



OFFICE OF HAWAIIAN AFFAIRS

**TESTIMONY IN SUPPORT OF HOUSE BILL 1769 HD1**  
**RELATING TO CORRECTIONAL FACILITIES**

Ke Kōmike Hale o ka Ho‘okolokolo a me ke Kuleana Hawai‘i  
(House Committee on Judiciary & Hawaiian Affairs)  
Hawai‘i State Capitol

Pepeluali 25, 2026

2:00 PM

Lumi 325

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Aloha e Chair Tarnas, Vice Chair Poepoe, a me Members of Ke Kōmike Hale o ka Ho‘okolokolo a me ke Kuleana Hawai‘i:

The Office of Hawaiian Affairs (OHA) **SUPPORTS HB1769 HD1** which requires the Department of Corrections and Rehabilitation to incrementally reduce the number of individuals incarcerated in private, out-of-state correctional facilities and to report regularly on its progress.

Incarcerating individuals thousands of miles from home separates them from ‘ohana, community support, legal access, and culturally grounded programming, all factors closely associated with successful reentry and lower recidivism. Native Hawaiians are disproportionately represented throughout Hawai‘i’s criminal legal system and, as a result, are often more profoundly impacted when incarceration occurs far from home, culture, and ‘āina. Geographic separation can intensify cultural disconnection and family disruption and can undermine culturally grounded rehabilitation and reintegration efforts.

OHA recognizes that in-state facility capacity is limited and that a substantial portion of people in custody are held pretrial or are primarily impacted by substance use and mental health needs. These realities highlight the importance of continued investment in diversion, treatment, reentry support, and fair-sentencing measures that safely reduce correctional populations over time and make it feasible to bring people home. Accordingly, OHA has consistently supported legislation that advances reentry services, treatment, diversion, and proportional sentencing, and has discouraged overly punitive approaches that increase prison and jail populations without improving public safety. This bill’s phased reduction timeline aligns with this approach by pairing population reduction goals with practical time for capacity planning and system reform.

Reliance on private, out-of-state facilities also reduces transparency and public oversight and weakens continuity of care and rehabilitation planning. A structured, incremental reduction framework with regular legislative reporting promotes accountability and a responsible transition toward more locally grounded correctional practices. For these reasons, the Office of Hawaiian Affairs respectfully urges this

Committee to **PASS HB1769 HD1**. Mahalo nui for the opportunity to provide testimony on this important measure.

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII  
**DEPARTMENT OF CORRECTIONS  
AND REHABILITATION**  
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and  
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No. \_\_\_\_\_

TESTIMONY ON HOUSE BILL 1769, HOUSE DRAFT 1  
RELATING TO CORRECTIONAL FACILITIES.

by

Tommy Johnson, Director  
Department of Corrections and Rehabilitation

House Committee on Judiciary and Hawaiian Affairs  
Representative David A. Tarnas, Chair  
Representative Mahina Poepoe, Vice Chair

Wednesday, February 25, 2026; 2:00 p.m.  
State Capitol, Conference Room 325 & via Videoconference

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee:

The Department of Corrections and Rehabilitation (DCR) opposes House Bill (HB) 1769, House Draft (HD) 1, which seeks to require DCR to reduce the number of inmates housed at private out-of-state correctional institutions by 25% no later than July 1, 2029, and beginning July 1, 2031, to further reduce the number of inmates housed in private out-of-state correctional institutions by 5% in that year.

**As written, this measure seeks to reduce the mainland inmate population without regard to DCR's in-state population for male convicted felons or DCR's capacity and/or ability to appropriately house, treat, and care for the affected committed felons.**

DCR understands the intent of HB 1769, HD1 to return committed felons incarcerated in private Mainland facilities to Hawai'i. DCR shares the concerns raised about housing inmates in facilities far from home and would have returned the inmates long ago, but for the lack of facilities in which to house, care for, and treat them, including appropriate rehabilitative programs. Therefore, DCR cannot agree with this proposal, as there is currently no space available in our only male medium security prison (Halawa

Correctional Facility - HCF). The HCF has a design capacity of 496 offenders. However, at present there are 817 convicted male felons housed at that facility, which is 165% of its designed capacity. Currently there are 797 convicted male felons being housed at the Saguaro Correctional Center in Eloy, AZ.

It should be noted that DCR does not have the authority to turn away offenders sentenced to jail (1 year or less), or prison (1 year and 1 day or more), by courts, nor those re-sentenced by the courts from probation to prison terms. Likewise, DCR is required to accept all parole and probation violators, where the court or the Hawai'i Paroling Authority (HPA) have issued a warrant of arrest that has been executed. Therefore, DCR has no way of knowing what its population will be until they arrive at its doorstep.

For example, at present, the Judiciary has approximately 11,000 offenders on probation supervision statewide. If only 10% of the sentenced felony probationers (approximately 1,100) were re-sentenced to prison, the State's correctional system, which is already severely strained with insufficient capacity, to house all our current inmates in Hawai'i facilities, would be completely overwhelmed. It should also be noted that the Judiciary may have a substantial backlog of felony level criminal trials whereby hundreds of individuals could be convicted and sentenced to prison, some of which are sentenced felony probationers facing revocation and re-sentencing to prison.

To house these offenders located in Hawai'i who may be ordered into DCR's correctional facilities, there are only eight (8) jails and prisons, which are old, manpower-intensive, and constantly in need of major costly repairs. DCR has previously pointed out the age and limited capacities of its facilities in the state. Yet, despite its efforts, DCR has been largely unsuccessful for decades in gaining the support necessary to upgrade or even substantially refurbish our facilities.

Because DCR's correctional facility's medium custody level beds are currently filled, to return the 25% or approximately 200 of the 799 male inmates currently housed at Saguaro Correctional Center in Eloy, AZ, to Hawai'i will require a new medium security prison. DCR estimates the cost to build such a facility in Hawai'i to be between \$800 and

\$900 million if the goal is to ultimately return all our inmates, depending on the design, programming space and other costs. In addition, the annual cost to operate and manage such a facility is estimated to be \$45 - \$55 million and will require additional staffing of 350 – 450 (80% Uniformed and 20% Non-Uniformed) to operate it.

Finally, having direct knowledge and understanding of the space requirements to comply with this measure in bringing back offenders, DCR wants to emphasize the need to consider the incremental return of committed felons incarcerated in private, out-of-state correctional institutions to in-state correctional facilities **must be tied to the construction of a new medium security male correctional facility in Hawai'i**. Requiring DCR to return out-of-state inmates without a new facility to house the returning inmates, DCR and the state will create severe overcrowding and inhumane conditions of confinement, which may trigger Department of Justice intervention.

