



DEPARTMENT OF PUBLIC SAFETY
REPORT TO THE 2011 LEGISLATURE

ACT 8 (2007)

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

December 2010

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 correctional facilities on the mainland within one year of their parole or release date. The PSD has implemented screening mechanisms to ensure that qualified inmates are returned to our state 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 2009 to October 2010, a total of 912 inmates met the timeframe of being within one year of their parole or release date. As of September 2010, PSD brought 461 out of 912 qualified inmates back to Hawaii for parole or work furlough participation. There are approximately 76 qualified inmates that meet the requirement of this Act that remain on the mainland and will be eligible to return on PSD's next mass inmate movement.

The following information accounts for the balance of inmates that have not been returned in 2010:

- 1) Non-compliance in programs (i.e. refuse programs, termination of programs);
- 2) High/greatest category misconducts within last 18 months;
- 3) Escape history within past 7 years that precludes reclassifying to and/or housing in a minimum custody correctional facility;
- 4) Detainers (i.e. Immigration, Federal, State) that precludes minimum reclassifying to and/or housing in a minimum custody correctional facility;
- 5) Refuse to participate in work furlough programs; prefer to max out; and
- 6) Refuse to participate in work furlough programs; pending parole release to another state other than Hawaii (Interstate Compact).

Although, both bed and program space in our state correctional facilities are very limited, PSD has maintained a proactive approach to returning inmates back to Hawaii in a timely manner and strives to achieve the goals and objectives of Act 8. If beds are temporarily unavailable in our state correctional facilities, qualified inmates returning from the mainland may be housed at the Honolulu Federal Detention Center until a work furlough bed or other program space becomes available. This provides PSD the flexibility to return additional qualified inmates to Hawaii who have committed themselves to their rehabilitation and successful reentry to society.

The PSD will continue its proactive approach to return its qualified inmates back to Hawaii within one year of their tentative parole date (TPD).