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# HOUSE 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, that the Department of Public Safety (PSD) and  
12 Department of Human Services (DHS) are urged to develop a plan  
13 to implement a complete ban on smoking in all state correctional  
14 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 Resolution be transmitted to the Governor, Director of Public  
23 Safety, Director of Human Services, and Director of Health.

