

MAR 11 2011

S.C.R. NO. 72

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## SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO RETURN HAWAII  
PRISONERS HELD IN MAINLAND FACILITIES AND TO CONSTRUCT A  
NEW CORRECTIONAL FACILITY AT PANAEWA NEAR HILO.

1           WHEREAS, according to a 2010 report of the Office of  
2 Hawaiian Affairs, entitled "The Disparate Treatment of Native  
3 Hawaiians in the Criminal Justice System", Native Hawaiians  
4 receive disparate treatment in the criminal justice system, and  
5 there is an overwhelming number of Native Hawaiian men and women  
6 incarcerated in prison in Hawai'i and on the Mainland; and

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8           WHEREAS, incarceration affects not only an individual  
9 person, but everything and everyone connected to them; families  
10 are torn apart, children are left without their parents, and  
11 whole communities are dismantled; and

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13           WHEREAS, Native Hawaiians make up twenty-four percent of  
14 the general population of Hawai'i, but twenty-seven percent of  
15 all arrests, thirty-three percent of people in pretrial  
16 detention, twenty-nine percent of people sentenced to probation,  
17 thirty-six percent admitted to prison in 2009, thirty-nine  
18 percent of the incarcerated population, thirty-nine percent of  
19 releases on parole, and forty-one percent of parole revocations;  
20 and

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22           WHEREAS, Native Hawaiians receive longer prison sentences  
23 than most other racial or ethnic groups and Native Hawaiians  
24 make up the highest percentage of people incarcerated in  
25 mainland facilities; and

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27           WHEREAS, incarceration is particularly traumatic for Native  
28 Hawaiians, especially when imprisonment is on the Mainland; and

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30           WHEREAS, for Native Hawaiians, the impact of trauma is  
31 particularly salient because of strong connections to family,  
32 the land, and community; and



1           WHEREAS, imprisoning people from Hawai'i on the Mainland  
2 exacerbates the disproportionate impact of the criminal justice  
3 system on Native Hawaiians because they are cut off from  
4 supportive communities and families that give them a reason to  
5 exit prison as soon as possible; even the absence of familiar  
6 surroundings and changes in the weather are traumatizing; and

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8           WHEREAS, the Legislature believes that returning  
9 incarcerated persons, particularly Native Hawaiians, from the  
10 mainland is in the best interest of the State as well as the  
11 inmates themselves; and

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13           WHEREAS, a problem for any plan to return incarcerated  
14 persons from the Mainland is the lack of correctional facilities  
15 to house those returning inmates; and

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17           WHEREAS, there is land under the jurisdiction of the  
18 Department of Hawaiian Home Lands that is ideal to construct a  
19 new correctional facility at Panaewa, near Hilo on the Big  
20 Island; now, therefore,

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22           BE IT RESOLVED by the Senate of the Twenty-sixth  
23 Legislature of the State of Hawaii, Regular Session of 2011, the  
24 House of Representatives concurring, that the Department of  
25 Public Safety is requested to return Hawaii prisoners held in  
26 Mainland facilities; and

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28           BE IT FURTHER RESOLVED that the Department of Public Safety  
29 construct a new correctional facility at Panaewa near Hilo on  
30 the Big Island; and

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32           BE IT FURTHER RESOLVED that the Office of Hawaiian Affairs,  
33 Department of Hawaiian Home Lands, and University of Hawaii  
34 Center on the Family collaborate with and assist, as  
35 appropriate, the Department of Public Safety in making plans to  
36 return Hawaii inmates from the Mainland and in planning for the  
37 construction of a new correctional facility at Panaewa; and

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39           BE IT FURTHER RESOLVED that the Department of Public Safety  
40 report to the Legislature no later than twenty days prior to the  
41 convening of the Regular Session of 2012 on its progress toward  
42 bringing home Hawaii inmates from the Mainland and constructing  
43 a new correctional facility at Panaewa; and



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BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Director of Public Safety; Chief Executive Officer of the Office of Hawaiian Affairs; Chairperson of the Hawaiian Homes Commission; and Center on the Family at the University of Hawaii.

OFFERED BY:

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