

MAR 07 2025

SENATE CONCURRENT RESOLUTION

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

22
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

27
28 WHEREAS, the problem of prison overcrowding continues to
29 persist even though Act 208 was enacted specifically to



S.C.R. NO. 126

1 alleviate this issue, and larger problems with the use of mass
2 incarceration have increased since Act 208 was enacted; and

3
4 WHEREAS, it is imperative that the State phase out the
5 practice of transferring inmates to privately-operated mainland
6 correctional facilities; now, therefore,

7
8 BE IT RESOLVED by the Senate of the Thirty-third
9 Legislature of the State of Hawaii, Regular Session of 2025, the
10 House of Representatives concurring, that the Department of
11 Corrections and Rehabilitation is requested to incrementally and
12 systematically reduce the number of inmates incarcerated in
13 private, out-of-state correctional facilities; and

14
15 BE IT FURTHER RESOLVED that the Department of Corrections
16 and Rehabilitation is requested to submit to the Legislature, no
17 later than twenty days prior to the convening of the regular
18 sessions of 2027, 2028, 2029, and 2030, a report of its progress
19 in reducing the number of inmates incarcerated in private, out-
20 of-state correctional facilities; and

21
22 BE IT FURTHER RESOLVED that certified copies of this
23 Concurrent Resolution be transmitted to the Governor and
24 Director of Corrections and Rehabilitation.

25
26
27 OFFERED BY: Paul Rhoads