Thank you for the opportunity to provide testimony in opposition to HB 1769, HD 1.

JOSH GREEN, M.D.  
GOVERNOR



MARK PATTERSON  
CHAIR

CHRISTIN M. JOHNSON  
OVERSIGHT COORDINATOR

COMMISSIONERS  
HON. R. MARK BROWNING (ret.)

HON. RONALD IBARRA (ret.)

MARTHA TORNEY

HON. MICHAEL A. TOWN (ret.)

**STATE OF HAWAII**  
**HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**  
**E HUIKALA A MA'EMA'E NŌ**  
235 S. Beretania Street, 16<sup>th</sup> Floor  
HONOLULU, HAWAII 96813  
(808) 587-4160

TO: The Honorable David A. Tarnas, Chair  
The Honorable Mahina Poepoe, Vice Chair  
House Committee on Judiciary & Hawaiian Affairs

FROM: Mark Patterson, Chair  
Hawai'i Correctional System Oversight Commission

SUBJECT: House Bill 1769, House Draft 1, Relating to Correctional Facilities  
Hearing: Wednesday, February 25, 2026; 2:00 p.m.  
State Capitol, Room 325

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee:

The Hawai'i Correctional System Oversight Commission (HCSOC) submits testimony in **support** of House Bill 1769, House Draft 1, relating to correctional facilities, which requires the Director of Corrections and Rehabilitation to incrementally reduce the number of individuals incarcerated in private, out-of-state correctional institutions.

Housing individuals in custody in out-of-state private facilities presents significant challenges and risks that make it an ineffective and harmful approach. First, it separates people from their families, legal support, and community connections, which are critical for emotional well-being, rehabilitation, and successful reintegration. This isolation can exacerbate mental health issues and increase the likelihood of recidivism.

Second, out-of-state facilities often operate under different regulatory and oversight standards, reducing transparency and accountability. This can lead to inconsistent care, inadequate medical and mental health services, and higher vulnerability to abuse or neglect. Out of state private institutions also have their own policies and procedures that do not align with the Department of Corrections and Rehabilitation.

Third, private facilities are driven by profit motives, which can create perverse incentives to cut costs at the expense of safety, programming, and humane conditions.

Bringing people back home allows them to remain connected to their support networks and culture, receive oversight consistent with local standards, access appropriate services, and participate in programs that genuinely support rehabilitation and reentry. Housing individuals closer to their communities promotes safety, accountability, and long-term success for both the individuals and the broader community.

Should you have additional questions, the Oversight Coordinator, Christin Johnson, can be reached at 808-849-3580 or at [christin.m.johnson@hawaii.gov](mailto:christin.m.johnson@hawaii.gov). Thank you for the opportunity to testify.

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**February 24, 2026**

**HB 1769, HD1: RELATING TO CORRECTIONAL FACILITIES**

**Chair Tarnas, Vice Chair Poepoe and Members of the Committee on Judiciary and Hawaiian Affairs:**

The Office of the Public Defender (OPD) **supports** HB 1769, HD1, which requires the Department of Corrections and Rehabilitation (DCR) to incrementally return individuals incarcerated in private, out-of-state correctional institutions to in-state facilities and establishes a structured, phased reduction with reporting to the Legislature.

The OPD represents the vast majority of individuals incarcerated in Hawai'i, and our attorneys routinely witness the profound and lasting harm caused by out-of-state incarceration. As the Legislature has recognized, the practice of transferring Hawai'i residents to private prisons on the continental United States separates individuals from their families, culture, legal counsel, and support systems which undermines rehabilitation and creates significant barriers to successful reentry.

The DCR contracts with and houses incarcerated individuals at the Saguardo Correctional Center in Arizona, a for-profit private prison. The physical distance alone makes in-person visitation, attorney communication, and family engagement exceptionally difficult and cost-prohibitive. These disruptions weaken critical social supports that research consistently demonstrates are essential to rehabilitation and reduced recidivism.

From the defense perspective, out-of-state incarceration also complicates post-conviction representation, parole preparation, and coordination with Hawai'i-based treatment providers, housing resources, and reentry programs. Attorney-client communication is more difficult across state lines, and meaningful reintegration planning cannot occur effectively when individuals are geographically and culturally

removed from the community to which they will return. Most individuals incarcerated out-of-state will ultimately come home to Hawai'i. Successful transition planning must begin well before release and is most effective when conducted in-state.

Out-of-state incarceration also erodes accountability and transparency. Contracting with private, for-profit prisons monetizes incarceration and shifts core governmental responsibilities to entities whose financial incentives are misaligned with rehabilitation and public safety. Limited oversight creates risk that cost containment may occur through reduced staffing levels, diminished medical and mental health services, fewer educational and rehabilitative programs, and substandard living conditions. These conditions are directly linked to instability and poorer long-term outcomes.

This measure appropriately acknowledges that Native Hawaiians and other disproportionately impacted communities are overrepresented at every stage of Hawai'i's criminal legal system and are more likely to experience incarceration and out-of-state exile. The removal of Native Hawaiian individuals from their home, culture, and family compounds historical and intergenerational harm and runs counter to Hawai'i's constitutional values and commitments

HD 1 does not mandate an abrupt or impractical shift. Instead, it establishes a clear, phased approach: beginning July 1, 2029, the Director must return twenty-five percent of individuals incarcerated in private, out-of-state facilities to in-state facilities, followed by incremental annual reductions of five percent beginning July 1, 2031. This structured transition, combined with annual reporting requirements to the Legislature, promotes accountability while allowing DCR to responsibly expand in-state capacity, prioritize programming, and align resources.

This incremental framework reflects the recommendations of the House Concurrent Resolution No. 85 task force and reinforces the growing consensus that mass incarceration has not improved public safety and imposes immense fiscal and social costs without addressing the root causes of justice system involvement.

For these reasons, the Office of the Public Defender **supports** HB 1769, HD1.

Thank you for the opportunity to comment on this measure.



February 24, 2026

**TESTIMONY IN SUPPORT OF HB 1769 HD1  
Relating to Correctional Facilities**

**Committee:** House Committee on Judiciary & Hawaiian Affairs

**Hearing Date:** Wednesday February 24, 2026

**Time:** 2:00 pm

**Submitted by:** Brytni Kaleionaia K-aloha

**Position:** STRONG SUPPORT

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,,

My name is Brytni Kaleionaia K-Aloha, and I submit this testimony **in strong support of House Bill 1769 HD1 from the perspective of lived experience.**

This bill is a critical step toward keeping families together and ensuring that people from Hawai'i can transition back into their communities with dignity and support. For far too long, our loved ones have been sent thousands of miles away to private, out-of-state correctional facilities, separated from their 'ohana, culture, and homeland. HB 1769 HD1 provides a pathway to bring our people home. It allows individuals to serve their time in Hawai'i, without the added harm of exile. By returning incarcerated individuals to in-state facilities, we increase opportunities for family visitation, cultural connection, and community-based reentry planning. All of which are proven to reduce recidivism and support long-term stability. As someone from a justice-impacted family, I know firsthand how incarceration affects not just the individual, but entire generations. Keeping our people close to home matters. It matters for our keiki. It matters for our 'ohana. And it matters for the future of our lāhui. I respectfully urge the Committee to pass HB 1769 HD1.

