



**DEPARTMENT OF PUBLIC SAFETY
REPORT TO THE 2006 LEGISLATURE**

**Act 178, Session Laws of Hawaii 2005,
Relating to the State Budget
(General Appropriations Act of 2005)**

**Section 64:
Expenditures for the Housing of Inmates at
Mainland Correctional Facilities**

**Section 65:
Expenditures for the Housing of Inmates at the
Hawaii-Based Federal Detention Center and
Mainland Correctional Facilities**

November 2005

Background

Due to the overcrowding conditions in the Hawaii Department of Public Safety's (PSD's) correctional facilities, the 2005 Legislature appropriated funds for housing up to 1,750 Hawaii inmates in private, out-of-State correctional institutions. In addition, the Legislature provided funds to house an additional 140 inmates at the Hawaii-based Federal Detention Center (FDC) to relieve overcrowding in PSD's jails (community correctional centers or CCCs), bringing the total number of FDC beds to 260.

Cost Comparisons Among Per Diem Rates for Mainland Facilities and Federal Detention Center

As of June 2005, the Department maintained a total of 1,730 inmates in four states other than Hawaii. These inmates were housed in two correctional institutions owned and operated by the Corrections Corporation of America (CCA): (a) Diamondback Correctional Facility (DbCF) in Oklahoma and (b) Florence Correctional Center (FCC) in Arizona. The per diem rate at each of these facilities has been \$53.84 per inmate since July 1, 2004, and shall remain constant through contract termination on June 30, 2006.

In May 2004, PSD entered into an additional contract with the County of Tutweiler, Mississippi to house Hawaii's male inmates at CCA's Tallahatchie County Correctional Facility (TCCF) at a daily cost of \$43.00 per inmate, provided that the Department maintains a minimum total number of Hawaii inmates at DbCF and FCC. Effective July 1, 2005, TCCF's per diem rate increased by 2.5% from \$43.00 to \$44.08 per inmate.

Female inmates were housed at the State-operated Mabel Bassett Correctional Center, formerly known as the Central Oklahoma Correctional Facility, in McLoud, Oklahoma until May 2004. In August 2004, the Department transferred its 63 female inmates from Oklahoma to the Brush Correctional Facility in Colorado after entering into a one-year contract with a private firm doing business as GRW, Inc. The cost of housing at this facility during FY 2005 was \$51.90 per inmate, per day.

In September 2005, following the issuance of a Request for Proposal (RFP), PSD contracted with the Otter Creek Correctional Center in Wheelwright, Kentucky and transferred 80 Hawaii female inmates from Colorado to Kentucky. The daily cost of housing at this facility is \$51.90 per inmate.

It is important to note that the per-day costs at out-of-State facilities do not include the following cost items:

- Certain medical expenses.
- Routine transport of inmates to and from Hawaii.
- Transport of inmates to and from Hawaii under special circumstances.
- Inmate wages for work performed during incarceration.
- Video-conferencing via long-distance telephone calls.

Attached as Exhibits A and B are expenditure reports for out-of-State inmates and FDC inmates, respectively, for FY 2005 (July 1, 2004 - June 30, 2005) and FY 2006 to-date (July 1, 2005 – October 31, 2005).

Since the prior report to the 2005 Legislature, the daily cost of housing an inmate at the Hawaii-based Federal Detention Center increased from \$76.10 to \$78.09 per inmate. Inmates in the custody of the State Department of Public Safety were first accepted for housing at the FDC in January 2001. Due to US Bureau of Prisons regulations on federal detention centers, PSD was limited to transferring convicted inmates with short detention periods. The FDC beds have helped to address overcrowding conditions primarily at the Oahu Community Correctional Center, Hawaii Community Correctional Center, Kauai Community Correctional Center, and the Maui Community Correctional Center.

In FY 2005, the Department expended \$3,408,430.25 for the use of FDC beds. On June 30, 2005, there were 91 inmates (87 males and 4 females) housed at the FDC. In July 2005, the Department began to significantly increase FDC's inmate population by chartering special flights to transport inmates from the Neighbor Islands to Oahu's FDC.

Selection Criteria for Inmates to be Transferred to Mainland Facilities

The current selection criteria for mainland transfers are based primarily on the state requirements of the receiving facility, as summarized below:

State of Oklahoma (Male Inmates)

- No persons convicted of sex offenses.
- No persons convicted of Escape 1.
- No persons convicted of Murder 1.
- Highest custody level accepted is Medium custody.

State of Mississippi (Male Inmates)

- No persons convicted of Escape 1 or any escape involving violence.
- Highest custody level accepted is Close custody.

State of Arizona (Male Inmates)

- No Maximum custody inmates.

State of Colorado (Female Inmates)

- Highest custody level accepted is Medium custody.
- No persons having any mental health history.
- No persons sentenced to Life with/without Parole (long-term).
- No persons convicted of sex offenses with lengthy terms.

State of Kentucky (Female Inmates as of September 28, 2005)

- Highest custody level accepted is Close custody.

