



GOV. MSG. NO. 928

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

July 9, 2008

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fourth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

Re: House Bill No. 2763 HD1 SD1 CD1

On July 8, 2008, House Bill No. 2763, entitled "A Bill for an Act Relating to the Children of Incarcerated Parents Task Force" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill re-establishes a task force that has already ceased operations and submitted its report to the 2008 Legislature.

While we appreciate the intent of this measure to ensure continued focus on the needs of children of incarcerated parents, this bill has a number of troubling aspects. First, it sets up a large task force within the Department of Human Services, but fails to provide funding or other resources to support this group. However, the bill mandates that the Department of Human Services pay for the travel and related expenses of the Task Force's operations. This de-facto means that money will need to be pulled from other important social service programs to pay for a group that is studying a topic that has already been researched in some detail.

Second, the 2008 report for the former Task Force contained recommendations that seemed to fall into three categories. The first category included programs that the Department of Public Safety and other organizations are already pursuing. This is not to imply that these programs cannot be improved, but it does little good to recommend the replication of programs that already exist. The second category included proposals that are beyond the scope and resources available to the State for the foreseeable future. Additionally, the Task Force has made suggestions that could increase the legal liabilities incurred by the State.

Despite these concerns, this Administration suggests that the Task Force seek funds from non-State sources and that it focus on working closely with the Department of Human Services and the Department of Public Safety on improving programs already in place to assist parents who are incarcerated and their children.

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For the foregoing reasons, I allowed House Bill No. 2763 to become law as Act 240,
effective July 8, 2008, without my signature.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle", written in a cursive style.

LINDA LINGLE

A BILL FOR AN ACT

RELATING TO THE CHILDREN OF INCARCERATED PARENTS TASK FORCE.

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

1 SECTION 1. The children of incarcerated parents task force
2 was established by Senate Concurrent Resolution No. 128 (2005),
3 and was extended by Act 256, Session Laws of Hawaii 2006, to
4 enable the task force to continue to develop programs to aid
5 children of incarcerated parents. The task force ceased to
6 exist on December 31, 2007.

7 The purpose of this Act is to re-establish the children of
8 incarcerated parents task force so it can continue to develop
9 programs to aid children of incarcerated parents, strengthen the
10 family bond, and help break the cycle of crime and violence.

11 SECTION 2. The department of public safety and the
12 department of human services shall re-establish the children of
13 incarcerated parents task force previously established by Senate
14 Concurrent Resolution No. 128 (2005) and Act 256, Session Laws
15 of Hawaii 2006, to identify and develop programs and support
16 services for children of incarcerated parents, as well as
17 programs to strengthen the bond between the families. The task
18 force shall be re-established as provided in this Act.



1 The goals of the task force are to:

2 (1) Develop a system to identify children of incarcerated
3 parents;

4 (2) Develop programs and support services for these
5 children;

6 (3) Provide support for incarcerated parents, where
7 appropriate;

8 (4) Develop programs to strengthen these families; and

9 (5) Review other jurisdictions' activities, policies,
10 directives, and laws relating to children of
11 incarcerated parents to derive best practices models.

12 SECTION 3. The task force shall include the following
13 members:

14 (1) The director of public safety or the director's
15 designee;

16 (2) The deputy director of the corrections division of the
17 department of public safety or the deputy director's
18 designee;

19 (3) The institutions division administrator of the
20 community correctional centers and the correctional
21 facilities or the administrator's designee;

22 (4) The director of health or the director's designee;



- 1 (5) The director of human services or a designee;
- 2 (6) The executive director of the office of youth services
3 or the executive director's designee;
- 4 (7) The chief justice of the supreme court or the chief
5 justice's designee;
- 6 (8) A member of the board of trustees of the office of
7 Hawaiian affairs or a designee;
- 8 (9) A representative of the family court of the first
9 circuit;
- 10 (10) The superintendent of education or the
11 superintendent's designee;
- 12 (11) The attorney general or the attorney general's
13 designee;
- 14 (12) The prosecuting attorney of each county or the
15 prosecuting attorney's designee;
- 16 (13) A representative of the child protective services
17 agency of the department of human services;
- 18 (14) The director of the Children's Justice Center of Oahu
19 or the director's designee;
- 20 (15) A representative from the adult probation division of
21 the judiciary;



