



**DEPARTMENT OF PUBLIC SAFETY  
REPORT TO THE 2010 LEGISLATURE**

**HCR 312**

**Requesting the Department of Public Safety to Report to the  
Legislature on the Financial Requirements of Transporting,  
Housing, and Any Other Costs Associated with the Operations  
and Administration of Sending Hawaii Inmates to Out-of-State  
Correctional Facilities**

**November 2009**

## **Background**

Due to the overcrowding conditions in the Hawaii Department of Public Safety's (PSD's) correctional facilities, the 2008-2009 Legislature appropriated funds for housing up to 2,000 Hawaii inmates in private, out-of-State correctional institutions. The Governor imposed a 4% executive restriction on the Department's operating expenses in addition to the 4% reduction and vacancy reductions imposed by the 2008 Legislature.

## **Per Diem Rates for Mainland Facilities**

As of June 30, 2009, the Department maintained a total of 2,077 inmates in two states other than Hawaii. These inmates were housed in three correctional institutions owned and operated by the Corrections Corporation of America (CCA): (a) Saguaro Correctional Center (SCC) in Arizona; (b) Red Rock Correctional Center (RRCC) in Arizona; and (c) Otter Creek Correctional Center (OCCC) in Kentucky (female inmates). Per diem rates for SCC and RRCC: \$60.18; and the per diem rate for OCCC: \$58.46. On July 1, 2008, all per diems were increased by 2.5% per the contract's terms and conditions based on the Consumer Price Index for all Urban Consumers, West Region, as prepared by the U.S. Bureau of Labor Statistics.

## **Breakdown of Out-of-State Costs Not Included in Daily Per Diem**

- Certain medical expenses.
- Routine transport of inmates to and from Hawaii.
- Transport of inmates to and from Hawaii under special circumstances (i.e. court).
- Inmate wages for work performed during incarcerated.
- Video-conferencing via long-distance telephone calls, law library materials
- Administrative Costs, Site inspections

Attached as Exhibit A, is the expenditure report for out-of-State inmates and FDC inmates, respectively, for FY 2009 (July 1, 2008 - June 30, 2009).

## **Summary of Other Sources**

There are no additional revenue sources, matching funds or grants under the Mainland Branch budget.

## **Expenditures from FY 2002-2003**

Attached as Exhibit B, are expenditure reports that have been previously submitted to the Legislature under the previous budget proviso report requirements that include all personnel costs and any other costs associated with out-of-state inmates.

## **Closing**

The Department of Public Safety established the Mainland and FDC Branch in October 2004 under the general supervision of the Institutions Division Administrator. Since that time, the monitoring, the accountability for mainland prison contracts and financial expenditures to be paid in a timely manner has been appropriately addressed. Since the 2006 Legislature's authorization for an additional four positions for a total of 10 authorized positions to monitor all contracts and to provide case management for all out-of-State Hawaii inmates, the Department has filled 9 of its 10 vacancies. The recruitment of the vacant position (Investigator V) was frozen since 2007 and has since been abolished.

It is the priority of the Department's Mainland/FDC Branch to ensure that the terms of our private prison contracts are upheld and enforced and that prisoners receive appropriate treatment.

# **EXHIBIT A**

**DEPARTMENT OF PUBLIC SAFETY  
ENCUMBRANCES AND EXPENDITURES FOR OUT-OF-STATE AND FDC INMATES  
FY 2009**

Dated: 11/19/09

| FACILITY                             | INMATE COSTS      |                  |                | STAFF COSTS      |                |                |               | TOTAL<br>ENC & EXP |                   |
|--------------------------------------|-------------------|------------------|----------------|------------------|----------------|----------------|---------------|--------------------|-------------------|
|                                      | HOUSING           | MEDICAL          | WAGES          | TRANSPORT        | SITE INSP1     | PAYROLL12      | ADMIN13       |                    | OTHER14           |
| <b>ARIZONA</b><br>Saguaro / Red Rock | 44,627,546        | 6,325,728        | 534,397        | 1,401,877        | 69,375         | 65,780         | 52            | 111,311            | 53,136,066        |
| <b>KENTUCKY</b><br>Otter Creek       | 3,417,851         | 52,774           | 72,947         | 19,610           | 33,360         |                |               | 7,707              | 3,604,250         |
| <b>ADMIN SUPPORT</b>                 |                   |                  |                | 84,656           | 20,671         | 478,297        | 53,934        | 6,409              | 643,968           |
| <b>Subtotal - Mainland</b>           | <b>48,045,397</b> | <b>6,378,503</b> | <b>607,344</b> | <b>1,506,144</b> | <b>123,405</b> | <b>544,077</b> | <b>53,987</b> | <b>125,427</b>     | <b>57,384,284</b> |
| <b>FEDERAL<br/>DETENTION CTR</b>     | 7,959,441         |                  |                | 284,045          |                | 706            |               |                    | 8,244,192         |
| <b>Total - Mainland+FDC</b>          | <b>56,004,839</b> | <b>6,378,503</b> | <b>607,344</b> | <b>1,790,188</b> | <b>123,405</b> | <b>544,783</b> | <b>53,987</b> | <b>125,427</b>     | <b>65,628,476</b> |

