

MAR 07 2025

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## SENATE RESOLUTION

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REQUESTING THE DEPARTMENT OF CORRECTIONS AND REHABILITATION TO  
INCREMENTALLY AND SYSTEMATICALLY REDUCE THE NUMBER OF  
INMATES INCARCERATED IN PRIVATE, OUT-OF-STATE CORRECTIONAL  
FACILITIES.

1 WHEREAS, the State has relied on contracted private, for-  
2 profit, out-of-state correctional facilities to house a  
3 significant portion of the State's inmate population for more  
4 than two decades; and

5  
6 WHEREAS, inmates who serve their sentences in these out-of-  
7 state facilities are effectively exiled thousands of miles away  
8 from their families, friends, and crucial support networks; and

9  
10 WHEREAS, the adverse effects of incarcerating inmates  
11 outside the State were recognized by the Legislature and the  
12 former Department of Public Safety even before the State began  
13 the practice of contracting with private prisons on the  
14 mainland; and

15  
16 WHEREAS, when the Legislature passed Act 208, Session Laws  
17 of Hawaii 1994 (Act 208), which authorized the transfer of  
18 inmates to privately operated correctional facilities outside  
19 the State, it did so with the clear intent that the former  
20 Department of Public Safety would not transfer individuals with  
21 strong community ties to Hawaii; and

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23 WHEREAS, this clear intent of the Legislature has largely  
24 been ignored over the last few decades, and concerns regarding  
25 the significant detrimental impact that interstate transfers  
26 would have on inmates have turned out to be true; and

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28 WHEREAS, the problem of prison overcrowding continues to  
29 persist even though Act 208 was enacted specifically to  
30 alleviate this issue, and larger problems with the use of mass  
31 incarceration have increased since Act 208 was enacted; and



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1  
2 WHEREAS, it is imperative that the State phase out the  
3 practice of transferring inmates to privately-operated mainland  
4 correctional facilities; now, therefore,  
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6 BE IT RESOLVED by the Senate of the Thirty-third  
7 Legislature of the State of Hawaii, Regular Session of 2025,  
8 that the Department of Corrections and Rehabilitation is  
9 requested to incrementally and systematically reduce the number  
10 of inmates incarcerated in private, out-of-state correctional  
11 facilities; and  
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13 BE IT FURTHER RESOLVED that the Department of Corrections  
14 and Rehabilitation is requested to submit to the Legislature, no  
15 later than twenty days prior to the convening of the regular  
16 sessions of 2027, 2028, 2029, and 2030, a report of its progress  
17 in reducing the number of inmates incarcerated in private, out-  
18 of-state correctional facilities; and  
19

20 BE IT FURTHER RESOLVED that certified copies of this  
21 Resolution be transmitted to the Governor and Director of  
22 Corrections and Rehabilitation.  
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24  
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OFFERED BY: Karl Rhoad

