
HOUSE RESOLUTION

URGING THE DEPARTMENT OF PUBLIC SAFETY TO INCLUDE PROVISIONS IN NEW CONTRACTS WITH PRIVATE OR OUT-OF-STATE PRISON FACILITIES THAT INMATE COMPLAINTS ARE SUBJECT TO INVESTIGATION BY THE OMBUDSMAN AND TO RENEGOTIATE EXISTING CONTRACTS TO ALLOW THE OMBUDSMAN TO INVESTIGATE INMATE COMPLAINTS.

1 WHEREAS, Hawaii's prison population has dramatically
2 increased, particularly since the passage of mandatory minimum
3 sentences for crystal methamphetamine; and
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5 WHEREAS, the rise in the incarcerated population has caused
6 Hawaii to contract with out-of-state private prisons to ease
7 overcrowding; and
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9 WHEREAS, the Department of Public Safety's 2007 annual
10 report states that, at the end of the fiscal year, Hawaii had
11 over two thousand prisoners serving their sentences in prisons
12 in Arizona and Kentucky operated by the Corrections Corporation
13 of America; and
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15 WHEREAS, there is continued concern over the treatment of
16 Hawaii inmates being held out-of-state at private correctional
17 facilities, because the practice of contracting with private or
18 out-of-state prison facilities has removed inmate programs and
19 services from the direct oversight of the Office of the
20 Ombudsman; and
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22 WHEREAS, while most of the private entities that provide
23 inmate services are well run and sensitive to those they
24 service, the recipients of those services tend to be vulnerable
25 or marginalized in some way and often find it difficult, if not
26 impossible, to proceed through the bureaucracy of existing
27 grievance processes if they should have a complaint against the
28 private entity providing the program or service; and
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30 WHEREAS, authorizing the Office of the Ombudsman to
31 investigate the acts of contracted private correctional



1 facilities would provide inmates with an easily accessible and
2 simple mechanism to address their grievances; and
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4 WHEREAS, the use of video conferencing could be used as a
5 substitute for site visits during preliminary investigations,
6 followed by actual site visits, if deemed necessary; and
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8 WHEREAS, collaboration with the Department of Public
9 Safety, in order to use the Department's video conferencing
10 equipment and facilities to help address inmate complaints at
11 out-of-state prison facilities according to Department grievance
12 protocol processes, would allow for proper informational
13 exchange between inmates and the Office of the Ombudsman without
14 requiring the expenditure of funds for additional visits to
15 address the problems; now, therefore,
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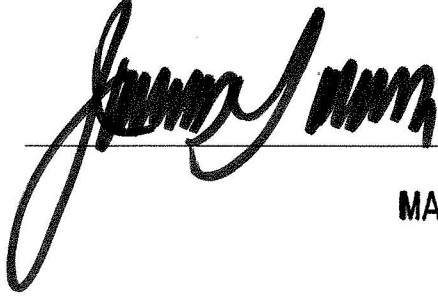
17 BE IT RESOLVED by the House of Representatives of the
18 Twenty-fifth Legislature of the State of Hawaii, Regular Session
19 of 2009, that the Department of Public Safety is urged to
20 include, in contracts with private or out-of-state prison
21 facilities, provisions that inmate complaints are subject to
22 investigation by the Office of the Ombudsman; and
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24 BE IT FURTHER RESOLVED that the Department of Public Safety
25 is also urged to renegotiate existing contracts to allow
26 investigation of inmate complaints by the Office of the
27 Ombudsman; and
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29 BE IT FURTHER RESOLVED that the Office of the Ombudsman, in
30 collaboration with the Department of Public Safety and private
31 or out-of-state prison facilities, is encouraged to use video
32 conferencing equipment to help address inmate complaints; and
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34 BE IT FURTHER RESOLVED that certified copies of this
35 Resolution be transmitted to the Director of Public Safety, the
36 Ombudsman, and the Chief Executive Officer and Chairman of the
37 Board of the Corrections Corporation of America.
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OFFERED BY: _____



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