
A BILL FOR AN ACT

RELATING TO MENTAL HEALTH ISSUES OF COMMITTED PERSONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

- 1 SECTION 1. The legislature finds that mental health
2 services at the Oahu community correctional center are
3 alarmingly inadequate and have been the subject of ongoing
4 federal investigation. These inadequacies have created
5 conditions that threaten the constitutional rights of the
6 committed persons detained therein.
- 7 The legislature further finds that up to forty per cent of
8 the committed persons in the State's correctional facilities are
9 mentally ill. Recent communications with experts retained by
10 the federal Department of Justice have noted many
11 insufficiencies including:
- 12 (1) Inadequate staffing, including a lack of a director of
13 mental health services and trained mental health
14 professionals;
- 15 (2) A lack of individualized treatment planning and
16 documentation;
- 17 (3) A confusing and inconsistent organizational structure;



- 1 (4) Outdated and unused policies and procedures; and
2 (5) An inadequate access to psychiatric hospitalization.

3 The purpose of this Act is to provide funds to the
4 department of public safety to remedy the inadequacies of mental
5 health care services to committed persons in Hawaii state
6 correctional facilities and monitor its progress.

7 SECTION 2. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$, or so much
9 thereof as may be necessary for fiscal year 2007-2008, and the
10 same sum, or so much thereof as may be necessary for fiscal year
11 2008-2009, for improvements to the mental health care system of
12 committed persons in state-operated correctional facilities that
13 will address the concerns expressed by the experts retained by
14 the federal Department of Justice.

15 The sums appropriated shall be expended by the department
16 of public safety for the purposes of this Act.

17 SECTION 3. The department of public safety shall report to
18 the legislature by November 1, 2007, with a detailed mental
19 health plan that addresses the following:

- 20 (1) An assessment of the department's existing resources
21 and staffing that is in place, additional resources



1 and staffing needed to come up to standard, and needs
2 to keep up with future demands;

3 (2) The use of alternative services, such as the use of
4 telemedicine to provide mental health services to
5 incarcerated offenders;

6 (3) The completion of departmental training and policy
7 manual;

8 (4) The appropriate type of updated record keeping system;

9 (5) An update on the feasibility study initiated by the
10 departments of health and public safety regarding the
11 expansion of the Hawaii state hospital to include an
12 offender wing so as to be able to adequately treat
13 mental health patients who are incarcerated; and

14 (6) Any other suggestions or ideas to improve the mental
15 health services to incarcerated individuals and to
16 comply with local, state, and federal laws and
17 mandates.

18 This report shall be submitted in a form understandable by lay
19 readers and made available to the public.

20 SECTION 4. The department of public safety shall report to
21 the legislature not later than twenty days prior to the
22 commencement of the 2008 regular session, and every session



1 thereafter, with its achievements, continuing improvements, and
2 on going problems in providing the appropriate mental health
3 care to committed persons under its jurisdiction.

4 SECTION 5. This Act shall take effect on July 1, 2007.



REPORT Title:

Mental Health Issues of Committed Persons; Appropriation

Description:

Appropriates \$ _____, for each year of the fiscal biennium to the department of public safety to improve mental health services for committed persons in Hawaii prisons. Requires two reports to the legislature. (SD2)

