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## HOUSE RESOLUTION

REQUESTING THE ATTORNEY GENERAL TO CONVENE A BLUE RIBBON PANEL TO INVESTIGATE IMPLEMENTATION OF THE CIVIL RIGHTS OF INSTITUTIONALIZED PERSONS ACT BY THE CORRECTIONS DIVISION OF THE DEPARTMENT OF PUBLIC SAFETY.

1           WHEREAS, the Corrections Division of the Department of  
2 Public Safety is responsible for the incarceration of all  
3 individuals convicted of a crime in Hawaii and given a prison  
4 sentence; and

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6           WHEREAS, the Civil Rights of Institutionalized Persons Act  
7 is a federal law that ensures that all inmates are afforded  
8 their rights under the federal constitution and federal law; and

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10          WHEREAS, the State of Hawaii has been the subject of  
11 numerous investigations and lawsuits related to the Civil Rights  
12 of Institutionalized Persons Act; and

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14          WHEREAS, the Oahu Community Correctional Center has been  
15 the subject of a Civil Rights of Institutionalized Persons Act  
16 related investigation on the provision of mental health  
17 services; and

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19          WHEREAS, in light of recent events involving Hawaii's  
20 inmates at mainland facilities, the Legislature is concerned  
21 about the welfare and treatment of Hawaii's inmates incarcerated  
22 in mainland facilities; and

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24          WHEREAS, it is much more cost-effective to prevent lawsuits  
25 and investigations rather than be forced into compliance with  
26 federal law; and

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28          WHEREAS, the Legislature is concerned about the fiscal  
29 impact that the State will endure due to repeated investigations  
30 and lawsuits; now, therefore,

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32          BE IT RESOLVED by the House of Representatives of the  
33 Twenty-third Legislature of the State of Hawaii, Regular Session



1 of 2006, that the Attorney General is requested to form a blue  
 2 ribbon panel to examine Hawaii's prisons and jails to determine  
 3 areas where the State is exposed to litigation under Civil  
 4 Rights of Institutionalized Persons Act; and

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 6 BE IT FURTHER RESOLVED that the panel's examination is  
 7 requested to include, but not be limited to:

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 9 (1) Previous Civil Rights of Institutionalized Persons Act  
 10 letters of finding;  
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 12 (2) Reasons for and cost of previously adjudicated  
 13 lawsuits; and  
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 15 (3) Areas of need, strategies to minimize the State's  
 16 exposure to liability for damages, recommendations,  
 17 timelines, and projected expenditures; and  
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19 BE IT FURTHER RESOLVED that the Attorney General is  
 20 requested to submit the panel's findings and recommendations,  
 21 including any proposed legislation, to the Legislature at least  
 22 twenty days prior to convening of the Regular Session of 2007;  
 23 and  
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25 BE IT FURTHER RESOLVED that certified copies of this  
 26 Resolution be transmitted to the Governor, the Attorney General,  
 27 and the Director of Public Safety.  
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OFFERED BY:

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