
SENATE CONCURRENT RESOLUTION

DISAPPROVING THE RESET ASIDE OF THE FORMER KULANI CORRECTIONAL FACILITY LANDS FROM THE DEPARTMENT OF PUBLIC SAFETY TO THE DEPARTMENT OF DEFENSE FOR THE YOUTH CHALLENGE ACADEMY, REQUESTING THE DEPARTMENT OF DEFENSE TO LOOK TO OTHER PLACES ON THE BIG ISLAND TO RELOCATE THE YOUTH CHALLENGE ACADEMY, AND URGING THE DEPARTMENT OF PUBLIC SAFETY TO REOPEN KULANI CORRECTIONAL FACILITY AT THE PRESENT SITE OF THE YOUTH CHALLENGE ACADEMY AND REHIRE THE SAME STAFF.

1 WHEREAS, on September 9, 2010, the Board of Land and
2 Natural Resources voted to approve the reset aside of 614.14
3 acres of former Kulani Correctional Facility lands from the
4 Department of Public Safety to the Department of Defense for a
5 Youth Challenge Academy, and related easements; and
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7 WHEREAS, this action led to the cancellations of Governor's
8 Executive Order Nos. 1225 (527.86 acres) and 1588 (86.28 acres)
9 for a total of 614.14 acres and reset asides of the lands
10 identified in those Executive Orders under Governor's Executive
11 Order No. 4341; and
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13 WHEREAS, pursuant to section 171-11, Hawaii Revised
14 Statutes, the Governor may, with the prior approval of the Board
15 of Land and Natural Resources, set aside public lands to any
16 department or agency of the State or its political subdivisions
17 for a public use or purpose; and
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19 WHEREAS, the power granted to the Governor to set aside,
20 withdraw, or withdraw and set aside public lands shall be
21 exercised subject to disapproval by the Legislature by
22 two-thirds vote of either the Senate or the House of
23 Representatives or by the majority vote of both, in any regular
24 or special session next following the date of the setting aside
25 or withdrawal, or both; and
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1 WHEREAS, the closure of Kulani Correctional Facility in the
2 fall of 2009 had a widespread impact on the Island of Hawaii, as
3 well as the correctional system statewide; and
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5 WHEREAS, in response to the announced closure, the State
6 Senate initiated a review and assessment of the impact to the
7 community from the planned closure of the Kulani Correctional
8 Facility; and
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10 WHEREAS, as part of that review, a Senate Ad Hoc Committee
11 conducted three informational briefings: on August 13, 2009, in
12 Hilo, Hawaii; on August 14, 2009, in Kailua-Kona, Hawaii; and on
13 August 19, 2009, in Honolulu, Hawaii; and
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15 WHEREAS, prior to the Honolulu informational briefing,
16 three subpoenas commanding appearance and testimony before the
17 Committee were served: one to the Chairperson of the
18 Correctional Industries Advisory Committee, and two to the
19 administrators at Kulani Correctional Facility; and
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21 WHEREAS, written comments were received from the Department
22 of Public Safety, the Mayor of the County of Hawaii, Community
23 Alliance on Prisons, and six individuals, and approximately two
24 dozen people presented oral testimony; and
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26 WHEREAS, unfortunately, the closure of Kulani Correctional
27 Facility was completed in October 2009, and as anticipated, that
28 closure has had a detrimental economic and environmental impact
29 on the Island of Hawaii; and
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31 WHEREAS, from its 1946 opening as a work camp through the
32 2009 closure, Kulani Correctional Facility incorporated
33 vocational training and specialized programming for the inmates;
34 and
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36 WHEREAS, the inmates used these skills to contribute
37 substantially to the needs of the Big Island, providing
38 mechanical repair and maintenance, construction, heavy equipment
39 operation, computer work, as well as horticulture and
40 conservation assistance through community service projects, and
41 many communities relied heavily on the inmates from Kulani
42 Correctional Facility for work they would not have been able to
43 complete by themselves; and
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1 WHEREAS, Kulani Correctional Facility has received
2 significant state investments through capital improvement
3 projects - \$8,136,937 since 2000 - and it would be a serious
4 dereliction of the State's fiscal obligations to let these
5 facilities sit idle; and

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7 WHEREAS, the Department of Defense has proposed to use
8 these facilities for an expansion of the Hawaii National Guard
9 Youth Challenge Academy, which would allow the Youth Challenge
10 Academy program to double the current annual number of graduates
11 from approximately 200 to 400; and

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13 WHEREAS, the Youth Challenge Academy, which is currently
14 housed at Kalaeloa, Oahu, has been in operation since 1994, and
15 works with 16- to 18-year-old at-risk youth who did not complete
16 high school, providing vocational training and General
17 Educational Development completion; and

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19 WHEREAS, while the Youth Challenge Academy would provide
20 benefits to the residents of the Island of Hawaii and the State,
21 the speed of the transfer of 614.14 acres gives the community
22 very little time to assess and react to these proposed actions
23 and renders it more difficult for the new state administration
24 to respond to those concerns with constructive actions; and

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26 WHEREAS, at the September 9, 2010, Board of Land and
27 Natural Resources hearing, the reset aside of lands to the Youth
28 Challenge Academy generated considerable discussion, and a
29 number of issues were raised, including funding, land tenure,
30 and the size of the facility needed for the Youth Challenge
31 Academy; and

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33 WHEREAS, until these issues are resolved, the reset aside
34 of approximately 600 acres of the land for the Hawaii National
35 Guard Youth Challenge Academy may not be the best possible use
36 of this unique state resource; now, therefore,

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38 BE IT RESOLVED by the Senate of the Twenty-sixth
39 Legislature of the State of Hawaii, Regular Session of 2011, the
40 House of Representatives concurring, that the Legislature
41 disapprove the reset aside of 614.14 acres of former Kulani
42 Correctional Facility lands from the Department of Public Safety
43 to the Department of Defense for a Youth Challenge Academy, and
44 related easements; and



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2 BE IT FURTHER RESOLVED that the Department of Defense
3 initiate a further review and assessment of the environmental
4 and fiscal implications and benefits of the resetting aside of
5 the 614.14 acres under the cancellations of Governor's Executive
6 Order Nos. 1225 (527.86 acres) and 1588 (86.28 acres); and
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8 BE IT FURTHER RESOLVED that the Department of Defense is
9 requested to look to other places on the Big Island to relocate
10 the Youth Challenge Academy; and
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12 BE IT FURTHER RESOLVED that the Department of Public Safety
13 is urged to reopen Kulani Correctional Facility at the present
14 site of the Youth Challenge Academy as referenced above, and
15 re-hire the same staff that worked at the Facility before the
16 transfer to the Department of Defense; and
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18 BE IT FURTHER RESOLVED that the Department of Defense
19 report its findings and recommendations to the Legislature no
20 later than twenty days prior to the convening of the Regular
21 Session of 2012; and
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23 BE IT FURTHER RESOLVED that certified copies of this
24 Concurrent Resolution be transmitted to the Governor,
25 Chairperson of the Board of Land and Natural Resources, Director
26 of Public Safety, and Adjutant General.

