough Bridge SA Reentry Program:	15	15	
• Work Furlough TJ Mahoney SA Reentry Program:	30	28	
• Extended Furlough:	open	3	
• Educational Services:			Current FY 2012: 286 inmates served

**Open* = There is no capacity.

**# of Inmates* = The current # of inmates at present/October 2012.