In addition, the following priorities are included in the overall process of screening potential inmate candidates for transfer to the mainland:

- Time left to serve on sentence.
- Program refusal, non-clinical discharge, or misconducts.
- Multiple-time parole violators with more than 12 months to serve.
- No pending charges.
- No medical or mental health conditions that may affect an inmate's ability to function within a normal range.
- Inmates who volunteer and have cleared all facility holds.

As of June 2005, PSD's correctional facilities in Hawaii had an operating bed capacity of 3,487 as compared to the 3,931 inmates housed in PSD facilities. Additionally, 1,730 inmates were housed in mainland facilities. Although PSD correctional facilities remain overcrowded, the out-of-State contract beds have helped to ease overcrowding conditions primarily at the Halawa Correctional Facility and the Women's Community Correctional Center.

Closing

The Department of Public Safety established the Mainland and FDC Branch in October 2004 under the general supervision of the Institutions Division Administrator. Since that time, monitoring of and accountability for mainland prison contracts and expenditures have improved considerably.

EXHIBIT A

**DEPARTMENT OF PUBLIC SAFETY
ENCUMBRANCES AND EXPENDITURES FOR OUT-OF-STATE AND FDC INMATES
FY 2005**

Revised 11/23/05

FACILITY	INMATE COSTS				STAFF COSTS				TOTAL ENC & EXP
	HOUSING	MEDICAL	WAGES	TRANSPORT	SITE INSP ¹	PAYROLL ²	ADMIN ³	OTHER ⁴	
OKLAHOMA									
Diamondback	15,945,314.96	545,985.66	357,737.55	1,052,979.32	28,130.16	99,658.48		2,548.45	18,032,354.58
Mabel Bassett (to 07/04)	90,531.00					44,798.61			135,329.61
MISSISSIPPI									
Tallahatchie	9,079,204.00	2,590,156.17	264,900.51	250,405.07	33,829.96			15,633.36	12,234,129.07
ARIZONA									
Florence	864,651.01	138,179.60	15,523.64	3,850.00	10,181.88	36,396.61			1,068,782.74
COLORADO									
Brush	1,232,970.20	108,288.81	17,962.00	14,561.00	13,659.28				1,387,441.29
MAINLAND BRANCH						76,211.31	245,044.35		321,255.66
Subtotal - Mainland	27,212,671.17	3,382,610.24	656,123.70	1,321,795.39	85,801.28	257,065.01	245,044.35	18,181.81	33,179,292.95
FEDERAL DETENTION CTR	3,398,917.42			8,638.00		741.16	133.67		3,408,430.25
Total - Mainland+FDC	30,611,588.59	3,382,610.24	656,123.70	1,330,433.39	85,801.28	257,806.17	245,178.02	18,181.81	36,587,723.20

1 SITE INSPECTION:

Site visits to inspect facility and inmate treatment, as well as review compliance with contractual and other provisions.

2 PAYROLL:

Employee payroll including salaries, overtime pay, night differential pay, on-site monitor salary.

3 ADMIN:

Office supplies, photocopying, postage, telephone, long distance tolls, mileage, gas, office lease, legal and consultant fees, video-visit teleconferencing equipment, female RFP site visit, repair/maintenance of motor vehicle, computer hardware and software.

4 OTHER:

Services on-a-fee, funeral expenses, long distance tolls, rental of equipment, interest charges, law books and subscriptions, miscellaneous postage fees.

EXHIBIT B

**DEPARTMENT OF PUBLIC SAFETY
ENCUMBRANCES AND EXPENDITURES FOR OUT-OF-STATE AND FDC INMATES
FY 2006 To-Date: July 1, 2005 - October 31, 2005**

Revised 11/23/05

FACILITY	INMATE COSTS				STAFF COSTS				TOTAL ENC & EXP
	HOUSING	MEDICAL	WAGES	TRANSPORT	SITE INSP ¹	PAYROLL ²	ADMIN ³	OTHER ⁴	
OKLAHOMA Diamondback	4,159,355.36	175,000.00	91,833.58	5,660.00	8,467.64			2,139.00	4,442,455.58
ARIZONA Florence	299,296.56	17,502.00	3,828.58			10,101.50		35.00	330,763.64
MISSISSIPPI Tallahatchie	3,366,463.47	184,411.41	46,157.16	241,473.00	11,879.86			140.90	3,850,525.80
COLORADO Brush (to 09/28/05)	368,923.30	50,000.00	4,762.00		7,885.77			1,503.64	433,074.71
KENTUCKY Otter Creek (eff 09/28/05)									0.00
MAINLAND BRANCH				1,141.00		67,908.67	6,812.49	55.07	75,917.23
Subtotal - Mainland	8,194,038.69	426,913.41	146,581.32	248,274.00	28,233.27	78,010.17	6,812.49	3,873.61	9,132,736.96
FEDERAL DETENTION CTR	1,929,612.83			50,650.17				12.03	1,980,275.03
Total - Mainland+FDC	10,123,651.52	426,913.41	146,581.32	298,924.17	28,233.27	78,010.17	6,812.49	3,885.64	11,113,011.99

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Office supplies, photocopying, postage, telephone, long distance tolls, mileage, gas, office lease, legal and consultant fees, video-visit teleconferencing equipment, female RFP site visit, repair/maintenance of motor vehicle, computer hardware and software.

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