

MAR 12 2007

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## SENATE RESOLUTION

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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  
6

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  
12

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  
17

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  
27

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  
35 pretrial detainees and inmates with mental health problems by  
36 housing and treating them until it is appropriate to return them  
37 to the general population; and



1  
2 WHEREAS, a forensic facility would better serve the needs  
3 of pretrial detainees and inmates with mental health problems in  
4 a secure environment designed to facilitate treatment and to  
5 return them to the general population; and  
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7 WHEREAS, in January of 2005, the Department of Health and  
8 the Department of Public Safety conducted a study to jointly  
9 plan and operate a statewide forensic facility to serve the  
10 needs of high risk and seriously impaired individuals within  
11 both systems; and  
12

13 WHEREAS, the construction cost of the forensic facility was  
14 estimated at \$123,000,000; and  
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16 WHEREAS, the joint forensic facility will accommodate  
17 Department of Health patients including criminal arrestees  
18 ordered for mental evaluation, criminal offenders acquitted and  
19 committed to Department of Health's care, probationers ordered  
20 for 72-hour hospitalization, criminal offenders with conditional  
21 release revocation, and criminal offenders conditionally  
22 released awaiting court order or placement; and  
23

24 WHEREAS, the joint forensic facility would accommodate  
25 Department of Public Safety inmates, with the intent of  
26 returning them to the general population, including inmates  
27 diagnosed with an acute or long-term condition that can or  
28 cannot be stabilized sufficiently, mentally ill inmates who  
29 regress or decompensate and need to be transferred to the  
30 forensic treatment facility for evaluation, stabilization,  
31 treatment and case planning, sex offenders and drug abusers with  
32 a dual diagnosis of mental illness, inmates exhibiting  
33 uncontrollable disruptive behavior needing diagnosis and  
34 stabilization, inmates not mentally ill, but needing separation  
35 from other inmates due to repeated aggressive or dangerous  
36 behaviors, and inmates who are suicidal or self-destructive; and  
37

38 WHEREAS, the Department of Health and the Department of  
39 Public Safety reached an agreement that the joint forensic  
40 facility, using resources of both systems in a cost-effective  
41 and efficient manner, should be pursued; and  
42

43 WHEREAS, the new forensic facility shall operate according  
44 to best practices in mental health as determined by a task



1 force, including mental health professionals, the Hawaii  
 2 Disability Rights Center, the Community Alliance on Prisons, the  
 3 Department of Public Safety, and the Department of Health; now,  
 4 therefore,

5  
 6 BE IT RESOLVED by the Senate of the Twenty-fourth  
 7 Legislature of the State of Hawaii, Regular Session of 2007,  
 8 that the Department of Health and the Department of Public  
 9 Safety are requested to work together to establish a forensic  
 10 facility; and

11  
 12 BE IT FURTHER RESOLVED that the Department of Public Safety  
 13 and the Department of Health are requested to submit to the  
 14 Legislature a status report on the establishment of the forensic  
 15 facility requested by this measure, including but not limited to  
 16 plans, site selection, budget, construction, and recommendations  
 17 no later than twenty days prior to the convening of the Regular  
 18 Session of 2008; and

19  
 20 BE IT FURTHER RESOLVED that certified copies of this  
 21 Resolution be transmitted to the Director of Public Safety and  
 22 the Director of Health.  
 23  
 24  
 25

OFFERED BY:

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