
HOUSE 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

7
 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

13
 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, that the Director of Public Safety is requested to form
 24 a task force comprised of elected and administrative state and
 25 county officials and community leaders to include but not be
 26 limited to:

- 27
 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



1 (6) A representative of the Hawaiian home lands
2 beneficiary community;

3
4 and

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

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

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

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

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



1 BE IT FURTHER RESOLVED that the task force is requested to
2 submit a report of its findings and recommendations, including
3 any proposed legislation, to the Legislature no later than 20
4 days prior to the convening of the Regular Session of 2012; and
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6 BE IT FURTHER RESOLVED that the task force is requested to
7 include the following in its report:
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- 9 (1) The preliminary design and projected cost of the
10 correctional treatment facility, which shall be
11 designed to be accredited by the American Correctional
12 Association;
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- 14 (2) Should the facility be constructed by a private
15 developer, a draft request for proposals for the
16 private development of the facility for the State on a
17 turn-key basis;
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- 19 (3) Should the facility be operated by a private operator,
20 a draft request for proposals for the operation of the
21 correctional treatment facility by a private operator
22 with experience in the successful operation of
23 facilities accredited by the American Correctional
24 Association and the Joint Commission on the
25 Accreditation of Healthcare Organizations;
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- 27 (4) Should the facility be constructed and operated by the
28 same private entity, a draft request for proposals for
29 the development and operation of the facility under
30 the respective requirements of paragraphs (2) and (3);
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- 32 (5) A prioritized list of suitable sites, including other
33 public lands and private properties, along with the
34 estimated cost of acquisition, the costs for site
35 preparation, and the cost for the provision of all
36 necessary infrastructure to support the proposed
37 facility;
38
- 39 (6) A proposal for financing the acquisition of the
40 completed turn-key facility, including the use of
41 general obligation bonds, special purpose revenue



- 1 bonds, tax-exempted project revenue bonds,
- 2 certificates of participation, or other forms of
- 3 financing;
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- 5 (7) Any proposed legislation required for the
- 6 implementation of the final design, construction,
- 7 purchase, and operation of the correctional treatment
- 8 facility; and
- 9
- 10 (8) The feasibility of administering and operating a
- 11 community-based program on undeveloped Hawaiian home
- 12 lands property on the Big Island that would help
- 13 offenders, among other things, successfully
- 14 rehabilitate and reenter society;

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16 and

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18 BE IT FURTHER RESOLVED that certified copies of this
19 Resolution be transmitted to the Director of Public Safety,
20 Chairperson of the Hawaiian Homes Commission, Director of
21 Business, Economic Development, and Tourism, Director of
22 Planning of the County of Hawaii, and Director of Research and
23 Development of the County of Hawaii.