Mahalo for the opportunity to testify,

A handwritten signature in black ink, appearing to read 'Brytni', written in a cursive style.

Brytni Kaleionaia K-aloha

Co-Executive Director of 'EkoLumea Nui



Committee: House Committee on Judiciary & Hawaiian Affairs  
Hearing Date/Time: Wednesday, February 25, 2026, at 2:00 PM  
Place: Conference Room 325 & Via Videoconference  
Re: **Testimony of the ACLU of Hawai'i providing  
COMMENTS on HB1769, HD1: Relating to Correctional  
Facilities**

Dear Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee:

The ACLU of Hawai'i (ACLU-HI) provides **comments on HB1769, HD1: Relating to Correctional Facilities**. This bill requires the Director of Corrections and Rehabilitation to incrementally reduce the number of individuals incarcerated in private, out-of-state correctional institutions and requires reports be made to the Legislature.

The current house draft outlines a required timeline for the Hawai'i Department of Corrections and Rehabilitation ("DCR") to return the number of incarcerated people in private, out-of-state correctional institutions to in-state correctional facilities. At the rate outlined and depending on how the 5% annual rate is calculated, it could take decades for those people to return to Hawai'i.

We believe it is necessary to end Hawai'i's relationship with private prison operators like CoreCivic now, which profit from the suffering of incarcerated individuals and have proven to repeatedly violate their legal rights. Currently, nearly 800 individuals in the custody of DCR are incarcerated at Saguaro Correctional Center ("Saguaro"), operated by CoreCivic (formerly CCA).<sup>1</sup>

Although CoreCivic owns and operates Saguaro, Hawai'i remains responsible for the health and safety of the people incarcerated there. The systemic harms that have occurred at Saguaro since its opening include incidents of violence, murders and deaths, allegations of unsafe drinking water, and lack of meaningful oversight and staffing that has led to issues with gang-related violence and solitary confinement.

CoreCivic's operation of Saguaro prison has created new problems for Hawai'i. Out-of-state transfers have directly resulted in the formation of bona fide security threat

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<sup>1</sup> Department of Corrections and Rehabilitation Weekly Population Report. January 26, 2026.  
<https://dcr.hawaii.gov/wp-content/uploads/2026/01/Pop-Reports-Weekly-2026-01-26.pdf>

groups,<sup>2</sup> gang-related violence,<sup>3</sup> and long-term solitary confinement<sup>4</sup> through its SHIP program. Additionally, issues of poor staffing and operation of the Saguaro prison put Hawai‘i individuals at risk. Hawai‘i remains responsible for its citizens in custody, even if they are held in a private facility away from home. We can no longer contract out core governmental responsibilities over community safety and individual rights.

Allowing for individuals to remain close to home is important to improving rehabilitative outcomes and allowing incarcerated individuals to remain connected to family, community, and ‘āina.<sup>5</sup> As Native Hawaiians are disproportionately overrepresented in the criminal legal system, it is essential to ensure that more are not further disconnected from their culture and genealogical connections.

In October 2024, ACLU of Hawai‘i sent a letter to DCR and CoreCivic demanding an investigation into allegedly contaminated and unsafe drinking water provided to the Hawai‘i individuals incarcerated at Saguaro prison.<sup>6</sup> We received reports from multiple individuals incarcerated at Saguaro that the facility’s drinking water has a foul taste and smell and is causing serious health problems, particularly for elderly individuals and those with preexisting medical conditions. Hawai‘i has a legal responsibility to ensure the safe and humane treatment of people incarcerated within their own jails and prisons, as well as out-of-state private prisons.

The track record of violent assaults and deaths that has accumulated at Saguaro aligns with compelling evidence that private prisons are far more dangerous to incarcerated individuals than government-run facilities. In 2016, the Department of Justice Office of the Inspector General (OIG) found “serious or systemic safety and security deficiencies at contract prisons,” including inmates being improperly housed in segregated units and a lack of strong oversight.<sup>7</sup> Ending private prison contracts will enable Hawai‘i to

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<sup>2</sup> Kaneya, R. (2017). *Nevada’s ‘Most Dangerous’ Intimates Move In Hawaii Prisoners*. Honolulu Civil Beat. <https://www.civilbeat.org/2017/11/nevadas-most-dangerous-inmates-move-in-with-hawaii-prisoners/>

<sup>3</sup> ACLU. (2012). *Family of a Second Hawaii Prisoner Murdered in Mainland Prison Files Suit Against State of Hawaii and Corrections Corporation of America*. ACLU of Hawaii. <https://www.aclu.org/press-releases/family-second-hawaii-prisoner-murdered-mainland-prison-files-suit-against-state>

<sup>4</sup> Terring, Tiana. (2020). *The research is clear: Solitary confinement causes long-lasting harm*. Prison Policy Initiative. [https://www.prisonpolicy.org/blog/2020/12/08/solitary\\_symposium/](https://www.prisonpolicy.org/blog/2020/12/08/solitary_symposium/) Also see: [https://assets.aclu.org/live/uploads/publications/stop\\_solitary\\_briefing\\_paper\\_updated\\_august\\_2014.pdf](https://assets.aclu.org/live/uploads/publications/stop_solitary_briefing_paper_updated_august_2014.pdf)

<sup>5</sup> The Native Hawaiian Justice Task Force Report. (2012). [https://www.oha.org/wp-content/uploads/2012NHJTF\\_REPORT\\_FINAL\\_0.pdf](https://www.oha.org/wp-content/uploads/2012NHJTF_REPORT_FINAL_0.pdf)

<sup>6</sup> <https://www.acluhi.org/en/press-releases/SaguaroDemandLetter>

<sup>7</sup> U.S. Department of Justice Office of the Inspector General. (2016). *DOJ OIG Releases Report on the Federal Bureau of Prisons’ Monitoring of Contract Prisons*. <https://oig.justice.gov/news/doj-oig-releases-report-federal-bureau-prisons-monitoring-contract-prisons>

better protect its incarcerated individuals from the harms that have arisen at the Saguaro facility.

Mahalo for the opportunity to testify.

