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GOVERNOR



DEPT. COMM. NO. 159

STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
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No. _____

December 24, 2019

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

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

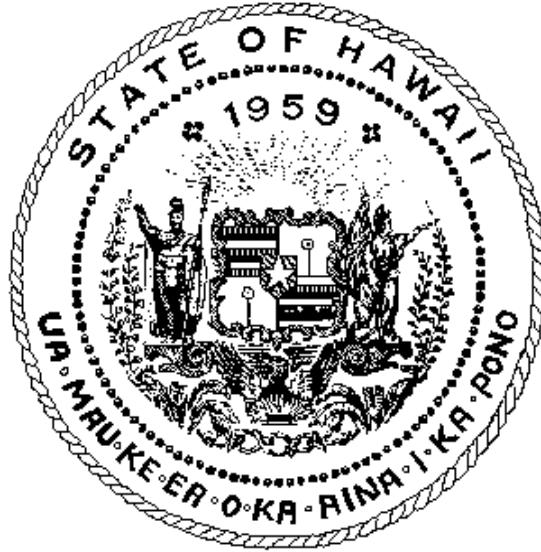
Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

For your information and consideration, I am transmitting a copy of the **Report on the Return of Out-of-State Inmates**, as required by Act 8, Session Laws of Hawaii 2007. 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/2019/12/Report on Return of Out-of-State Inmates.pdf>.

Sincerely,

Nolan P. Espinda
Director

Enclosures



**DEPARTMENT OF PUBLIC SAFETY
REPORT TO THE 2020 LEGISLATURE**

ACT 8 (2007)

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

November 2019

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 measured by the completion of all recommended programs, misconduct-free records, and minimum custody levels.

From November 2018 to October 2019, PSD brought 858 qualified inmates back to Hawaii for parole, Sex Offender Treatment program or work furlough participation.

The following table shows the inmates that are within 1 year of their parole hearing date who have not been returned in 2019, by category:

Non-compliance in programs (i.e., Refusal of programs, termination of programs) resulting in Medium Custody	263
High/Greatest category misconducts within the past 18 months resulting in Medium Custody	197
PSD escape history within past 7 years resulting in higher custody level	42
Detainers (i.e., Immigration, Federal, State) that precludes minimum custody housing	22
Refusal to work furlough programs & parole; desire to max out resulting in Medium Custody	31
Pending parole release to a state other than Hawaii (Interstate)	11
Pending available bed space at furlough program	0
TOTAL	566

Beginning March 2017, 248 Halawa Correctional Facility (HCF) inmates were moved temporarily to the mainland Saguaro Correctional Center to accommodate capital improvement construction at the facility. The project suffered several delays and was finally completed at the end of September 2019. Following program and staffing preparations, the 248 were returned to HCF by the middle of November 2019.

PSD’s practice is to transition the qualified mainland inmates to fill all the bed spaces at the minimum-security Waiawa and Kulani Correctional Facilities, however, inmates incurring misconducts that raise their custody status are therefore not eligible for transfer to these facilities.

PSD has maintained a proactive approach to bringing inmates back to Hawaii in a timely manner, as it strives to achieve the goals and objectives of Act 8.

PSD will continue this proactive approach to return qualified inmates to Hawaii within a year of their tentative parole date/maximum release date.