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# A BILL FOR AN ACT

MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII YOUTH  
CORRECTIONAL FACILITY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. This Act is recommended by the governor for  
2 immediate passage in accordance with section 9 of article VII of  
3 the Constitution of the State of Hawaii.

4           SECTION 2. Act 178, Session Laws of Hawaii 2005,  
5 appropriated \$6,278,178 to the department of human services,  
6 office of youth services to operate the Hawaii youth  
7 correctional facility for the fiscal year 2005-2006. On  
8 August 4, 2005, the United States Department of Justice released  
9 a report on the findings of its Civil Rights Division's  
10 investigation of the conditions of confinement at the Hawaii  
11 youth correctional facility. Given the serious nature of the  
12 findings, the governor is taking immediate action to fund  
13 improvements at the Hawaii youth correctional facility. Some of  
14 the remedial actions that the Department of Justice report  
15 recommends have already been put in place. The implementation  
16 of these remedial measures and associated overtime costs are the  
17 primary factors leading to the present budget shortfall.



1           The fiscal year 2005-2006 budget for the office of youth  
2 services, Hawaii youth correctional facility did not include  
3 funding for any remedial actions at the facility, as a budget  
4 for remedial actions could not be compiled until after the  
5 Department of Justice report was issued.

6           While a negotiated settlement with the Department of  
7 Justice is anticipated at this time, it is apparent that  
8 improvements must be made in policies, procedures, and practices  
9 in the areas of suicide prevention and precaution, reporting of  
10 staff abuse and assaults, staff training, improved access to  
11 medical and mental health information, and special education  
12 services and vocational training.

13           The purpose of this Act is to appropriate additional  
14 general fund moneys to allow the department of human services,  
15 office of youth services to continue to improve operations at  
16 the Hawaii youth correctional facility.

17           SECTION 3. There is appropriated out of the general  
18 revenues of the State of Hawaii the sum of \$1,320,000, or so  
19 much thereof as may be necessary, for fiscal year 2005-2006 to  
20 be used for the Hawaii youth correctional facility.



1           SECTION 4. The sum appropriated shall be expended by the  
2 department of human services for the purposes of this Act.

3           SECTION 5. This Act shall take effect upon its approval.

**Report Title:**

HYCF; Emergency Appropriation

**Description:**

Emergency appropriation (\$1,320,000) to ensure that funding for the operations of the Hawaii Youth Correctional Facility (HYCF) is maintained through the end of FY 2005-2006. (SD1)