Sincerely,

**Donavan Kamakani Albano**

Donavan Kamakani Albano

Policy Fellow

ACLU of Hawai'i

[dalbano@acluhawaii.org](mailto:dalbano@acluhawaii.org)

*With more than 4,000 Hawaii-based members, the mission of the American Civil Liberties Union of Hawai'i is to protect the fundamental freedoms enshrined in the United States and Hawai'i State Constitutions through legislative, litigation, and public education work. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving our communities in Hawai'i for over 60 years.*

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February 24, 2026

**Support for HB1769, HD 1 – Relating to Correctional Facilities**

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Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

My name is Jamee Mahealani Miller, Co-Executive Director of 'Ekolu Mea Nui, and I strongly support **HB1769**, which requires the Department of Corrections to incrementally reduce the number of people held in private, out-of-state prisons.

Returning our people home matters. Hawai'i has unused capacity at Kūlani Correctional Facility on Hawai'i Island and Waiawa Correctional Facility on O'ahu. Yet instead of using these facilities to expand access to programs, treatment, education, increased time outdoors, and meaningful rehabilitation, the State continues to incarcerate people at Saguaro Correctional Center in Arizona thousands of miles away from their 'ohana and support systems.

This practice deepens harm, particularly for Native Hawaiians, by severing relationships to family, culture, and 'āina connections that are essential to accountability, healing, and successful reentry.

**HB1769** is an important step toward ending this harmful practice and investing instead in data-driven reforms, pu'uhonua, and culturally grounded approaches that center health, wellness, healing, and community safety.

Mahalo for the opportunity to submit testimony in strong support of **HB1769**. I respectfully urge the Committee to pass this measure.

Me ka ha'aha'a,

*Jamee Mahealani Miller*

**Dr. Jamee Mahealani Miller**

Co-Executive Director

'Ekolu Mea Nui

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**HB-1769-HD-1**

Submitted on: 2/24/2026 10:42:09 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
euel ray kaleihau kamaau	Ohana Hoʻopakele	Support	Remotely Via Zoom

Comments:

**Aloha mai kākou, Chair David Tarnas, Vice-chair Mahina Poepoe, and members of the House Committee on Judiciary and Hawaiian Affairs..**

**My name is Euel Ray Kaleihau Kamaau. I am vice-president of Ohana Ho`opakele, a Hilo-based, non-profit organization formed in 1999 with Kūpuna concerned about the disproportionate number of Kanaka `Ōiwi incarcerated in Hawai'i's Criminal Justice system. I want to thank you all for giving light to this important piece of legislation and for the opportunity to testify here today.**

**I am in full support of HB 1769 HD1, Relating to Correctional Facilities.**

**Ohana Ho`opakele has been a regular participant in the monthly Hawaii Correctional System Oversight Commission hearings. We regard highly this oversight commission formed by this legislative body with its fine commissioners and staff. We have consistently testified in favor of being a part of creating a restorative justice system in Hawai'i and finding ways of bringing our incarcerated ohana home near family and support systems. Data shows how family and community ties are conducive to rehabilitation which interpret into a successful reintegration conversely having a substantial positive impact on Native Hawaiian and Pacific Islander communities who are disproportionately impacted by incarceration in Hawai'i.**

**Mahalo again for this opportunity to testify in support of HB 1769 HD1. Aloha.**



## TESTIMONY OF HAWAI'I FRIENDS OF RESTORATIVE JUSTICE IN STRONG SUPPORT OF HB 1769 HD1

Relating to Correctional Facilities — Ending Out-of-State Private Imprisonment

[Hawai'i Friends of Restorative Justice \(HFRJ\)](#), founded in 1980 to serve youth and families in Honolulu's family court, submits this testimony in strong support of HB 1769 HD1. This bill takes a necessary and overdue step: requiring the Department of Corrections and Rehabilitation (DCR) to incrementally return Hawai'i people from the Saguaro Correctional Center, a for-profit CoreCivic prison in the Arizona desert, back to their home state.

### **The Human Cost of Exile**

Approximately one quarter of all people incarcerated by Hawai'i are held at Saguaro, thousands of miles from their 'ohana, land, and culture. The state spends over \$60 million annually on this contract; money that flows to a publicly traded corporation (NYSE: CXW) with incentives to cut costs, not rehabilitate people. A [2025 Prison Journalism Project investigation](#) documented how Hawai'i prisoners at Saguaro are subjected to differential treatment, prolonged solitary confinement through the "SHIP" behavior modification program, and price gouging at the commissary, 200–300% above normal retail prices. In October 2024, Soosoo Motu, 36, died by apparent suicide while held in administrative segregation at Saguaro. He was serving ten years for robbery. He deserved better.

### **Out-of-State Incarceration Undermines Public Safety**

Research shows family connection and community ties are among the strongest predictors of successful reentry and reduced recidivism. Hawai'i's own recidivism rate hovers near 50%, one of the highest in the nation. Sending people thousands of miles away severs the very supports, family, culture, and community, that increase desistance.

### **Racial and Cultural Harm**

Native Hawaiians are disproportionately represented in the prison system and disproportionately sent to the mainland. Exile from 'aina, 'ohana, and ʻōlelo Hawai'i is not a side effect of this policy, it is the policy. It compounds the intergenerational harm already caused by colonization and the erosion of self-determination. The ACLU of Hawai'i, which testified in support of similar legislation last session, notes that CoreCivic's operation of Saguaro has directly contributed to gang formation, gang-related violence, and the spread of diseases not found in Hawai'i. Accountability is structurally impossible when a for-profit company in another state controls the conditions of confinement for our people.

### **A Phased, Responsible Transition**

HB 1769 HD1 does not demand an overnight change. It requires 25% of out-of-state prisoners be returned by July 1, 2029, and a 5% annual reduction thereafter, a measured, manageable plan that gives DCR time to expand in-state capacity while honoring its rehabilitative mission. This is exactly the kind of phased, evidence-based reform that HFRJ supports: practical, accountable, and grounded in the values of healing and community.

We urge the committee to pass HB 1769 HD1. Our people belong home. Mahalo for the opportunity to testify.

Lorenn Walker, JD, MPH  
Director, Hawai'i Friends of Restorative Justice  
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**HB-1769-HD-1**

Submitted on: 2/24/2026 11:49:45 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ronald Fujiyoshi	Ohana Ho`opakele	Support	Written Testimony Only

Comments:

Aloha members of the Committee on Judiciary & Hawaiian Affairs in the State of Hawai‘i House of Representatives.

My name is Ronald Fujiyoshi, treasurer of the Ohana Ho`opakele.

Ohana Ho`opakele wants to express strong support for HB1769 H.D. 1 Relating to Correctional Facilities which requires the director to incrementally reduce the number of people held in private out-of-state prisons.

