
HOUSE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO CONDUCT PERFORMANCE AUDITS OF PRIVATE
PRISONS ON THE MAINLAND THAT HOUSE HAWAII INMATES.

1 WHEREAS, in 1996 the State initiated a prison transfer
2 program to alleviate overcrowding in State owned and operated
3 correctional facilities by sending Hawaii inmates to private
4 correctional facilities on the mainland; and
5

6 WHEREAS, since the inception of this program, the number of
7 Hawaii inmates serving sentences abroad has increased from 300
8 individuals in 1996 to more than 2,000 individuals in 2008, a
9 population which now constitutes more than one-third of Hawaii's
10 entire incarcerated population; and
11

12 WHEREAS, Hawaii currently ranks third in the nation for the
13 number of inmates incarcerated outside of its state borders; and
14

15 WHEREAS, in fiscal year 2007, the Department of Public
16 Safety spent \$50,291,460 to transfer inmates from Hawaii to
17 private prisons in Arizona, and Kentucky; and
18

19 WHEREAS, these costs went to the for-profit company
20 Corrections Corporation of America, the sole vendor charged with
21 housing Hawaii's inmates; and
22

23 WHEREAS, although the population of Hawaii inmates in these
24 private mainland prisons continues to grow, there has never been
25 an audit of these facilities that Hawaii has contracted with to
26 house the State's inmates, despite the fact that deaths and
27 serious injuries have occurred at several of the prisons, and
28 there are indications that various programs and services that
29 are being paid for are not currently being provided; and
30

31 WHEREAS, there have been several instances of cell doors
32 opening "by mistake" at several Corrections Corporation of
33 America prisons in which Hawaii inmates have been incarcerated,



1 and one of Hawaii's inmates was beaten within an inch of his
2 life when this occurred in Tallahatchie, Mississippi; and

3
4 WHEREAS, there have been numerous complaints of abuses and
5 unwarranted and prolonged lockdowns within the Special Housing
6 Incentive Program in Saguaro Corrections Center in Arizona,
7 which sells such lockdown services under the banner of a
8 behavioral-modification program for people who are violent and
9 cannot live in the general population; and

10
11 WHEREAS, in August of 2007, the Honolulu Star Bulletin
12 reported on the resignation of the heads of the education and
13 addiction-treatment programs at a private Arizona prison holding
14 Hawaii inmates, and the two attributed their resignation to poor
15 management, inadequate facilities, and lack of staffing; and

16
17 WHEREAS, in Otter Creek Correctional Center in Wheelwright,
18 Kentucky, three of Hawaii's inmates were rushed to the hospital
19 after repeatedly asking for medical care, one of which died on
20 December 31, 2005, after being threatened with lockdown because
21 she continued to ask for help; and

22
23 WHEREAS, Legislators have questioned the lack of
24 programming in the Saguaro Correctional Center in Arizona, a so-
25 called program-intensive correctional facility that Hawaii
26 continues to pay as such; and

27
28 WHEREAS, an independent audit may be helpful in determining
29 if out-of-state transfers are cost-effective and reduces
30 recidivism rates in Hawaii; now, therefore,

31
32 BE IT RESOLVED by the House of Representatives of the
33 Twenty-Fourth Legislature of the State of Hawaii, Regular
34 Session of 2008, the Senate concurring, that the Auditor is
35 requested to conduct performance audits of private prisons on
36 the mainland that house Hawaii inmates, including but not
37 limited to, the Red Rock Correctional Facility and Saguaro
38 Correctional Center in Eloy, Arizona, and Otter Creek
39 Correctional Center in Wheelwright, Kentucky; and

40
41 BE IT FURTHER RESOLVED that the performance audit shall
42 cover the following:
43



1 (1) Treatment and services provided to Hawaii inmates,
2 including:

- 3 (a) Medical services;
- 4 (b) Mental health services;
- 5 (c) Substance abuse treatment;
- 6 (d) Education;
- 7 (e) Vocational training; and
- 8 (f) Food services; and

9
10 (2) Facilitation of family and community connections,
11 including:

- 12 (a) Visitation;
- 13 (b) Videoconferencing; and
- 14 (c) Telephone communication; and

15
16 (3) The Department of Public Safety's execution of its
17 statutory duties, including:

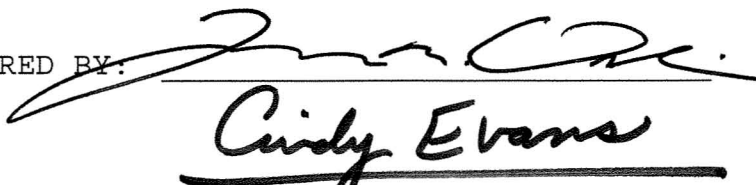
- 18 (a) Monitoring of private prisons;
- 19 (b) Enforcement of contract provisions; and
- 20 (c) Public access to contracts and monitoring reports;

21
22 and

23
24 BE IT FURTHER RESOLVED that the Auditor is requested to
25 report its findings and recommendations, including proposed
26 legislation, to the Legislature no later than twenty days prior
27 to the convening of the Regular Session of 2009; and

28
29 BE IT FURTHER RESOLVED that certified copies of this
30 Concurrent Resolution be transmitted to the Governor, the
31 Director of the Department of Public Safety, and the Auditor.

32
33
34 OFFERED BY:


Cindy Evans

MAR 11 2008

