

DAVID Y. IGE
GOVERNOR



DEPT. COMM. NO. 270

STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

MAX N. OTANI
DIRECTOR
Maria C. Cook
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Tommy Johnson
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Jordan Lowe
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No. _____

December 28, 2020

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

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

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

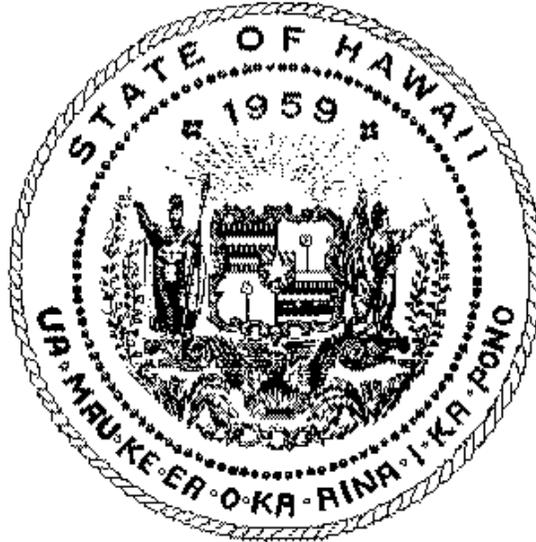
For your information and consideration, I am transmitting a copy of the **Return of Out-of-State Inmates Report**, as required by Act 8, Session Laws of Hawaii 2007-Special Session, Part 1, Section 7(C). In accordance with Section 93-16, Hawaii Revised Statutes, I am also informing you that the report may be viewed electronically at: [https://dps.hawaii.gov/wp-content/uploads/2020/12/Return of Out-of-State Inmates Report.pdf](https://dps.hawaii.gov/wp-content/uploads/2020/12/Return%20of%20Out-of-State%20Inmates%20Report.pdf).

Sincerely,

A handwritten signature in black ink, appearing to read "Max N. Otani".

Max N. Otani
Director

Enclosure



**DEPARTMENT OF PUBLIC SAFETY
REPORT TO THE 2021 LEGISLATURE**

ACT 8 (2007)

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

November 2020

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 2019 to October 2020, PSD brought 535 qualified inmates back to Hawaii for parole, Sex Offender Treatment program or work furlough participation.

The following table shows the numbers of inmates who are within 1 year of their parole hearing date and have not been returned in 2020, categorized by the reasons for non-return:

Non-compliance in programs (e.g., Refusal of program participation, termination of programs) resulting in Medium Custody level	150
High/Greatest category misconducts within last 18 months resulting in Medium Custody level	176
Escape history within past 7 years from community/ minimum custody facility, resulting in higher custody level	38
Detainers (i.e., Immigration, Federal, State) that preclude Minimum Custody housing	18
Refusal to participate in work furlough programs & parole; wanting to max out resulting in Medium Custody	13
Pending parole release to another state other than Hawaii (Interstate)	23
Pending available bed space at furlough program	0
TOTAL	449

The out-of-state population has decreased substantially, from a high of 1,940 inmates in April 2010 to the current total of 1,080 inmates. The Department has successfully decreased the sentenced felon population over the years by providing various programs to rehabilitate those who are incarcerated. PSD strives to bring back qualifying inmates to be housed within the State of Hawaii prison/jail facilities, however, the various Hawaii facilities over the years have been in a constant state of major repairs, resulting in less bed space to accommodate the out-of-state inmates. The out-of-state facilities are still needed as back-up to maintaining reasonable housing levels and preventing federal intervention.

PSD will continue its proactive approach to return its qualified inmates back to Hawaii within a year of their tentative parole date/maximum date to achieve the goals and objectives of Act 8.