
A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The Kulani correctional facility closed on
2 November 20, 2009, and the facility was transferred to the state
3 department of defense. The incarcerated population of
4 approximately one hundred twenty at the Kulani correctional
5 facility was transferred to the Halawa correctional facility, to
6 the federal detention center in Honolulu, and to mainland
7 prisons. The Kulani correctional facility specialized in
8 providing sex offender treatment, which the department of public
9 safety describes as being one of the most successful programs in
10 the country.

11 The legislature finds that Hawaii's incarcerated persons
12 who serve their incarceration sentence in Hawaii have more
13 potential for rehabilitation when they can live in familiar
14 surroundings and be close to relatives. The legislature further
15 finds that the sex offender treatment services that were
16 provided at the Kulani correctional facility were among the
17 finest in the country. The legislature further finds that
18 consideration of the State's financial costs of incarceration on



1 the mainland, rather than incarceration in Hawaii, is outweighed
2 by the rehabilitation success of persons incarcerated in Hawaii.
3 Successful rehabilitation eventually results in lower recidivism
4 and lower costs.

5 The purpose of this Act is to require the department of
6 public safety to make plans to reopen the Kulani correctional
7 facility.

8 SECTION 2. (a) No later than December 31, 2011, the
9 department of public safety shall:

10 (1) Formulate a plan to reopen the Kulani correctional
11 facility; and

12 (2) Include in that plan an implementation process to
13 transfer back incarcerated persons to and house new
14 inmates at the Kulani correctional facility.

15 (b) The emphasis of the reopened Kulani correctional
16 facility shall be on providing sex offender treatment
17 rehabilitation services.

18 (c) The state department of defense shall cooperate with
19 the department of public safety to transfer the Kulani
20 correctional facility back to the department of public safety,
21 and the department of public safety is urged to assist the state
22 department of defense in identifying alternative sites for the



1 Kulani Youth Challenge Academy. In addition, the department of
2 public safety shall staff Kulani correctional facility upon its
3 reopening with former Kulani employees in the positions they
4 held prior to the closing of the facility and, with the
5 exception of those who wish to remain in a different location,
6 bring back any and all employees who may have been bumped,
7 terminated, or accepted employment in a new geographical
8 location regardless of any agreements made between the employee
9 and the employer regarding transferring back to their original
10 workplace. These positions shall be offered first to former
11 employees of Kulani and Hawaii Community Correctional Center
12 before allowing any other transfers from employees who were not
13 affected or employed by Kulani or Hawaii Community Correctional
14 Center at the time of the closing.

15 (d) The department of public safety shall submit its plan
16 and any related findings and recommendations to the legislature
17 no later than twenty days prior to the convening of the regular
18 session of 2012.

19 SECTION 3. This Act shall take effect on July 1, 2030.



Report Title:

Kulani Correctional Facility; Reopening

Description:

Requires the Department of Public Safety to develop a plan to reopen the Kulani correctional facility, implement transfers, and house newly sentenced individuals by December 31, 2011. Report to 2012 legislature. Effective July 1, 2030. (SB1358 HD2)

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