1 SITE INSPECTION: Site visits to inspect facility and inmate treatment, as well as review compliance with contractual and other provisions.

12 PAYROLL: Employee payroll including salaries, overtime pay, night differential pay, on-site monitor salary. Also includes DAGS fringe cost of \$148,264 that is not included in FAMIS REPORT.

13 ADMIN: Office supplies, photocopying, postage, telephone, long distance tolls, mileage, gas, office lease, legal and consultant fees, video-visit teleconferencing equipment, repair/maintenance of motor vehicle.

14 OTHER: Services on-a-fee, funeral expenses, long distance tolls, rental of equipment, interest charges, law books and newspaper subscriptions, miscellaneous postage fees, and law library kiosk systems

**DEPARTMENT OF PUBLIC SAFETY  
ENCUMBRANCES AND EXPENDITURES FOR OUT-OF-STATE AND FDC INMATES  
FY 2009**

Dated: 11/2/09

| FACILITY                             | INMATE COSTS      |                  |                | STAFF COSTS      |                |                |               | TOTAL<br>ENC & EXP |                   |
|--------------------------------------|-------------------|------------------|----------------|------------------|----------------|----------------|---------------|--------------------|-------------------|
|                                      | HOUSING           | MEDICAL          | WAGES          | TRANSPORT        | SITE INSP1     | PAYROLL12      | ADMIN13       |                    | OTHER14           |
| <b>ARIZONA</b><br>Saguaro / Red Rock | 44,627,546        | 6,325,728        | 534,397        | 1,401,877        | 69,375         | 65,780         | 52            | 111,311            | 53,136,066        |
| <b>KENTUCKY</b><br>Otter Creek       | 3,417,851         | 52,774           | 72,947         | 19,610           | 33,360         |                |               | 7,707              | 3,604,250         |
| <b>ADMIN SUPPORT</b>                 |                   |                  |                | 84,656           | 20,671         | 330,033        | 53,934        | 6,409              | 495,704           |
| <b>Subtotal - Mainland</b>           | <b>48,045,397</b> | <b>6,378,503</b> | <b>607,344</b> | <b>1,506,144</b> | <b>123,405</b> | <b>395,813</b> | <b>53,987</b> | <b>125,427</b>     | <b>57,236,020</b> |
| <b>FEDERAL<br/>DETENTION CTR</b>     | 7,959,441         |                  |                | 284,045          |                | 706            |               |                    | 8,244,192         |
| <b>Total - Mainland+FDC</b>          | <b>56,004,839</b> | <b>6,378,503</b> | <b>607,344</b> | <b>1,790,188</b> | <b>123,405</b> | <b>396,519</b> | <b>53,987</b> | <b>125,427</b>     | <b>65,480,212</b> |

- 11 SITE INSPECTION:** Site visits to inspect facility and inmate treatment, as well as review compliance with contractual and other provisions.
- 12 PAYROLL:** Employee payroll including salaries, overtime pay, night differential pay, on-site monitor salary. Also includes
- 13 ADMIN:** Office supplies, photocopying, postage, telephone, long distance tolls, mileage, gas, office lease, legal and consultant fees, video-visit teleconferencing equipment, repair/maintenance of motor vehicle.
- 14 OTHER:** Services on-a-fee, funeral expenses, long distance tolls, rental of equipment, interest charges, law books and newspaper subscriptions, miscellaneous postage fees, and law library kiosk systems