Our organization has been supporting the leadership in Saguaro Correctional Center in Eloy, AZ at their last Opening and Closing Makahiki observances. We can do this because we have been in contact with the leadership within Saguaro planning these activities.

Some of the leaders have sentences of Life Without Parole. Some of them were serving their sentences at the Kulani Correctional Facility on Hawai‘i Island before being transferred to Saguaro. Many would choose to return to Kulani Correctional Facility if given the opportunity.

Right now there are only about 80 pa`ahao at Kulani with bed space for at least 180. We should save a lot of money by allowing these pa`ahao to return to Hawai‘i and be housed at Kulani while saving the State of Hawai‘i much needed funds.

This is only one specific example of how HB1769 H.D. 1 can be implemented if passed,

Ohana Ho`opakele strongly urges your committee to pass HB1769 H.D.1.

Mahalo for the opportunity to testify on this important bill!

# COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/E-Mail: [\(808\) 927-1214](tel:(808)927-1214) / [kat.caphi@gmail.com](mailto:kat.caphi@gmail.com)

*Today's Inmate; Tomorrow's Neighbor*



## COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Representative David Tarnas, Chair

Representative Mahina Poepoe, Vice Chair

Wednesday, February 25, 2026

8:30 am

Room 411 and VIDEOCONFERENCE

### **SUPPORT FOR HB 1769 HD1 - REDUCING THE NUMBER OF OUR PEOPLE EXILED TO PRISONS OUTSIDE OF HAWAII**

Aloha Chair Tarnas, Vice Chair Poepoe and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai'i for almost three decades. This testimony is respectfully offered on behalf of the 3,669 Hawai'i individuals living behind bars<sup>1</sup> and under the "care and custody" of the Department of Corrections and Rehabilitation on February 16, 2026. We are always mindful that 797 of Hawai'i's imprisoned male population are serving their sentences abroad -- thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

Community Alliance on Prisons appreciates the opportunity to express our **support for HB 1769 HD1** that requires the Director of Corrections and Rehabilitation to incrementally return committed felons incarcerated in private, out-of-state correctional institutions to in-state correctional facilities. Requires reports to the Legislature. Effective 7/1/3000. (HD1)

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<sup>1</sup> DCR Weekly Population Report, February 16, 2026

[Pop-Reports-Weekly-2026-02-16.pdf](#)

**COMMUNITY ALLIANCE ON PRISONS PREFERS THAT HAWAII CANCEL THE CONTRACT WITH THE SAGUARO CORPORATE PRISON IN ELOY ARIZONA WHERE TOO MANY PEOPLE HAVE DIED DUE TO NEGLIGENCE OR CORPORATE POLICY.** This is because of the way that the contract is written by the Office of the Attorney General.

According to our people exiled at Saguaro, Hawai'i's contract is more punitive than the contracts CoreCivic has with Idaho and Montana. We even received a report that the Contract Monitor from another state intervened when the Hawai'i Contract Monitor, Jennifer Bechler, was being especially harsh toward our people. Hawai'i has taken a 'hands off' approach to how our people are treated (or mistreated) there and they let Ms. Bechler do whatever she wants, which amounts to retaliating against our people when they assert their constitution rights regarding freedom of religion and medical care.

Despite the DCR Director's reluctance, there is ample room in two Hawai'i prisons. As of February 16, 2026 the Weekly Population Report clearly states that **Kulani Correctional Facility with an operational capacity of 200, has 79 people, an operational rate of 39.5% and Waiawa Correctional Facility with an operational capacity of 334, has 171 people, an operational capacity of 51.2%.**

What is going on???

Each person there is a human being with people who love them. Please exercise the care and concern that DCR lacks.

Please pass HB 1769 HD1 and take control of an out-of-control correctional system that is in serious crisis. Too many deaths at Saguaro - both natural and by suicide.

**HAWAII CAN AND MUST DO BETTER!**

Mahalo for this opportunity to share our deep concerns about contracting with profiteers who care little for our people.



**HB-1769-HD-1**

Submitted on: 2/23/2026 5:07:43 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Colleen Rost-Banik	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Belatti, Vice Chair Iwamoto and members of the Public Safety Committee,

My name is Colleen Rost-Banik and I urge you to support HB1769, which requires the Director of Corrections and Rehabilitation to incrementally reduce the number of people incarcerated in out-of-state, for-profit prisons.

Currently the State of Hawai'i has about 800 people incarcerated at Saguaro Prison in Arizona. It is time to bring our neighbors home, closer to family and loved ones. Instead of relying on for-profit prisons, we could house them at other DCR facilities with empty beds or release them into community-based programming. Partnering with out-of-state, for-profit prisons is not the answer.

I understand that DCR is concerned about how to manage an increased population if this bill is to pass, but I encourage us to think about how passage of HB1769 provides the opportunity for ALL OF US (the Legislature, the Courts, our county police departments, the Department of Corrections and Rehabilitation, and the public at large) to consider better diversion strategies that would significantly decrease the amount of people who are incarcerated in the first place.

I respectfully request that you support HB1769.

Mahalo for your consideration.  
Colleen Rost-Banik, PhD  
Instructor of Sociology  
University of Hawai'i, Mānoa

To: Representative David A. Tarnas, Chair  
Representative Mahina Poepoe, Vice Chair  
Committee on Judiciary & Hawaiian Affairs

From: Veronica Moore, Individual Citizen

Date: February 24, 2026

RE: House Bill 1769 HD1  
Measure Title: RELATING TO CORRECTIONAL FACILITIES.  
Report Title: Corrections; Private, Out-of-state Prisons; Return to In-state  
Correctional Facilities; Reports

To All Concerned,

My name is Veronica Moore and I support House Bill 1769 HD1. Thank you for your consideration.

Sincerely,

Veronica M. Moore

**HB-1769-HD-1**

Submitted on: 2/24/2026 8:18:40 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Carolyn Eaton	Individual	Support	Written Testimony Only

Comments:

Aloha, Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

My name is Carolyn Eaton. I am a resident of Honolulu, and in strong support of this measure, I urge its passage.

For every person the Department of Corrections and Rehabilitation ships away from Hawai'i, there is a family, there may be children and parents, and there are attachments of friendship, which are shattered. The State must do everything in its power to find beds for the citizens of Hawai'i now delivered from its own care into the hands of distant "mercenaries," where our oversight is ineffective. Those who endure, suffer terribly at Saguaro.

With proper distribution here in-state, the Department of Corrections and Rehabilitation could accommodate the gradual return of these people to the vicinity of their loved ones, in a word, home.

This can begin happening as soon as you insist it does. Let it begin this year.

