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STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
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No. _____

December 21, 2018

The Honorable Ronald D. Kouchi,
President and Members of the Senate
Twenty-Ninth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Scott K. Saiki, Speaker
and Members of the House of
Representatives
Twenty-Ninth State Legislature
State Capitol, Room 431
Honolulu, HI 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

For your information and consideration, I am transmitting a copy the **Report on the Return of Out-of-State Inmates**, as required by Act 8, Session Laws of Hawaii 2007, Special Session, Part 1, Section 7(C).

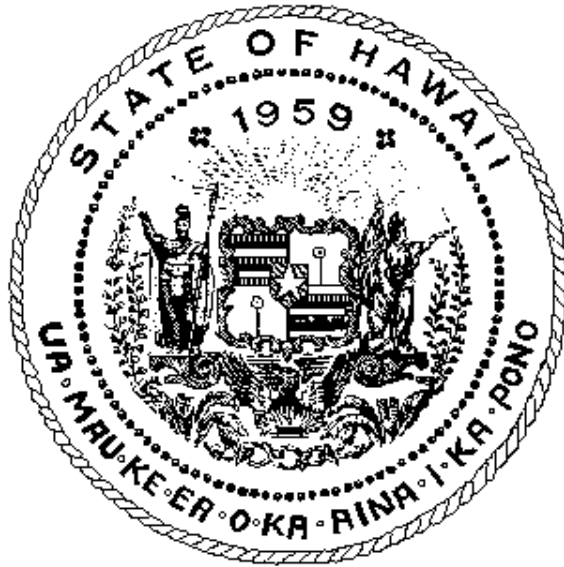
In accordance with Section 93-16, Hawaii Revised Statutes, I am also informing you that the report may be viewed electronically at: <https://dps.hawaii.gov/wp-content/uploads/2018/12/Return-of-Out-of-State-Inmates.pdf>.

Sincerely,

A handwritten signature in black ink that reads "Nolan P. Espinda". The signature is written in a cursive style.

Nolan P. Espinda
Director

Enclosures



**DEPARTMENT OF PUBLIC SAFETY
REPORT TO THE 2019 LEGISLATURE**

ACT 8 (2007)

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

November 2018

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

The Department of Public Safety (PSD) 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. PSD has implemented screening mechanisms to ensure that qualified inmates are returned to Hawaii’s correctional facilities in a timely manner. Qualified inmates are evaluated on the bases of completion of all recommended programs, misconduct-free records, and minimum custody levels.

From November 2017 to October 2018, PSD brought 436 qualified inmates back to Hawaii for parole, participation in a Sex Offender Treatment program, or work furlough participation.

The following table shows the inmates that are within 1 year of their parole hearing date and not returned in 2018 by category:

Non-compliance in programs (i.e., Refusal of programs/ termination of programs) resulting in Medium Custody status	258
High/Greatest category misconducts within last 18 months resulting in Medium Custody status	270
Escape history within past 7 years that precludes minimum custody housing	44
Detainers (i.e., Immigration, Federal, State) that preclude minimum custody housing	22
Refusal of work furlough programs & parole; desire to max out resulting in Medium Custody status	112
Pending parole release to another state other than Hawaii (Interstate)	23
Pending available bed space at furlough program	0
TOTAL	729

PSD began renovation of the Halawa Correctional Facility in March 2017, during which time, inmates could not be housed in the modules being renovated. This resulted in the temporary movement of 248 inmates to the Mainland, thereby increasing the population of Hawaii inmates housed at the Saguaro Correctional Center. The current renovation project is delayed due to contractor issues, but is now projected to be completed in May 2019. PSD strives to transition the mainland inmates back to Hawaii, filling all available bed spaces at the minimum-security Waiawa Correctional and Kulani Correctional Facilities. Inmates incurring misconducts are classified at custody levels higher than minimum, making them ineligible for transfer back to Hawaii.

Although, both bed and program spaces in our Hawaii correctional facilities are limited, PSD has maintained a proactive approach to bringing inmates back to Hawaii in a timely manner, and continues to strive to achieve the goals and objectives of Act 8.