# **EXHIBIT B**

# EXPENDITURE REPORT FOR OUT-OF-STATE INMATES FY 2003-2004

| FACILITY                 | HOUSING       | MEDICAL      | WAGES      | TRANSPORT    | SITE INSP. | MISC.     | OTHER     | TOTAL         |
|--------------------------|---------------|--------------|------------|--------------|------------|-----------|-----------|---------------|
| <b>OKLAHOMA</b>          |               |              |            |              |            |           |           |               |
| Diamondback              | 15,785,179.55 | 725,873.43   | 319,387.04 | 774,327.87   | 20,975.21  | 15,881.57 | 94,786.09 | 17,736,410.76 |
| Mabel Bassett            | 1,120,860.00  |              |            |              | 10,303.29  | 2,260.78  |           | 1,133,424.07  |
| <b>ARIZONA</b>           |               |              |            |              |            |           |           |               |
| Florence                 | 9,308,347.55  | 571,019.87   | 246,746.94 | 341,656.73   | 27,335.19  | 48,900.50 | 2,991.85  | 10,546,998.63 |
| <b>SUB TOTALS</b>        | 26,214,387.10 | 1,296,893.30 | 566,133.98 | 1,115,984.60 | 58,613.69  | 67,042.85 | 97,777.94 | 29,416,833.46 |
| <b>FDC</b>               |               |              |            |              |            |           |           |               |
| Federal Detention Center | 1,551,033.55  |              |            |              |            |           |           |               |
| <b>GRAND TOTALS</b>      | 27,765,420.65 | 1,296,893.30 | 566,133.98 | 1,115,984.60 | 58,613.69  | 67,042.85 | 97,777.94 | 30,870,089.07 |

**MISC=** Employee salaries, overtime, night differential  
**OTHER=** Services on-a-fee, equipment/furniture, long distance calls, rental of equipment, interest charges  
 funeral expenses, office supplies

**DEPARTMENT OF PUBLIC SAFETY  
ENCUMBRANCES AND EXPENDITURES FOR OUT-OF-STATE AND FDC INMATES  
FY 2005**

Revised 11/23/05

| FACILITY   | INMATE COSTS               |              |            | STAFF COSTS  |            |                        |            | TOTAL<br>ENC & EXP |                             |
|--|----------------------------|--------------|------------|--------------|------------|------------------------|------------|--------------------|-----------------------------|
|  | HOUSING                    | MEDICAL      | WAGES      | TRANSPORT    | SITE INSP1 | PAYROLL12              | ADMIN13    |                    | OTHER14                     |
| <b>OKLAHOMA</b><br>Diamondback<br>Mabel Bassett (to 07/04) | 15,945,314.96<br>90,531.00 | 545,985.66   | 357,737.55 | 1,052,979.32 | 28,130.16  | 99,658.48<br>44,798.61 |            | 2,548.45           | 18,032,354.58<br>135,329.61 |
| <b>MISSISSIPPI</b><br>Tallahatchie                         | 9,079,204.00               | 2,590,156.17 | 264,900.51 | 250,405.07   | 33,829.96  |                        |            | 15,633.36          | 12,234,129.07               |
| <b>ARIZONA</b><br>Florence                                 | 864,651.01                 | 138,179.60   | 15,523.64  | 3,850.00     | 10,181.88  | 36,396.61              |            |                    | 1,068,782.74                |
| <b>COLORADO</b><br>Brush                                   | 1,232,970.20               | 108,288.81   | 17,962.00  | 14,561.00    | 13,659.28  |                        | 245,044.35 |                    | 1,387,441.29                |
| <b>MAINLAND BRANCH</b>                                     |                            |              |            |              |            | 76,211.31              |            |                    | 321,255.66                  |
| Subtotal - Mainland  | 27,212,671.17              | 3,382,610.24 | 656,123.70 | 1,321,795.39 | 85,801.28  | 257,065.01             | 245,044.35 | 18,181.81          | 33,179,292.95               |
| <b>FEDERAL<br/>DETENTION CTR</b>                           | 3,398,917.42               |              |            | 8,638.00     |            | 741.16                 | 133.67     |                    | 3,408,430.25                |
| Total - Mainland+FDC                                       | 30,611,588.59              | 3,382,610.24 | 656,123.70 | 1,330,433.39 | 85,801.28  | 257,806.17             | 245,178.02 | 18,181.81          | 36,587,723.20               |

- 11 SITE INSPECTION: Site visits to inspect facility and inmate treatment, as well as review compliance with contractual and other provisions.
- 12 PAYROLL: Employee payroll including salaries, overtime pay, night differential pay, on-site monitor salary.
- 13 ADMIN: Office supplies, photocopying, postage, telephone, long distance tolls, mileage, gas, office lease, legal and consultant fees, video-visit teleconferencing equipment, female RFP site visit, repair/maintenance of motor vehicle, computer hardware and software.
- 14 OTHER: Services on-a-fee, funeral expenses, long distance tolls, rental of equipment, interest charges, law books and subscriptions, miscellaneous postage fees.



