
HOUSE CONCURRENT RESOLUTION

URGING THE DEPARTMENT OF PUBLIC SAFETY AND DEPARTMENT OF HUMAN SERVICES TO DEVELOP A PLAN FOR A COMPLETE BAN ON SMOKING IN ALL STATE CORRECTIONAL FACILITIES BY 2011.

1 WHEREAS, research demonstrates heightened health dangers to
2 those exposed to secondhand smoke such as heart disease, stroke,
3 respiratory disease, lung cancer, and other diseases; and
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5 WHEREAS, in 2004, the Centers for Disease Control and
6 Prevention issued an advisory to persons with heart disease to
7 avoid indoor settings where smoking is allowed, which warranted
8 increased protections in the workplace and for the public in
9 general; and
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11 WHEREAS, although Hawaii passed a statewide anti-smoking
12 statute 19 years ago, the Legislature passed a comprehensive new
13 law, Act 295, Session Laws of Hawaii 2006 (Act 295), banning
14 smoking in places open to the public and places of employment to
15 ensure a consistent level of basic protections statewide from
16 exposure to secondhand smoke; and
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18 WHEREAS, however, Act 295 provided an exemption for state
19 correctional facilities; and
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21 WHEREAS, smoking in prison is delivering toxic chemicals to
22 a literally captive audience; and
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24 WHEREAS, inmates who choose not to smoke are unable to
25 remove themselves from areas where smokers are present, and
26 guards cannot abandon their posts to avoid secondhand smoke; and
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28 WHEREAS, since 1994, the State of Texas has prohibited
29 smoking in prisons and 38 state correctional departments have
30 reported that they have a smoking prohibition policy in place;
31 and



1 WHEREAS, the Federal Bureau of Prisons initiated a smoking
2 ban in July 2004 affecting over 105 facilities with
3 approximately 180,000 inmates; and
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5 WHEREAS, inmates incarcerated in Hawaii's jails and prisons
6 and the employees who guard them also deserve protection from
7 the lethal effects of secondhand smoke; now, therefore,
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9 BE IT RESOLVED by the House of Representatives of the
10 Twenty-fourth Legislature of the State of Hawaii, Regular
11 Session of 2008, the Senate concurring, that the Department of
12 Public Safety (PSD) and Department of Human Services (DHS) are
13 urged to develop a plan to implement a complete ban on smoking
14 in all state correctional facilities by 2011; and
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16 BE IT FURTHER RESOLVED that PSD and DHS are requested to
17 submit a report to the Legislature at least 30 days prior to the
18 convening of the Regular Session of 2009 outlining the plan to
19 implement the smoking ban by 2011; and
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21 BE IT FURTHER RESOLVED that certified copies of this
22 Concurrent Resolution be transmitted to the Governor, Director
23 of Public Safety, Director of Human Services, and Director of
24 Health.

