

Honolulu, Hawaii

MAR 06 , 2026

RE: H.B. No. 1769  
H.D. 2

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1769, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES,"

begs leave to report as follows:

The purpose of this measure is to require the Director of Corrections and Rehabilitation to incrementally return committed felons incarcerated in private, out-of-state correctional institutions to in-state correctional facilities.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Office of the Public Defender; Hawai'i Correctional System Oversight Commission; 'Ekolu Mea Nui; Ohana Ho'opakele; Hawai'i Friends of Restorative Justice; Community Alliance on Prisons; and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Corrections and Rehabilitation. Your Committee received comments on this measure from the American Civil Liberties Union of Hawai'i.

Your Committee finds that Hawaii's long-standing reliance on private, out-of-state correctional facilities has separated incarcerated individuals from their families, culture, and support systems, resulting in increased trauma and barriers to rehabilitation. Your Committee further finds that these transfers



reduce transparency and accountability while disproportionately harming Native Hawaiians and other communities already overrepresented in the criminal legal system. Your Committee believes that gradually ending the use of out-of-state private prisons and returning individuals to facilities within Hawaii will strengthen rehabilitation, support family connections, and advance a more just and community-based correctional system.

Your Committee has amended this measure by:

- (1) Further clarifying the process of reducing the number of committed felons incarcerated in private, out-of-state correctional facilities and transferring them to in-state correctional facilities;
- (2) Codifying the Department of Corrections and Rehabilitation's reporting requirement to the Legislature regarding the process identified in paragraph (1); and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1769, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1769, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



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DAVID A. TARNAS, Chair