**DEPARTMENT OF PUBLIC SAFETY  
ENCUMBRANCES AND EXPENDITURES FOR OUT-OF-STATE AND FDC INMATES  
FY 2006**

Revised: 11/27/06

| FACILITY                           | INMATE COSTS  |              |            |              | STAFF COSTS |            |            |           | TOTAL<br>ENC & EXP |
|------------------------------------|---------------|--------------|------------|--------------|-------------|------------|------------|-----------|--------------------|
|                                    | HOUSING       | MEDICAL      | WAGES      | TRANSPORT    | SITE INSP1  | PAYROLL12  | ADMIN13    | OTHER14   |                    |
| <b>OKLAHOMA</b><br>Diamondback     | 15,791,230.04 | 484,967.67   | 339,410.64 | 1,169,216.04 | 41,795.79   | 87,753.00  |            | 2,139.00  | 17,916,512.18      |
| <b>MISSISSIPPI</b><br>Tallahatchie | 13,690,562.20 | 1,185,240.66 | 257,275.82 | 283,530.28   | 37,518.23   |            |            | 1,387.24  | 15,455,514.43      |
| <b>ARIZONA</b><br>Florence         | 5,481,818.32  | 54,029.68    | 13,798.48  |              | 12,065.46   | 10,101.50  |            | 7,577.91  | 5,579,391.35       |
| <b>KENTUCKY</b><br>Otter Creek     | 2,120,998.30  | 80,931.49    | 34,229.11  |              | 35,628.86   |            |            | 4,245.30  | 2,276,033.06       |
| <b>MAINLAND BRANCH</b>             |               | 1,269.07     |            | 28,612.00    | 7,862.12    | 232,044.59 | 243,932.28 | 43.53     | 513,763.59         |
| Subtotal - Mainland                | 37,084,608.86 | 1,806,438.57 | 644,714.05 | 1,481,358.32 | 134,870.46  | 329,899.09 | 243,932.28 | 15,392.98 | 41,741,214.61      |
| <b>FEDERAL<br/>DETENTION CTR</b>   | 5,207,835.29  |              |            | 173,555.89   |             | 5,384.67   |            | 11,963.20 | 5,398,739.05       |
| Total - Mainland+FDC               | 42,292,444.15 | 1,806,438.57 | 644,714.05 | 1,654,914.21 | 134,870.46  | 335,283.76 | 243,932.28 | 27,356.18 | 47,139,953.66      |

- V1 SITE INSPECTION: Site visits to inspect facility and inmate treatment, as well as review compliance with contractual and other provisions.
- V2 PAYROLL: Employee payroll including salaries, overtime pay, night differential pay, on-site monitor salary.
- V3 ADMIN: Office supplies, photocopying, postage, telephone, long distance tolls, mileage, gas, office lease, legal and consultant fees, video-visit teleconferencing equipment, repair/maintenance of motor vehicle, computer hardware and software.
- V4 OTHER: Services on-a-fee, funeral expenses, long distance tolls, rental of equipment, interest charges, law books and subscriptions, miscellaneous postage fees, paper uniforms (FDC), and handcuffs (FDC)

**DEPARTMENT OF PUBLIC SAFETY  
ENCUMBRANCES AND EXPENDITURES FOR OUT-OF-STATE AND FDC INMATES  
FY 2007**

Revised: 10/25/07

| FACILITY                            | INMATE COSTS  |              |            |              | STAFF COSTS |            |            |           | TOTAL<br>ENC & EXP |
|-------------------------------------|---------------|--------------|------------|--------------|-------------|------------|------------|-----------|--------------------|
|                                     | HOUSING       | MEDICAL      | WAGES      | TRANSPORT    | SITE INSP1  | PAYROLL12  | ADMIN3     | OTHER14   |                    |
| <b>OKLAHOMA</b><br>Diamondback      | 12,901,247.65 | 1,061,930.80 | 305,056.69 | 1,276,866.30 | 47,697.81   | 94,506.67  |            | 143.29    | 15,687,449.21      |
| <b>MISSISSIPPI</b><br>Tallahatchie  | 14,444,694.25 | 1,975,757.26 | 282,887.70 | 9,500.00     | 56,285.28   |            |            | 6,918.78  | 16,776,043.27      |
| <b>ARIZONA</b><br>Florence/Red Rock | 13,242,822.00 | 248,348.22   | 112,119.04 | 276,563.72   | 44,385.57   |            |            | 5,879.73  | 14,009,860.93      |
| <b>KENTUCKY</b><br>Otter Creek      | 3,172,110.00  | 207,542.47   | 64,550.36  |              | 31,782.90   |            |            | 4,238.96  | 3,480,224.69       |
| <b>MAINLAND BRANCH</b>              |               |              |            | 46,589.29    | 5,958.54    | 203,945.49 | 51,538.76  | 29,849.43 | 337,881.51         |
| Subtotal - Mainland                 | 43,760,873.90 | 3,493,578.75 | 764,613.79 | 1,609,519.31 | 186,110.10  | 298,452.16 | 131,281.41 | 47,030.19 | 50,291,459.61      |
| <b>FEDERAL<br/>DETENTION CTR</b>    | 5,690,411.68  |              |            | 224,371.50   |             | 451.60     |            | 7,064.49  | 5,922,299.27       |
| Total - Mainland+FDC                | 49,451,285.58 | 3,493,578.75 | 764,613.79 | 1,833,890.81 | 186,110.10  | 298,903.76 | 131,281.41 | 54,094.68 | 56,213,758.88      |

