December 21, 2018

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

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:

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

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.