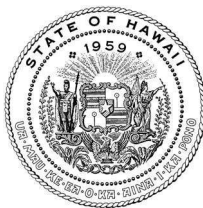


JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
**DEPARTMENT OF CORRECTIONS
AND REHABILITATION**
*Ka 'Oihana Ho'omalu Kalaima
a Ho'oponopono Ola*
1177 Alakea Street
Honolulu, Hawai'i 96813

TOMMY JOHNSON
DIRECTOR

Melanie Martin
Deputy Director
Administration

Vacant
Deputy Director
Correctional Institutions

Sanna Muñoz
Deputy Director
Rehabilitation Services
and
Programs

No. _____

January 16, 2026

The Honorable Ronald D. Kouchi, President
and Members of the Senate
Thirty-Third Hawai'i State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Nadine K. Nakamura, Speaker
Members of the House of Representatives
Thirty-Third Hawai'i State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

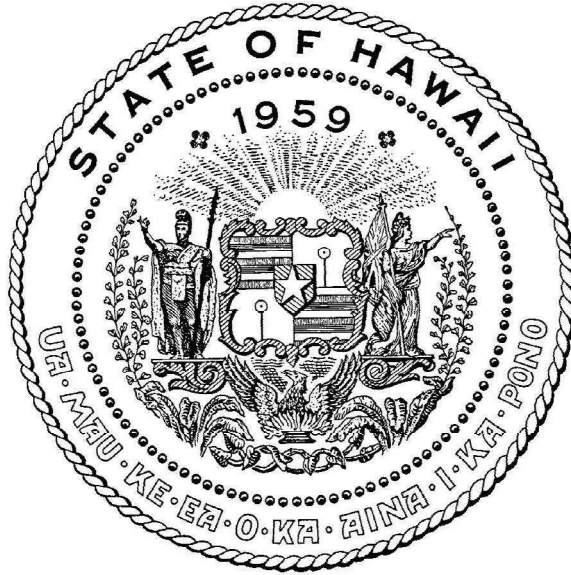
Dear President Kouchi, Speaker Nakamura, and Members of the Legislature,

For your information and consideration, I am transmitting a copy of the Department of Corrections and Rehabilitation's Report on Prison Rape Elimination Act, as required by Act 194, Session Laws of Hawai'i 2010. In accordance with Section 93-16, Hawai'i Revised Statutes, I am also informing you that the report may be viewed electronically at <https://dcr.hawaii.gov/publications/reports-to-legislature/>.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tommy Johnson".

Tommy Johnson
Director



DEPARTMENT OF CORRECTIONS AND REHABILITATION

REPORT TO THE 2026 STATE LEGISLATURE

ANNUAL REPORT PRISON RAPE ELIMINATION ACT
Pursuant to Act 194, Session Laws of Hawai'i 2010

DECEMBER 2025

Annual Report on Prison Rape Elimination Act Pursuant to Act 194, Session Laws of Hawai'i 2010

INTRODUCTION:

The State of Hawai'i is committed to preventing, detecting, and responding to sexual abuse and sexual harassment in confinement. The Department of Corrections and Rehabilitation (DCR), formerly known as the Department of Public Safety, has a zero-tolerance policy for sexual abuse and sexual harassment in all its confinement facilities. This report is an overview of agency and facility aggregated data.

PURPOSE:

The Prison Rape Elimination Act (PREA) requires that each agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions. The agency shall, then, aggregate and review data to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training. The data collection includes:

- Identifying problem areas and corrective action taken on an ongoing basis for each facility and the agency as a whole;
- Comparing the current year's data and corrective actions with those from prior years; and
- Assessing the agency's progress in addressing sexual abuse.

BACKGROUND:

PREA was signed into federal law in September 2003 following unanimous support from both parties in congress. The purpose of the act is to "provide for the analysis of the incidence and effects of prison rape in federal, state, and local institutions and to provide information, resources, recommendations, and funding to protect individuals from prison rape. PREA seeks to establish a zero-tolerance policy regarding sexual abuse, assault, and harassment in all correctional institutions, including prisons, jails, lockups and other confinement facilities for adults and juveniles."

PREA mandated the publication of standards to ensure compliance and to improve prevention, detection, and response strategies in addressing sexual abuse, and assault. The federal law created the National Prison Rape Elimination Commission and charged it with developing standards for the elimination of sexual abuse and sexual harassment of inmates and juveniles in confinement. The PREA standards were published in the federal register on June 20, 2012, and became effective on August 20, 2012. The four sets of standards correspond to different types of facilities: (1) Adult prisons and jails, (2) Lockups, (3) Community confinement facilities, and (4) Juvenile facilities.

All correctional agencies are required to be compliant with the PREA standards. Agencies must demonstrate zero tolerance not merely by written policy, but through procedures and practice. Compliance is demonstrated through Department of Justice (DOJ) PREA Audits. Over a three-year period (1 cycle), one-third of an agency's facilities must be audited each year. The final PREA Audit Compliance Tool was officially released in final form in 2014.