Mahalo for your consideration of this daily experience of too many of our people, for your devotion to all Hawai'i's people and wise use of your authority.

**HB-1769-HD-1**

Submitted on: 2/24/2026 8:53:54 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lisa Darcy	Individual	Support	Written Testimony Only

Comments:

Full Support HB1769 HD1

Aloha Chair Tarnas, Vice Chair Poepoe and Valuable committee members,

Mahalo for seeing this through. My name is Lisa Darcy and I live in Kula, Maui, HI. I work with many incarcerated residents and in the conditions which surround their recovery and rehabilitation. Recovery and rehabilitation are not necessarily interchangeable, and this bill moves in the direction which understands the importance of challenging past conceptions.

The facts are people recover and their rehabilitation is shortened when they have their support team face-to-face. The human condition requires this and when it is severed, not only is it financially costly to all involved, but it is also damaging to their recovery and rehabilitation. With added measures for accountability, we are finally turning a corner which heals these community members.

The legislation you are considering provides vast opportunities which are severed when support systems are eliminated. May this committee be guided by providing more opportunities for the local communities to be involved in returning ohana's hope which has long been absent from this cold process.

With much appreciation for moving this long-needed legislation forward,

Lisa Darcy

**HB-1769-HD-1**

Submitted on: 2/24/2026 9:42:17 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Paul Carter	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice-Chair and Committee members,

I want to urge you to support and pass this bill. It is so important for the rehabilitation, health and well being of both the prisoners and our communities, their families and our state to have local people held here where their families are. Thank you for listening

Mahalo nui

Dr. Paul Carter

201 River RD, Wailuku, HI 96793

**HB-1769-HD-1**

Submitted on: 2/24/2026 11:01:10 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kristen Young	Individual	Support	Written Testimony Only

Comments:

Aloha, please support HB 1769, which requires the Director of Corrections and Rehabilitation to incrementally return committed felons incarcerated in private, out-of-state correctional institutions to in-state correctional facilities.

We should not be sending our people away to other places, taking them out of community. Their best chance for healing and rehabilitation is to remain rooted in their community. Hawai'i should not export our people nor outsource solutions.

Mahalo,

Kristen Young  
Honolulu, HI 96813

**HB-1769-HD-1**

Submitted on: 2/24/2026 11:04:04 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Stacey Moniz	Individual	Support	Written Testimony Only

Comments:

I support the humane treatment of our incarcerated family and friends. It is not humane to be carted off like livestock and taken away from family, friends, and support networks. I believe that falls into the cruel and unusual punishment category and we can do so much better here in Hawaii.

Mahalo,  
Stacey Moniz

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair

Rep. Mahina Poepoe, Vice Chair

HEARING:

Wednesday, February 25, 2026 at 2:00 pm

Conference Room 325 and Via Videoconference

State Capitol

**TESTIMONY IN SUPPORT OF HB 1769, HD1 RELATING TO CORRECTIONAL FACILITIES.**

Aloha Chair Tarnas, Vice Chair Poepoe, Rep. Cochran of Maui, and Members of the Committee,

My name is Christine Andrews and I am a lawyer licensed for over 25 years in the state of Hawai'i. I write you today in **strong support of HB 1769, HD1**, Relating to Correctional Facilities, which requires the Director of Corrections and Rehabilitation to incrementally return committed felons incarcerated in private, out-of-state correctional institutions to in-state correctional facilities, and requires reports to the Legislature.

While I appreciate the previous comments from the Department of Corrections and Rehabilitation on this bill, I do not feel that they are sufficiently solutions-based. It is important for the Committee to recognize the structural inequities of our current system. Native Hawaiians make up the highest percentage of people incarcerated in out-of-state facilities.<sup>1</sup> Incarcerating community members thousands of miles away separates them from family, community, and the land. This separation causes harmful cultural disconnection and family disruption. It also undermines culturally appropriate rehabilitation and reintegration efforts.

While in-state facility capacity is limited, a substantial portion of people in custody are held pretrial or are primarily impacted by substance use and mental health needs that would better be served outside our correctional system. What is needed is not mainland incarceration, but investment in diversion, treatment, reentry support, and fair sentencing measures that safely reduce correctional populations over time. As a community we must invest in reentry services, treatment, diversion, and proportional sentencing rather than overly punitive approaches that increase prison and jail populations without improving public safety. I **strongly support HB1769, HD1** and its phased reduction timeline which pairs population reduction with practical time for capacity planning and system reform.

I appreciate your time considering this measure and **respectfully request that you vote in support of HB 1769, HD1.**

Mahalo,

Christine Andrews, JD

Wailuku, Maui

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<sup>1</sup> Office of Hawaiian Affairs, The Disparate Impact of Native Hawaiians in the Criminal Justice System (2010), available at [http://www.oha.org/wp-content/uploads/2014/12/ir\\_final\\_web\\_rev.pdf](http://www.oha.org/wp-content/uploads/2014/12/ir_final_web_rev.pdf)



**Carrie Ann Shiota**  
**Attorney at Law**

House Committee on Judiciary & Hawaiian Affairs  
Rep. David Tarnas, Chair  
Rep. Mahina Poepoe, Vice Chair  
Wednesday, February 25, 2026  
2:00 P.M.  
Conference Room 325

### **Support for HB1769 HD1 Relating to Correctional Facilities with Amendments**

Dear Chair Tarnas, Vice Chair Poepoe and Committee Members:

My name is Carrie Ann Shiota. I am an attorney and justice advocate submitting testimony in strong support of **H.B. 1769 HD1 Relating to Correctional Facilities with proposed amendments**. This vital measure mandates an important public policy, mandating the Director of Corrections and Rehabilitation (DCR) to systematically reduce the number of individuals incarcerated in private, out-of-state correctional institutions. Additionally, this bill requires DCR to submit regular reporting to the Legislature.

#### ***Historical Context to Out-of-State Transfers to Private-For-Profit Prisons***

Hawai'i has earned the dubious distinction of exporting the largest percentage of its prison population to out-of-state private prisons. What began as a "temporary" transfer of 300 prisoners to private prisons in Texas, has evolved into 30 years of a harmful policy with no end in sight.<sup>1</sup> As coined by the late Justice Thurgood Marshall of the U.S. Supreme Court, Hawai'i has "banished" our people to private prisons in Arizona, Colorado, Kentucky, Minnesota, Mississippi, New Mexico, Tennessee and Oklahoma.

Today, the State of Hawai'i contracts with CoreCivic (formerly known as Corrections Corporation of America) to incarcerate nearly 800 people at Saguaro prison in Arizona, documented in the [January 26, 2026, DCR's Weekly Population Report](#). This practice separates families and communities, and for Native Hawaiians, separates them from ancestral lands, which is inextricably tied to cultural identity, health and healing.

