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S.B. NO. 2334

A Bill for an Act Making an Emergency Appropriation for the Hawaii Youth Correctional Facility.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is recommended by the governor for immediate passage in accordance with section 9 of article VII of the Constitution of the State of Hawaii.

SECTION 2. Act 178, Session Laws of Hawaii 2005, provided an appropriation of \$6,278,187 to the department of human services, office of youth services, to operate the Hawaii youth correctional facility for fiscal year 2005-2006. On August 4, 2005, the United States Department of Justice released a report on the findings of its Civil Rights Division's investigation of the conditions of confinement at the Hawaii youth correctional facility. Given the serious nature of the findings, the governor is taking immediate action to fund improvements at the Hawaii youth correctional facility. Some of the remedial actions that the United States Department of Justice report recommends have already been put into place. The implementation

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of these remedial measures and associated overtime costs are the primary factors leading to the present budget shortfall.

The fiscal year 2005-2006 budget for the office of youth services, Hawaii youth correctional facility, did not include funding for any remedial actions at the facility, as a budget for remedial actions could not be compiled until after the United States Department of Justice report was issued.

While a negotiated settlement with the United States Department of Justice is anticipated at this time, it is apparent that improvements must be made in policies, procedures, and practices in the areas of suicide prevention and precaution, reporting of staff abuse and assaults, staff training, improved access to medical and mental health information, and special education services and vocational training.

The purpose of this Act is to appropriate additional general fund moneys to allow the department of human services, office of youth services, to continue to improve operations at the Hawaii youth correctional facility.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,679,091, or so much thereof as may be necessary for fiscal year 2005-2006, to be used for the Hawaii youth correctional facility.

The sum appropriated shall be expended by the department of human services for the purposes of this Act.

SECTION 4. This Act shall take effect upon its approval.

(Approved May 9, 2006.)