DCR began its initial efforts to comply with the finalized PREA standards in August of 2012. As a result, DCR began implementing policies and procedures, training employees, contractors, volunteers, and educating offenders regarding PREA.

DCR supports all efforts to detect, prevent, report, investigate, offer victim support services, and prosecute criminally and/or administratively perpetrators of sexual abuse/assault and sexual harassment in its prison system, jails, and lockups. DCR is committed to providing a safe environment for all offenders committed to custody and supervision of its Director.

GOVERNOR CERTIFICATION

PREA Standards require annual audits of one-third of the facilities under the agency's jurisdiction as well as an Annual Governor Certification of Compliance in all facilities under the operational control of the state's executive branch, and all private facilities operated on behalf of the executive branch to house incarcerated individuals. Failure to annually certify compliance with standards will result in a loss of five percent of identified federal grant funding. Three options are provided to Governors:

- Certification that the state and all applicable facilities are in full compliance with the National Standards to Prevent, Detect, and Respond to Prison Rape, 28C.F.R. Part 115.
- Assurance that the state/jurisdiction will use not less than five percent of grant funds as identified by the Department of Justice to enable the state/jurisdiction to adopt and achieve full compliance with the National Standards to Prevent, Detect, and Respond to Prison Rape, 28 C.F.R Part 115.
 - The PREA amendment under JFARA also provides that for two years following the assurance sunset in December 2022, a Governor who can certify that the state audited at least 90% of facilities under the operational control of the executive branch may request that the Attorney General allow submission of an emergency assurance. Therefore, the last year that governors will have the option to request and submit an emergency assurance to DOJ will be for audit year 2 of cycle 4, ending on August 19, 2024.

- Decisions on the part of the Governor not to certify compliance or provide an assurance that the state/jurisdiction is moving toward compliance.

On October 16, 2025, Hawai'i Governor Josh Green, M.D. provided a certification that the state of Hawaii is in full compliance with the National PREA Standards for Audit Year 3 of Cycle 4.

BUREAU OF JUSTICE STATISTICS (BJS) REPORTING DATA:

PREA requires data be collected and aggregated on sexual abuse/assault and sexual harassment incidents for DCR facilities and DCR contracted private prisons (28 CFR §115.87). Aggregated data can be reviewed for calendars years 2011–2024 at <https://dcr.hawaii.gov/policies-and-procedures/pp-prea/>.

PREA also requires DCR to review data collected and produce an annual report of its findings from its data review and any corrective action for each facility, as well as the agency (28 CFR §115.88). The annual report includes a comparison of the current year's data and an assessment of the corrective action from prior years and provides an assessment of DCR's progress in addressing sexual abuse. This report is DCR's formal report as it relates to this PREA standard. DCR will make its report readily available to the public annually through its website at <https://dcr.hawaii.gov/>.

Additionally, the U.S. Bureau of Justice Statistics (BJS) requires correctional agencies collect and report detailed information regarding the sexual victimization of offenders. This report includes a summary of the information that is to be submitted to BJS for the 2024 Survey of Sexual Violence which was submitted in October of 2025.

This report focuses on providing a review of the incident-based and aggregate data collected related to sexual abuse/assault or sexual harassment with offender victims from January 1, 2024, to and including, December 31, 2024.

DEFINITIONS:

The PREA standard definition of **Offender-on-Offender Sexual Abuse** (28 CFR §115.6) is defined as consisting of any of the following acts; if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, and the anus;
- (3) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and

- (4) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

The PREA standard definition of **Offender-on Offender Sexual Harassment** (28 CFR §115.6) is defined as repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one offender, detainee, or resident direct toward another.

The PREA standard definition of **Staff-on-Offender Sexual Abuse** (28 CFR §115.6) is defined as Sexual Abuse of an offender, detainee, or resident by a staff member, contractor, or volunteer which includes any of the following acts, with or without consent of the Offender, detainee, or resident:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (4) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or buttocks that are unrelated to official duties or where the staff member, contractor, volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (6) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1)-(5) of this section.
- (7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an offender, detainee, or resident, and
- (8) Voyeurism by a staff member, contractor, or volunteer. Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an offender, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an offender who is using a toilet in his or her cell to perform bodily functions; requiring an offender to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an offender's naked body or of an offender performing bodily functions.

The PREA standard definition of **Staff-on-Offender Sexual Harassment** (28 CFR §115.6) is defined as repeated verbal comments or gestures of a sexual nature to an offender, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing; or obscene language or gestures.

Substantiated – An allegation that was investigated and determined to have occurred.

Unsubstantiated – An allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

Unfounded – An allegation that was investigated and determined not to have occurred.