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<sup>1</sup>[Testimony of Carrie Ann Shiota](#) relating to a Public Hearing on Prison Privatization in Arizona, dated October 27, 2020 (outlining the problems associated with prison privatization and interstate prisoner transfers based on Hawai'i's experience with banishment).

This tragic reliance on the exportation of our people to for-profit prisons has become DCR's default status quo, undermining data-driven reforms to safely decarcerate our incarcerated population and return our people home. The continuation of this policy is actively supported by CoreCivic's lobbyists in Hawai'i who work to ensure the Hawai'i renews these lucrative contracts, and to position this corporation for proposed public-private partnerships to expand jails and prisons.

### ***Upholding Hawaii's Legal Duty: The Dangers and Risks Associated with Out-of-State Private Prison Transfers***

Hawai'i has a legal responsibility to ensure the safe and humane treatment of people incarcerated within their own jails and prisons, and out-of-state private prisons.

Hawaii's track record of violent assaults, gang activity and deaths that has accumulated at Saguaro prisons aligns with compelling evidence that private prisons are far more dangerous to incarcerated individuals than government-run facilities.

Prison privatization advocates argue that bad things happen in public and private prisons. Indeed, that is true. However, as outlined in ACLU of Hawaii's prior testimony in support of [HRC 153](#) that passed in 2025, prior studies confirm the following:

- In 2016, the DOJ found private prisons more dangerous than public prisons, noting that private prisons have higher assault rates and 50% more incidents of illicit weapons.
- Private prisons have higher levels of escapes, disturbances, and drug use. These elevated risks impact both incarcerated people and staff.
- Private prisons also have higher levels of operational problems and a comparative lack of inmate programs, such as educational, vocational, and counseling programs, which lead to inmate idleness and a lack of preparation for reentry.
- Private prisons have long-term hidden costs estimated to be 20- 30% above per diem costs (increased liability, increased worker compensation costs, increased law enforcement costs that are due to escapes).

Reducing the number of people at Saguaro is an important step to ending Hawaii's contracts with private for profit corporations. This will enable Hawai'i to invest in systemic reforms within Hawaii's criminal legal system relating to diversion, pretrial fairness, ending cash bail, sentencing, and probation and parole supervision, instead of spending public dollars to enrich the CoreCivic corporation in Tennessee and its shareholders.

## ***Hawai'i Underutilizes Strategies to Reduce Incarceration and Out of State Transfers to Private For Profit Prisons***

Hawai'i has failed to fully embrace and implement data-drive strategies to reduce the incarcerated population at different entry points into the criminal legal system, and return people home from private-for-profit prisons.

Below, is a sampling of Task Force Reports containing numerous, yet largely unimplemented recommendations to improve the criminal legal system and ultimately reduce the number of people in our carceral system, including those transferred to out-of-state private prisons.

- Hawai'i has failed to implement the majority of recommendations in the [Pretrial Task Force Report \(2018\)](#).
- Hawai'i has failed to implement the majority of recommendations in the [H.C.R. 85 Task Force Report On Prison Reform \(2018\)](#).
- Hawai'i has failed to implement the recommendations in [The Native Hawaiian Justice Task Force Report \(2012\)](#).
- The Hawai'i Judiciary opposed bills to reform the probation system that would have reduced the average length of time under probation supervision and the number of probation revocations. [SB2514/ HB2344 Relating to Probation \(2022\)](#).
- The Hawai'i Paroling Authority opposed bills to reform the parole system that would have reduced the number of parole violations. See [SB2512/ HB2342 Relating to Parole \(2022\)](#).

## ***DCR Erroneously Asserts They Would Have Returned People in Out-of-State Prisons Long Ago "But for the Lack of Space in Hawaii's Correctional Facilities."***

The Department of Corrections has repeatedly asserted in past written and oral testimony that the use of private, out-of-state prisons is unavoidable due to "the lack of space in its correctional facilities in which to house them, including the lack of appropriate rehabilitation programs for these inmates."<sup>2</sup>

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<sup>2</sup>[https://www.capitol.hawaii.gov/sessions/Session2025/Testimony/HCR153\\_TESTIMONY\\_PSM\\_04-11-25\\_PDF](https://www.capitol.hawaii.gov/sessions/Session2025/Testimony/HCR153_TESTIMONY_PSM_04-11-25_PDF) (page 1).

However, DCR’s own population reports directly contradict this assertion, confirming underutilization or “empty beds” at Kūlani prison on Hawai’i island, Waiawa prison on O’ahu, and the Maui and Kaua’i jails.

**DEPARTMENT OF CORRECTIONS AND REHABILITATION WEEKLY POPULATION**  
**REPORT Date: January 26, 2026**

<b>Correctional Facility</b>	<b>Design Capacity</b>	<b>Operational Capacity</b>	<b>Current Total</b>
Kūlani Prison	200	200	82 (118 empty beds)
Waiawa Prison	294	334	169 (165 empty beds)
MCCC Jail (MCCC)	209	301	209 (92 empty beds)
Kauai Jail (KCCC)	110	128	76 (52 empty beds)
Saguaro Prison Arizona	1,896 to 2,000 beds	?	799 (24 Parole Violations)

**Total Number of People at Saguaro Prison in Arizona: 799**

**Total Number of Empty Prison/Jail Beds in Hawai’i: 427**

**Difference in the Total Number of People at Saguaro vs. Empty Beds in Hawai’i: 372**

Moreover, the Oversight Commission’s consistent reports confirm that work furlough programs under the control of DCR are systemically underutilized. Compounding this issue, DCR has failed to expand contracts with community-based work furlough programs operated by non-profit organizations despite research demonstrating more successful reintegration outcomes and lower recidivism rates from these programs.