- V1 SITE INSPECTION: Site visits to inspect facility and inmate treatment, as well as review compliance with contractual and other provisions.
- V2 PAYROLL: Employee payroll including salaries, overtime pay, night differential pay, on-site monitor salary.
- V3 ADMIN: Office supplies, photocopying, postage, telephone, long distance tolls, mileage, gas, office lease, legal and consultant fees, video-visit teleconferencing equipment, repair/maintenance of motor vehicle, computer hardware and software.
- V4 OTHER: Services on-a-fee, funeral expenses, long distance tolls, rental of equipment, interest charges, law books and subscriptions, miscellaneous postage fees, paper uniforms (FDC), and handcuffs (FDC)

**DEPARTMENT OF PUBLIC SAFETY  
ENCUMBRANCES AND EXPENDITURES FOR OUT-OF-STATE AND FDC INMATES  
FY 2008**

Revised: 10/17/08

| FACILITY                             | INMATE COSTS      |                  |                | STAFF COSTS      |                |                |                | TOTAL<br>ENC & EXP |                   |
|--------------------------------------|-------------------|------------------|----------------|------------------|----------------|----------------|----------------|--------------------|-------------------|
|                                      | HOUSING           | MEDICAL          | WAGES          | TRANSPORT        | SITE INSP1     | PAYROLL12      | ADMIN13        |                    | OTHER14           |
| <b>OKLAHOMA</b><br>Diamondback       | 1,218,198         | 69,811           | 41,674         | 6,651            | 412            |                |                |                    | 1,336,746         |
| <b>MISSISSIPPI</b><br>Tallahatchie   | 1,197,882         | 69,946           | 29,076         | 9,910            | 2,569          |                |                | 2,819              | 1,312,202         |
| <b>ARIZONA</b><br>Saguaro / Red Rock | 42,640,858        | 3,044,831        | 716,592        | 1,897,653        | 131,213        |                | 65,403         | 23,056             | 48,519,607        |
| <b>KENTUCKY</b><br>Offer Creek       | 3,338,470         | 150,508          | 63,600         | 11,512           | 42,821         |                | 157            | 9,460              | 3,616,529         |
| <b>ADMIN SUPPORT</b>                 |                   |                  |                | 3,888            | 21,503         | 318,949        | 390,177        | 5,313              | 739,830           |
| <b>Subtotal - Mainland</b>           | <b>48,395,409</b> | <b>3,335,097</b> | <b>850,942</b> | <b>1,929,614</b> | <b>198,518</b> | <b>318,949</b> | <b>455,737</b> | <b>40,649</b>      | <b>55,524,915</b> |
| <b>FEDERAL<br/>DETENTION CTR</b>     | 7,613,383         |                  |                | 258,917          |                |                |                | 1,035              | 7,873,335         |
| <b>Total - Mainland+FDC</b>          | <b>56,008,791</b> | <b>3,335,097</b> | <b>850,942</b> | <b>2,188,531</b> | <b>198,518</b> | <b>318,949</b> | <b>455,737</b> | <b>41,684</b>      | <b>63,398,250</b> |

**V1 SITE INSPECTION:** Site visits to inspect facility and inmate treatment, as well as review compliance with contractual and other provisions.

**V2 PAYROLL:** Employee payroll including salaries, overtime pay, night differential pay, on-site monitor salary. Also includes DAGS fringe cost of \$98,373 that is not included in FAMIS REPORT.

**V3 ADMIN:** Office supplies, photocopying, postage, telephone, long distance tolls, mileage, gas, office lease, legal and consultant fees, video-visit teleconferencing equipment, repair/maintenance of motor vehicle, computer hardware and software.

**V4 OTHER:** Services on-a-fee, funeral expenses, long distance tolls, rental of equipment, interest charges, law books and subscriptions, miscellaneous postage fees, paper uniforms (FDC), and handcuffs (FDC)