
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DIRECTOR OF PUBLIC SAFETY TO FORM A TASK FORCE TO INITIATE THE PLANNING AND DESIGN PROCESS TO DEVELOP A CORRECTIONAL TREATMENT FACILITY TO HOUSE ONE THOUSAND TO ONE THOUSAND TWO HUNDRED INMATES ON UNDEVELOPED HAWAIIAN HOME LANDS ON THE ISLAND OF HAWAII, AND/OR TO CONSIDER THE FEASIBILITY OF A COMMUNITY-BASED PROGRAM AT THAT LOCATION.

1 WHEREAS, the State can no longer afford to postpone the
2 construction of correctional facilities in the State; and
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4 WHEREAS, prison overcrowding places the State in a
5 vulnerable position of being subject to charges of civil rights
6 violations and security risks; and
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8 WHEREAS, since 1995, the Department of Public Safety has
9 transported prisoners to facilities in other states, including
10 Oklahoma, Texas, Oregon, Minnesota, Arizona, and Tennessee,
11 based on the premise that such transport is a temporary solution
12 until adequate facilities are built in Hawaii and that the State
13 cannot afford to transport inmates to mainland facilities
14 indefinitely; and
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16 WHEREAS, out-of-state placements cost approximately
17 \$24,400,000 per year, or \$56 per prisoner per day for care,
18 custody, transportation, inmate compensation, and health care;
19 and
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21 WHEREAS, the arrangement has not been problem-free because,
22 at the mainland facilities, there have been allegations of
23 sexual assault of female prisoners, denial of timely medical
24 treatment, and civil rights violations, and furthermore, the
25 lack of nearby family support, which is an integral part of any
26 successful re-entry into local society, hinders rehabilitation;
27 and



1 WHEREAS, the great majority of all prisoners incarcerated
2 by the State were convicted of crimes relating to drug laws or
3 other crimes to support drug habits so that simple incarceration
4 without treatment will only lead to recidivism and magnify the
5 problem rather than lead to a reduction of the scourge of drug
6 and substance abuse; and

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8 WHEREAS, it is in the public interest to build a new
9 correctional facility that emphasizes programs to treat
10 substance abuse and mental health issues and is designed to
11 house 1,000 to 1,200 inmates and provide them with intensive
12 drug- and substance-abuse and other mental health treatment; and

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14 WHEREAS, a possible site for a new correctional treatment
15 facility, given that percent of prisoners are of Hawaiian
16 ancestry, may be undeveloped Department of Hawaiian Home Lands
17 property on the Big Island, although other sites that may be
18 more appropriate or economically feasible should also be
19 considered; now, therefore,

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21 BE IT RESOLVED by the House of Representatives of the
22 Twenty-sixth Legislature of the State of Hawaii, Regular Session
23 of 2011, the Senate concurring, that the Director of Public
24 Safety is requested to form a task force comprised of elected
25 and administrative state and county officials and community
26 leaders to include but not be limited to:

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28 (1) The Director of Public Safety or a designee;
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30 (2) The Chairperson of the Hawaiian Homes Commission or a
31 designee;
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33 (3) The Director of Business, Economic Development, and
34 Tourism or a designee;
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36 (4) The Director of the Planning Department of the County
37 of Hawaii or a designee;
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39 (5) The Director of Research and Development of the County
40 of Hawaii or a designee; and
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42 (6) A representative of the Hawaiian home lands
43 beneficiary community;



1 and

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3 BE IT FURTHER RESOLVED that the task force is requested to
4 initiate the planning and design process to develop a
5 correctional treatment facility to house 1,000 to 1,200 inmates
6 on undeveloped Hawaiian home lands property on the Big Island,
7 or other appropriate site, as proposed by the Director of Public
8 Safety; and

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10 BE IT FURTHER RESOLVED that the task force is requested to
11 consider the planning and design of a secure correctional
12 facility that provides intensive in-house rehabilitation
13 programs for the treatment of chemical dependency and abuse and
14 other mental health problems; and

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16 BE IT FURTHER RESOLVED that the task force is requested to
17 consider a correctional treatment facility designed to be
18 operated by the State or a private operator with the ability to
19 provide a total continuum of care programs that address
20 education, prevention, treatment, and supervision services
21 following an offender's reentry into the community and that are
22 designed to achieve the prevention of drug and substance abuse
23 and the resolution of other mental health problems; and

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25 BE IT FURTHER RESOLVED that the task force is requested to
26 consider on undeveloped Hawaiian home lands property on the Big
27 Island, the feasibility of administering and operating a
28 community-based program, which, unlike institution-based
29 programs, reentry programs, or reintegration programs, is a
30 program that is administered and operated outside of a
31 correctional facility; and

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33 BE IT FURTHER RESOLVED that, generally, a community-based
34 program is administered and operated by community agencies,
35 faith-based organizations, nonprofit organizations, and other
36 similar entities, as opposed to state or other government
37 agencies, and is generally successful in helping offenders
38 rehabilitate and reenter society; and

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40 BE IT FURTHER RESOLVED that the task force is requested to
41 submit a report of its findings and recommendations, including
42 any proposed legislation, to the Legislature no later than 20
43 days prior to the convening of the Regular Session of 2012; and



1 BE IT FURTHER RESOLVED that the task force is requested to
2 include the following in its report:

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- 4 (1) The preliminary design and projected cost of the
5 correctional treatment facility, which shall be
6 designed to be accredited by the American Correctional
7 Association;
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- 9 (2) Should the facility be constructed by a private
10 developer, a draft request for proposals for the
11 private development of the facility for the State on a
12 turn-key basis;
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- 14 (3) Should the facility be operated by a private operator,
15 a draft request for proposals for the operation of the
16 correctional treatment facility by a private operator
17 with experience in the successful operation of
18 facilities accredited by the American Correctional
19 Association and the Joint Commission on the
20 Accreditation of Healthcare Organizations;
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- 22 (4) Should the facility be constructed and operated by the
23 same private entity, a draft request for proposals for
24 the development and operation of the facility under
25 the respective requirements of paragraphs (2) and (3);
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- 27 (5) A prioritized list of suitable sites, including other
28 public lands and private properties, along with the
29 estimated cost of acquisition, the costs for site
30 preparation, and the cost for the provision of all
31 necessary infrastructure to support the proposed
32 facility;
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- 34 (6) A proposal for financing the acquisition of the
35 completed turn-key facility, including the use of
36 general obligation bonds, special purpose revenue
37 bonds, tax-exempted project revenue bonds,
38 certificates of participation, or other forms of
39 financing;
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- 41 (7) Any proposed legislation required for the
42 implementation of the final design, construction,
43 purchase, and operation of the correctional treatment
44 facility; and



1 (8) The feasibility of administering and operating a
2 community-based program on undeveloped Hawaiian home
3 lands property on the Big Island that would help
4 offenders, among other things, successfully
5 rehabilitate and reenter society;

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7 and

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9 BE IT FURTHER RESOLVED that certified copies of this
10 Concurrent Resolution be transmitted to the Director of Public
11 Safety, Chairperson of the Hawaiian Homes Commission, Director
12 of Business, Economic Development, and Tourism, Director of
13 Planning of the County of Hawaii, and Director of Research and
14 Development of the County of Hawaii.