AGENCY AGGREGATED DATA:

Sexual Abuse and Sexual Harassment Data for 2024:

The DCR facilities in 2024 consisted of eight (8) state prison and jail facilities on four islands; (1) Mainland Branch Unit (MBU), that contracts with Core Civic, Saguaro Correctional Center (SCC) to house sentenced inmates and the Federal Detention Center (FDC) in Honolulu to house DCR inmates. DCR Prisons – Halawa Correctional Facility (HCF), Kulani Correctional Facility, Waiawa Correctional Facility (WCF), Women's Community Correctional Center (WCCC). Jails – Hawai'i Community Correctional Center (HCCC), Kauai Community Correctional Center (KCCC), Maui Community Correctional Center (MCCC), Oahu Community Correctional Center (OCCC).

Four (4) of the eight (8) DCR Correctional Facilities are located on the island of Oahu. They are HCF, OCCC, WCF, and WCCC. Two (2) of the eight (8) DCR Correctional Facilities are located on the island of Hawaii, and they are HCCC and KCF. KCCC is located on the island of Kauai and MCCC is located on the island of Maui.

SCC is a privately-operated prison located in Eloy, Arizona, that DCR contracts with for housing Hawai'i offenders committed to the custody and care of the Director of DCR. As a private prison, SCC is required to comply with the PREA standards that became effective in August 2012. DCR incorporated the PREA standards requirement and language into the contract renewal with Core Civic, Inc. in August 2021. SCC has a supplemental contract to house DCR inmates. SCC successfully completed its DOJ PREA Audit in June 2024, with final findings as meeting all PREA standards.

DCR houses jail inmates and/or special management inmates at FDC. As a federal institution for adults, FDC is required to comply with the PREA standards. FDC successfully completed their DOJ PREA Audit with a final report issued in July 2024 having been found to meet all PREA standards.

2024 Offender-on-Offender Sexual Abuse and Sexual Harassment:

In 2024, using the PREA definitions, six (6) DCR correctional facilities reported allegations of Offender-on-Offender sexual abuse, and six (6) facilities reported allegations of Offender-on-Offender sexual harassment. In addition, out of the contracted facilities, MBU (Saguaro Correctional Center) reported three (3) allegations of Offender-on-Offender sexual abuse, and one (1) allegation of Offender-on-Offender Sexual Harassment. MBU (Hawai'i Federal Detention Center) reported one (1) allegation of Offender-on-Offender sexual abuse and no Offender-on-Offender sexual harassment incidents.

There were one hundred eleven (111) Offender-on-Offender allegations all together including contracted facilities: seventy-five (75) sexual abuse allegations and thirty-six (36) sexual harassment allegations. Of the seventy-five (75) allegations of Offender-on-Offender sexual abuse, two (2) were substantiated, thirty-six (36) were unsubstantiated, fifteen (15) were unfounded, and twenty-two (22) are currently pending investigation. Of the thirty-six (36) allegations of Offender-on-Offender sexual harassment, six (6) were substantiated, sixteen (16) were unsubstantiated, five (5) were unfounded, and nine (9) is pending investigation. The following table presents the allegations by facility.

**Offender-on-Offender Sexual Abuse and Sexual Harassment Allegations
January 1 – December 31, 2024**

FACILITY	TYPE	TOTAL	SUBSTANTIATED	UNSUBSTANTIATED	UNFOUNDED	PENDING
MBU CC/SCC (private contracted facility)	SEXUAL ABUSE	3	0	0	0	3
	SEXUAL HARASSMENT	1	0	0	0	1
FEDERAL DETENTION CENTER (federally contracted facility)	SEXUAL ABUSE	1	0	0	0	1
	SEXUAL HARASSMENT	0	0	0	0	0
HCCC*	SEXUAL ABUSE	16	0	13	0	3
	SEXUAL HARASSMENT	9	5	3	0	1
HCF	SEXUAL ABUSE	17	0	9	2	6
	SEXUAL HARASSMENT	2	0	0	0	2
KCCC*	SEXUAL ABUSE	2	0	1	0	1
	SEXUAL HARASSMENT	0	0	0	0	0
KCF	SEXUAL ABUSE	0	0	0	0	0
	SEXUAL HARASSMENT	0	0	0	0	0

MCCC*	SEXUAL ABUSE	3	1	1	0	1
	SEXUAL HARASSMENT	3	0	1	0	2
OCCC	SEXUAL ABUSE	32	1	11	13	7
	SEXUAL HARASSMENT	10	0	6	2	2
WCCC (F)	SEXUAL ABUSE	1	0	1	0	0
	SEXUAL HARASSMENT	9	1	5	3	0
WCF	SEXUAL ABUSE	0	0	0	0	0
	SEXUAL HARASSMENT	2	0	1	0	1

*Facility has both male and female Offenders.
(F) Female Facility

Offender-on-Offender Sexual Abuse and Sexual Harassment Allegations 2023 and 2024 Yearly Comparison

Year	Substantiated		Unsubstantiated		Unfounded		Pending		Consensual
	Sexual Abuse	Sexual Harassment	Sexual Abuse	Sexual Harassment	Sexual Abuse	Sexual Harassment	Sexual Abuse	Sexual Harassment	Sexual Abuse
2023	2	2	34	11	23	4	13	7	0
2024	2	6	36	16	15	5	22	9	0