



GOV. MSG. NO. 902

EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

June 6, 2007

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:

This is to inform you that on June 6, 2007, the following bill was signed into law:

SB914 SD2 HD1 CD1

A BILL FOR AN ACT RELATING TO MENTAL  
HEALTH ISSUES OF COMMITTED PERSONS.  
(ACT 144)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

Approved by the Governor

on JUN 6 2007

THE SENATE  
TWENTY-FOURTH LEGISLATURE, 2007  
STATE OF HAWAII

**ACT 144**

**S.B. NO.** 914  
S.D. 2  
H.D. 1  
C.D. 1

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## A BILL FOR AN ACT

RELATING TO MENTAL HEALTH ISSUES OF COMMITTED PERSONS.

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

1           SECTION 1. The legislature finds that mental health  
2 services at the Oahu community correctional center are  
3 alarmingly inadequate and have been the subject of ongoing  
4 federal investigation. These inadequacies have created  
5 conditions that threaten the constitutional rights of the  
6 committed persons detained therein.

7           The legislature further finds that up to forty per cent of  
8 the committed persons in the State's correctional facilities are  
9 mentally ill. Recent communications with experts retained by  
10 the federal Department of Justice have noted many  
11 insufficiencies, including:

12           (1) Inadequate staffing, including a lack of a director of  
13           mental health services and trained mental health  
14           professionals;

15           (2) A lack of individualized treatment planning and  
16           documentation;

17           (3) A confusing and inconsistent organizational structure;



- 1 (4) Outdated and unused policies and procedures; and
- 2 (5) Inadequate access to psychiatric hospitalization.

3 The purpose of this Act is to provide funds to the  
 4 department of public safety to remedy the inadequacies of mental  
 5 health care services provided to persons committed to Hawaii  
 6 state correctional facilities, and to monitor the progress of  
 7 this remediation.

8 SECTION 2. There is appropriated out of the general  
 9 revenues of the State of Hawaii the sum of \$500,000, or so much  
 10 thereof as may be necessary for fiscal year 2007-2008 for  
 11 improvements to the mental health care system of committed  
 12 persons in state-operated correctional facilities that will  
 13 address the concerns expressed by the experts retained by the  
 14 federal Department of Justice.

15 The sum appropriated shall be expended by the department of  
 16 public safety for the purposes of this Act.

17 SECTION 3. The department of public safety shall report to  
 18 the legislature by November 1, 2007, with a detailed mental  
 19 health plan that addresses the following:

- 20 (1) An assessment of the department's existing resources  
 21 and staffing, and of additional resources and staffing



- 1           needed to bring mental health services up to standard  
2           and to keep up with future demands;
- 3           (2) The use of alternative services, such as the use of  
4           telemedicine, to provide mental health services to  
5           incarcerated offenders;
- 6           (3) The completion of a departmental training and policy  
7           manual;
- 8           (4) The appropriate type of updated record-keeping system;
- 9           (5) An update on the feasibility study initiated by the  
10          departments of health and public safety regarding the  
11          expansion of the Hawaii state hospital to include an  
12          offender wing so as to be able to adequately treat  
13          mental health patients who are incarcerated; and
- 14          (6) Any other suggestions or ideas to improve mental  
15          health services to incarcerated individuals and to  
16          comply with local, state, and federal laws and  
17          mandates.

18 This written report shall be submitted in a form understandable  
19 by lay readers and made available to the public.

20           SECTION 4. The department of public safety shall report to  
21 the legislature not later than twenty days prior to the  
22 commencement of the 2008 regular session, and every session



1 thereafter, with its achievements, continuing improvements, and  
2 ongoing problems in providing the appropriate mental health care  
3 to committed persons under its jurisdiction.

4 SECTION 5. This Act shall take effect on July 1, 2007.



GOVERNOR OF THE STATE OF HAWAII

Approved this day: JUN 6 2007