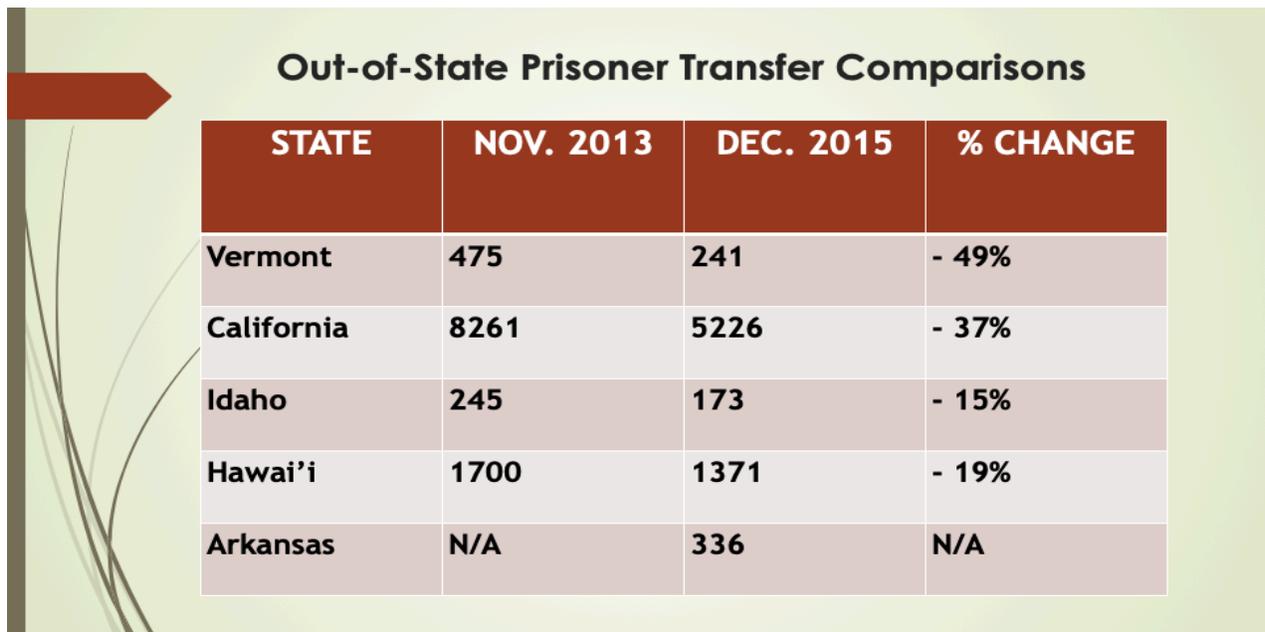
***Hawai’i Out-of-State Transfers Over 30 Years***

<b>Hawai’i</b>	<b>1995</b>	<b>2005</b>	<b>2008</b>	<b>2015</b>	<b>2020</b>	<b>2025</b>
	300	1780	2014	1371	999	799

As the data shows, Hawai’i has reduced the number of people transferred to out-of-state private prisons. However, we need to set robust requirements for the

Department of Corrections to follow this mandate, and work collaboratively with other state systems to divert more people from our jails and prisons that would be better served with community based infrastructure and care.

***Other States Have Reduced Out-of-State Prison Transfers***



STATE	NOV. 2013	DEC. 2015	% CHANGE
Vermont	475	241	- 49%
California	8261	5226	- 37%
Idaho	245	173	- 15%
Hawai'i	1700	1371	- 19%
Arkansas	N/A	336	N/A

While Hawai'i has reduced out-of-state transfers, it has not reduced it to rates comparable to other states - such as Vermont and California. Significantly, California has ended operations in all out-of-state facilities and has exited all for-profit contract prisons, in line with Governor Gavin Newsom's commitment to reduce the state's reliance on out-of-state and private prisons. <https://www.cdcr.ca.gov/prison-closures/>

**Proposed Amendments**

I respectfully urge this Committee to pass this vital measure, including the proposed amendments detailed below.

1. Amend Section 2 (2) as follows to include more specific benchmarks for Department of Corrections to incrementally return people in out-of-state prisons to in-state prisons.

SECTION 2. Section 353-16.2, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

- (2) In the interest of the inmate[-];

(2) In the interest of the inmate[-];

provided further that beginning on July 1, 2026, the director shall return **five per cent** of the number of committed felons incarcerated in private, out-of-state correctional institutions to in-state correctional facilities; provided further that beginning on July 1, 2027, the director shall return **ten per cent** of the number of committed felons incarcerated in private, out-of-state correctional institutions to in-state correctional facilities in that year; provided further that beginning on July 1, 2028, the director shall return **fifteen percent** of the number of committed felons incarcerated in private, out-of-state correctional institutions to in-state correctional facilities in that year; provided further that beginning on July 1, 2029 to July 1, 2030, the director shall annually return **ten percent** of the number of committed felons incarcerated in private, out-of-state correctional institutions to in-state correctional facilities in that year.

**STRIKE HD1 Section 2 (2)**

~~Provided further that beginning on July 1, 2029, the director shall return twenty five per cent of the number of committed felons incarcerated in private, out of state correctional institutions to in state correctional facilities; provided further that beginning on July 1, 2031, the director shall annually return five per cent of the number of committed felons incarcerated in private, out of state correctional institutions to in state correctional facilities in that year.~~

2. Remove the word “inmate” from this bill and eventually replace all state laws with the term “incarcerated individual” or “incarcerated person.”

- **Purpose:** To reduce the stigma associated with the criminal justice system, promote rehabilitation, and emphasize the humanity of people in jails and prisons.
- **Precedence:** A few States have enacted legislation to remove the term "inmate" from state laws and regulations, replacing it with person-first language such as "incarcerated individual" or "incarcerated person."
  - **New York** passed legislation (S. 3332/A. 3295 and A. 9273/S. 8216) in 2021 and 2022 that removed the word "inmate" from state laws, replacing it with "incarcerated individual" or "incarcerated person".
  - **Maryland** passed Senate Bill 0293 in 2023, which officially changed the term "inmate" to "incarcerated individual" in state regulations, defining it as an individual who is actually or constructively detained or confined in a correctional facility.
  - As of April 2023, **Governor Gavin Newsom of California's** administration began replacing terms like "inmate" with "incarcerated person" and "parolee" with "supervised person."

Mahalo for your consideration and for the opportunity to submit testimony in strong support of **H.B. 1769 HD1 Relating to Correctional Facilities**. **H.B. 1769 HD1** will codify an important public policy for Hawai'i to reduce and eventually end its detrimental 30-year reliance on out-of-state private prison corporations. By mandating a reduction in transfers, we invest in systemic reform, uphold our legal duties and ensure that accountability and rehabilitation - not corporate profit - are the guiding principles of our justice system. Returning incarcerated individuals closer to home is essential for strengthening family, community, 'aina and cultural ties, which are crucial for successful reintegration and reduced recidivism.

Sincerely,

*Carrie Ann Shirota*

Carrie Ann Shirota, Esq.  
Honolulu, Hawaii

**HB-1769-HD-1**

Submitted on: 2/24/2026 6:22:36 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Councilmember Tamara Paltin	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair and members,

My name is Tamara Paltin and I am in support of ending the practice of exporting Hawaii citizens to private for profit prisons on the US continent.

Mahalo for your service to our communities,

Tamara Paltin

**HB-1769-HD-1**

Submitted on: 2/24/2026 6:58:23 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lilian Miwa Maher	Individual	Support	Written Testimony Only

Comments:

Stop spending tax money to send inmates to private, out of state prisons!