- 1 (16) A member representing each of the county police
- 2 departments, appointed by the respective police
- 3 chiefs;
- 4 (17) A public member with advocacy experience working on
- 5 behalf of children of incarcerated parents to be
- 6 selected by Blueprint for Change;
- 7 (18) A public member with advocacy experience working on
- 8 behalf of children of incarcerated parents to be
- 9 selected by Child and Family Services;
- 10 (19) A public member with advocacy experience working on
- 11 behalf of children of incarcerated parents to be
- 12 selected by the Community Alliance on Prisons;
- 13 (20) A public member with advocacy experience working on
- 14 behalf of children of incarcerated parents to be
- 15 selected by the Good Beginnings Alliance;
- 16 (21) A public member with advocacy experience working on
- 17 behalf of children of incarcerated parents to be
- 18 selected by the Hawaii Juvenile Justice Project;
- 19 (22) A public member with advocacy experience working on
- 20 behalf of children of incarcerated parents to be
- 21 selected by Keiki O Ka Aina Family Learning Centers;



- 1 (23) A public member with advocacy experience working on
2 behalf of children of incarcerated parents to be
3 selected by Neighborhood Place of Puna;
- 4 (24) A public member with advocacy experience working on
5 behalf of children of incarcerated parents to be
6 selected by Neighborhood Place of Wailuku;
- 7 (25) Public members with experience working with children
8 of incarcerated parents to be selected by the
9 Children's Justice Center;
- 10 (26) A representative of the Queen Liliuokalani Children's
11 Center;
- 12 (27) Representatives of youth groups from the island of
13 Kauai who address the issues of incarcerated parents;
- 14 (28) A faculty member of the University of Hawaii
15 department of sociology or a designee; and
- 16 (29) The administrator of the intake service centers of the
17 department of public safety or the administrator's
18 designee.

19 The members of the task force shall select the chairperson
20 of the task force from among themselves and shall be reimbursed
21 for expenses, including travel expenses, necessary for the
22 performance of their duties.



1 SECTION 4. The task force shall be administratively
2 attached to the department of human services. The department of
3 public safety and the department of human services shall each
4 provide administrative, clerical, technical, and professional
5 support services necessary to assist the task force in achieving
6 its purpose as required under this Act. The task force shall
7 cease to exist after June 30, 2012.

8 SECTION 5. The task force shall submit annual reports to
9 the legislature not later than twenty days prior to the
10 convening of the regular sessions of 2009, 2010, 2011, and 2012.
11 The task force shall make the reports available to the general
12 public in printed form and on a website accessible to the public
13 over the Internet.

14 The annual reports shall be completed with the assistance
15 of the department of public safety and shall include:

- 16 (1) A summary of significant findings regarding children
17 of incarcerated parents;
- 18 (2) Statewide statistics indicating the number of children
19 with incarcerated parents in the state, including data
20 on age and educational, financial, geographic, and
21 socioeconomic demographics of incarcerated parents;



- 1 (3) Statewide data and data analysis to determine the
- 2 relationship between specific variables and the
- 3 frequency of parental incarceration;
- 4 (4) Statewide data and data analysis to determine the
- 5 relationship between parental incarceration and
- 6 various adverse outcomes for children of incarcerated
- 7 parents; and
- 8 (5) Multiple theoretical models for improving the welfare
- 9 and general well-being of children of incarcerated
- 10 parents.
- 11 SECTION 6. This Act shall take effect upon its approval.

APPROVED this day of , 2008

GOVERNOR OF THE STATE OF HAWAII

