

MAR 12 2007

SENATE CONCURRENT RESOLUTION

REQUESTING THE ESTABLISHMENT OF A FORENSIC FACILITY.

1 WHEREAS, in September 2006, a Department of Justice study
2 found that more than half of all prison and jail inmates,
3 including fifty-six per cent of state inmates, forty-five per
4 cent of federal inmates, and sixty-four per cent of local jail
5 inmates, were found to have a mental health problem; and
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7 WHEREAS, the study further found that mental health
8 problems were associated with violence and previous criminal
9 history, estimating that sixty-one per cent of state inmates and
10 forty-four per cent of jail inmates with a mental health problem
11 had a current or past violent offense; and
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13 WHEREAS, Department of Justice experts investigating mental
14 health services provided at the Oahu Community Correctional
15 Center found these services alarmingly deficient, threatening
16 the inmates' constitutional rights; and
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18 WHEREAS, the Department of Justice experts found that the
19 Oahu Community Correctional Center's policies and treatment
20 procedures were harmful to mentally ill and suicidal inmates,
21 worsening their conditions; and
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23 WHEREAS, pretrial detainees and inmates with severe mental
24 health problems who are referred to the Hawaii State Hospital
25 are often not accepted due to overcrowding and safety issues;
26 and
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28 WHEREAS, the Department of Public Safety does not have the
29 facilities and personnel required to adequately diagnose, treat,
30 and stabilize seriously mentally ill pretrial detainees and
31 inmates; and
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33 WHEREAS, a forensic facility would greatly alleviate
34 prisons' burden in diagnosing, treating, and stabilizing



1 pretrial detainees and inmates with mental health problems by
2 housing and treating them until it is appropriate to return them
3 to the general population; and
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5 WHEREAS, a forensic facility would better serve the needs
6 of pretrial detainees and inmates with mental health problems in
7 a secure environment designed to facilitate treatment and to
8 return them to the general population; and
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10 WHEREAS, in January of 2005, the Department of Health and
11 the Department of Public Safety conducted a study to jointly
12 plan and operate a statewide forensic facility to serve the
13 needs of high risk and seriously impaired individuals within
14 both systems; and
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16 WHEREAS, the construction cost of the forensic facility was
17 estimated at \$123,000,000; and
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19 WHEREAS, the joint forensic facility will accommodate
20 Department of Health patients including criminal arrestees
21 ordered for mental evaluation, criminal offenders acquitted and
22 committed to Department of Health's care, probationers ordered
23 for 72-hour hospitalization, criminal offenders with conditional
24 release revocation, and criminal offenders conditionally
25 released awaiting court order or placement; and
26

27 WHEREAS, the joint forensic facility would accommodate
28 Department of Public Safety inmates, with the intent of
29 returning them to the general population, including inmates
30 diagnosed with an acute or long-term condition that can or
31 cannot be stabilized sufficiently, mentally ill inmates who
32 regress or decompensate and need to be transferred to the
33 forensic treatment facility for evaluation, stabilization,
34 treatment and case planning, sex offenders and drug abusers with
35 a dual diagnosis of mental illness, inmates exhibiting
36 uncontrollable disruptive behavior needing diagnosis and
37 stabilization, inmates not mentally ill, but needing separation
38 from other inmates due to repeated aggressive or dangerous
39 behaviors, and inmates who are suicidal or self-destructive; and
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41 WHEREAS, the Department of Health and the Department of
42 Public Safety reached an agreement that the joint forensic
43 facility, using resources of both systems in a cost-effective
44 and efficient manner, should be pursued; and



1
2 WHEREAS, the new forensic facility shall operate according
3 to best practices in mental health as determined by a task
4 force, including mental health professionals, the Hawaii
5 Disability Rights Center, the Community Alliance on Prisons, the
6 Department of Public Safety, and the Department of Health; now,
7 therefore,
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9 BE IT RESOLVED by the Senate of the Twenty-fourth
10 Legislature of the State of Hawaii, Regular Session of 2007, the
11 House of Representatives concurring, that the Department of
12 Health and the Department of Public Safety are requested to work
13 together to establish a forensic facility; and
14

15 BE IT FURTHER RESOLVED that the Department of Public Safety
16 and the Department of Health are requested to submit to the
17 Legislature a status report on the establishment of the forensic
18 facility requested by this measure, including but not limited to
19 plans, site selection, budget, construction, and recommendations
20 no later than twenty days prior to the convening of the Regular
21 Session of 2008; and
22

23 BE IT FURTHER RESOLVED that certified copies of this
24 Concurrent Resolution be transmitted to the Director of Public
25 Safety and the Director of Health.
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OFFERED BY:

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