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GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
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DEPT. COMM. NO. 316

No. _____

December 30, 2021

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
Representatives
Thirty-First State Legislature
State Capitol, Room 431
Honolulu, HI 96813

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

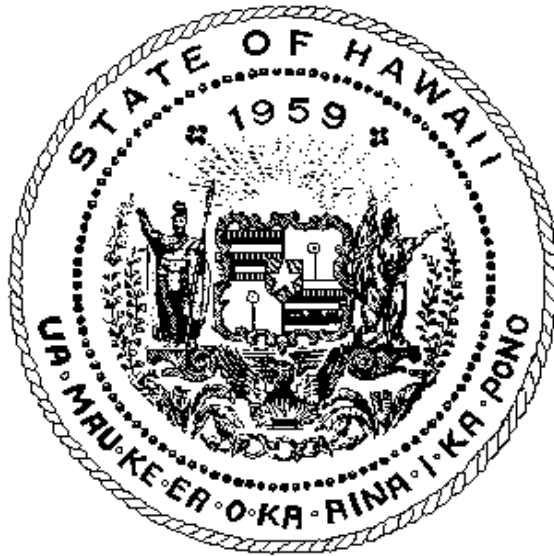
For your information and consideration, I am transmitting a copy of the **Return of Out-of-State Inmates Report**, as required by Act 8, Session Laws of Hawaii 2007-Special Session, Part 1, Section 7(C). In accordance with Section 93-16, Hawaii Revised Statutes, I am also informing you that the report may be viewed electronically at: <https://dps.hawaii.gov/wp-content/uploads/2022/01/Return-of-Out-of-State-Inmates-Report.pdf>.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Otani", is written over a horizontal line.

Max N. Otani
Director

Enclosure



**DEPARTMENT OF PUBLIC SAFETY
REPORT TO THE 2022 LEGISLATURE**

ACT 8 (2007)

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

December 2021

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 2020 to October 2021, PSD brought 153 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 and have not been returned in 2021:

Non-compliance in programs (e.g., Refusal of programs, termination of programs) resulting in Medium Custody	151
High/Greatest category misconducts within last 18 months resulting in Medium Custody	165
Escape history within past 7 years from community/ minimum custody facility, resulting in higher custody level	39
Detainers (e.g., Immigration, Federal, State) that precludes minimum custody housing	35
Refusal to work furlough programs & parole; wants to max out resulting in Medium Custody	44
Pending parole release to another state other than Hawaii (Interstate)	10
Pending available bed space at furlough program	0
TOTAL	444

PSD continues to return inmates back to Hawaii from the mainland facility. From the previous count of 1080 inmates, the count of inmates at the beginning of the year dropped to below 1000 for the first time since 2002. However, due to the ongoing construction/renovation at the Halawa Correctional Facility, the count increased back to the current 1114 inmates. Many programs were temporarily shut down during the COVID pandemic, resulting in a reduction in the number of eligible inmates returning to Hawaii to transition into the work furlough program. As more inmates receive their vaccination against the COVID-19 coronavirus and programs start to reopen, the Department will see more inmates eligible to transition towards the pre-release programs.

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.