
SENATE CONCURRENT RESOLUTION

ESTABLISHING A SPECIAL MENTAL HEALTH TASK FORCE TO STUDY WHETHER
HAWAII SHOULD PROVIDE A CONTINUUM OF MENTAL HEALTH CARE FOR
INCARCERATED PERSONS.

1 WHEREAS, chapter 334, part VIII, Hawaii Revised Statutes,
2 relating to involuntary outpatient mental health treatment,
3 provides procedures and criteria for the involuntary outpatient
4 treatment for persons in need of mental health services; and
5

6 WHEREAS, the existing law on involuntary outpatient mental
7 health treatment was originally enacted by Act 251, Session Laws
8 of Hawaii 1984, and remains today in substantially the same
9 language; and
10

11 WHEREAS, the involuntary outpatient treatment law provides
12 for a maximum outpatient treatment period of not more than one
13 hundred eighty days or six months; and
14

15 WHEREAS, existing law does not provide for follow-up mental
16 health treatment after the expiration of six months, which in
17 many instances is sorely needed for the benefit of the patient
18 and the safety of society; and
19

20 WHEREAS, in Hawaii, a white paper submitted to the 2002
21 National Conference on Mental Health Statistics, by a professor
22 at the University of Hawaii at Manoa, Department of Psychology,
23 and the Adult Mental Health Division of the Hawaii Department of
24 Health, estimates that the population with severe and persistent
25 mental illness is 2.6 per cent of adults, or approximately
26 24,000 people; and
27

28 WHEREAS, there are approximately 13,000 adults currently
29 being served by the Adult Mental Health Division; and
30

31 WHEREAS, persons who have been discharged from further
32 treatment after a maximum period of six months have a high



1 probability of needing continuous mental health care, but in all
2 likelihood do not receive such care because of a lack of further
3 professional attention and care; and
4

5 WHEREAS, discharged persons may go on to become involved in
6 the criminal justice system; and
7

8 WHEREAS, *The Honolulu Advertiser*, on January 14, 2007,
9 reported on its investigation that found that the care of
10 mentally ill inmates in Hawaii's prison system is so deficient
11 that many fail to get treatment and are subjected to conditions
12 considered harmful and likely to worsen their symptoms; and
13

14 WHEREAS, the prison mental health services are one
15 component of the total mental health care system in Hawaii in
16 which the entry point for mental health services is assisted
17 outpatient treatment; and
18

19 WHEREAS, a special mental health task force would be able
20 to expertly assess whether Hawaii should provide some form of
21 post-involuntary outpatient mental health care, and assess the
22 quality and effectiveness of mental health services provided to
23 incarcerated persons; now, therefore,
24

25 BE IT RESOLVED by the Senate of the Twenty-fourth
26 Legislature of the State of Hawaii, Regular Session of 2007, the
27 House of Representatives concurring, that the Governor of the
28 State of Hawaii is requested to establish a special mental
29 health task force and provide administrative support thereto;
30 and
31

32 BE IT FURTHER RESOLVED that the special mental health task
33 force be chaired by the Governor, or designee; the Chief of the
34 Adult Mental Health Division, or designee, of the Department of
35 Health; the Chief Justice of the Hawaii Supreme Court, or
36 designee; the Director of Public Safety, or representative; a
37 representative of the Hawaii Housing Finance and Development
38 Corporation, selected by the corporation; the Attorney General,
39 or designee; the Prosecuting Attorney of the City and County of
40 Honolulu, or designee; the Public Defender or designee; a
41 representative of the Mental Health Association in Hawaii, to be
42 selected by that organization; a representative of the Hawaii
43 Medical Psychiatric Association, to be selected by that
44 organization; a representative of the Hawaii Psychological



1 Association, to be selected by that organization; a
2 representative of the Community Alliance on Prisons, to be
3 selected by that organization; a representative of the American
4 Civil Liberties Union, to be selected by that organization; and
5 the Legal Aid Society, to be selected by that organization; and
6

7 BE IT FURTHER RESOLVED that the special mental health task
8 force is requested to conduct a study to assess whether Hawaii
9 should provide some form of post-involuntary outpatient mental
10 health care, and assess the quality and effectiveness of mental
11 health services provided to incarcerated persons; and
12

13 BE IT FURTHER RESOLVED that the special mental health task
14 force is requested to report its findings and recommendations,
15 including proposed legislation, to the Legislature no later than
16 thirty days prior to the convening of the Regular Session of
17 2008; and
18

19 BE IT FURTHER RESOLVED that certified copies of this
20 Concurrent Resolution be transmitted to the Governor, the
21 Director of Health, the Chief of the Adult Mental Health
22 Division, the Chief Justice of the Hawaii Supreme Court, the
23 Director of Public Safety, the Executive Director of the Hawaii
24 Housing Finance and Development Corporation, the Attorney
25 General, the Prosecuting Attorney of the City and County of
26 Honolulu, the Public Defender, the Mental Health Association in
27 Hawaii, the Hawaii Medical Psychiatric Association, the Hawaii
28 Psychological Association, the Community Alliance on Prisons,
29 the American Civil Liberties Union, and the Legal Aid Society.

