



DEPARTMENT OF PUBLIC SAFETY

**RESPONSE TO
ACT 177, SECTION 4, SUBSECTION 26
SESSION LAWS OF HAWAII 2002**

DECEMBER 2002

BACKGROUND

Because of overcrowding in Hawaii's correctional facilities, the Legislature funded the transfer of up to 1,200 Hawaii inmates to various private correctional institutions across the country. Additionally, the 2001 Hawaii State Legislature provided funds to house up to 80 inmates at the Hawaii-based Federal Detention Center (FDC) or to mainland facilities to lessen overcrowding at the Oahu Community Correctional Center (OCCC).

In FY 2001-2002, the Department contracted with three facilities in two states to house Hawaii inmates. Male inmates were housed at the Diamondback Correctional Facility in Watonga, Oklahoma and the Florence Correctional Center in Florence, Arizona. The housing cost for these facilities was \$50 per day, per inmate. Female inmates were housed at the Central Oklahoma Correctional Facility in McLoud, Oklahoma. The cost of housing was \$47.90 per inmate, per day.

Per day costs for out-of-state facilities do not include the following:

1. Certain medical expenses;
2. Routine transportation of inmates to and from Hawaii;
3. Transportation of inmates to and from Hawaii under special circumstances;
4. Cost of wages for work done by inmates (inmate compensation); and
5. Cost of videoconferencing.

An Expenditure Report for Out-of-State Inmates for FY 2001-2002 is attached for reference.

In contrast, the current cost for an inmate housed at the Hawaii-based FDC is \$91.81 per day, per inmate. Hawaii inmates were first accepted for housing at the FDC in January 2001. Because federal law requires that the FDC accept only convicted inmates, the Department transferred inmates who were convicted, but not yet sentenced. This agreement with the FDC has helped to keep the population levels at OCCC at an average of 1,000 to 1,100. On June 30, 2002, there were 66 male inmates and 6 female inmates housed at the FDC.

The number of inmates transferred to the FDC during FY 02 averaged between 76 and 91 inmates. From January 2002 to June 2002, the Department expended \$1,232,457 for the use of FDC beds. Broken down by month, these expenditures were:

January 2002	\$ 126,789.61
February 2002	219,425.90
March 2002	233,105.59
April 2002	216,120.74
May 2002	240,266.77
June 2002	<u>196,748.83</u>
TOTAL	<u>\$1,232,457.44</u>

If all cost factors remain constant, it is more cost-effective for Hawaii inmates to be transferred out-of-state rather than remain at the FDC. However, due to Hawaii's changing inmate

population, the selection criteria for out-of-state placement may limit the number of inmates eligible for mainland transfers.

The criteria used for mainland transfers include the requirements of the receiving facility. For example, the State of Oklahoma limits Hawaii from sending the following type of inmates:

- Persons convicted of sex offenses;
- Persons convicted of escape in the first degree;
- Persons convicted of murder in the first degree;
- Persons classified higher than medium custody.

Additionally, the State of Hawaii considers the following factors when reviewing eligible Hawaii inmates for out-of-state placement:

- An inmate's time left to serve;
- Pending charges or appeals;
- Extraditions pending;
- Physical or mental health issues to be resolved that may affect an inmate's ability to function within a normal range;
- Inmate's history of program participation, such as refusal to participate in recommended treatment programs, especially substance abuse treatment and sex offender treatment.

This report is submitted to the Legislature as required by Act 177, Section 4, subsection 26, Session Laws of Hawaii 2002.

**EXPENDITURE REPORT FOR OUT-OF-STATE INMATES
FY 2001-2002**

FACILITY	HOUSING	MEDICAL	WAGES	TRANSPORT	SITE INSP.	MISC	OTHER	SUB TOTALS
OKLAHOMA								
Diamondback	10,527,362.00	79,863.98	218,739.16	489,422.13	12,769.70	9,284.16		11,337,441.13
Central Oklahoma	1,069,846.50	7,703.21	-	4,654.00				1,082,203.71
ARIZONA								
Florence	10,746,711.00	1,322,114.99	356,753.74	834,706.85	21,338.56	39,932.29		13,321,557.43
SUBTOTALS	22,343,919.50	1,409,682.18	575,492.90	1,328,782.98	34,108.26	49,216.45	6,800.87	25,741,202.27
							30,392.00 *	
						GRAND TOTAL		<u>25,778,395.14</u>

* Medical expense incurred at Prairie Correctional Facility in FY01