



GOV. MSG. NO. 864

EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

July 7, 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:

Pursuant to Section 16 of Article III of the State Constitution, I am transmitting herewith the following bill with a specific appropriation item stricken or reduced and my official statement of objections to that specific appropriation item contained in the bill.

SB2082 SD2 HD1 CD1

A BILL FOR AN ACT RELATING TO PUBLIC  
SAFETY.

Sincerely,

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

LINDA LINGLE

EXECUTIVE CHAMBERS

HONOLULU

July 7, 2008

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2082

Honorable Members  
Twenty-Fourth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2082, entitled "A Bill for an Act Relating to Public Safety."

This bill requires the Department of Public Safety to develop a plan by January 1, 2009 to ensure that female inmates returning to Hawaii from the mainland have adequate housing, community supervision, medical care, drug treatment, reintegration programs, employment training, and transitional services. A total of \$100,000 is appropriated out of the State general funds for the planning required.

The goal of this bill to safely and effectively allow for the return of female inmates to Hawaii is laudable. I support an effort to plan for the eventual return of female prisoners to Hawaii who wish to return to this state to complete the terms of their sentences.

The Department of Public Safety understands that rehabilitative and educational programs are vital for all inmates reintegrating into society. Current out-of-state correctional centers offer those programs and a host of other services to Hawaii's female inmates, as do certain in-state programs that provide transitional accommodations for incarcerated women.

However, because a program to return all female inmates from the mainland cannot realistically be implemented without an expansion of correctional facilities and services costing hundreds of millions of dollars, it is unlikely this effort can

STATEMENT OF OBJECTIONS  
SENATE BILL NO. 2082  
Page 2

take place within the time horizons contemplated by the supporters of this bill.

This bill appropriates \$100,000 in State general fund monies for fiscal year 2008-2009 to develop the plan. As this appropriation was not included in the State's financial plan, and is outside of the approved biennium budget, I am issuing a line-item veto.

Section 16 of Article III of the State Constitution provides that, "[e]xcept for items appropriated to be expended by the judicial and legislative branches, the governor may veto any specific item or items in any bill which appropriates money for specific purposes by striking out or reducing the same."

Therefore, pursuant to my line item veto authority, I have stricken out the \$100,000 appropriation from section 3 at line 2 on page 3 of the bill by drawing a line through the \$100,000 appropriation out of the general fund for fiscal year 2008-2009 for the Department of Public Safety and changing the amount to \$0.

Given the fiscal constraints faced by the State, our limited resources must be utilized to support existing programs that have an immediate impact and positive results for female prisoners.

For the foregoing reasons, I am returning Senate Bill No. 2082 with the appropriation for fiscal year 2008-2009 stricken out and reduced to \$0.

Respectfully,



LINDA LINGLE  
Governor of Hawaii

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# A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1           SECTION 1. The legislature finds that approximately one  
2 hundred seventy-five female prisoners who are residents of the  
3 State of Hawaii are incarcerated in mainland prisons. Many of  
4 these women are parents.

5           The increased likelihood of children of incarcerated  
6 parents being at high risk for physical and mental problems,  
7 aggression, and criminal activity has been documented in  
8 numerous studies by various institutions, including the Center  
9 for Children of Incarcerated Parents, the Child Welfare League  
10 of America, and the Federal Resource Center for Children of  
11 Prisoners.

12           The legislature further finds that the children of Hawaii  
13 prisoners incarcerated on the mainland have an even higher risk  
14 of becoming troubled due to the geographical separation that  
15 precludes regular visits between parent and child and limits  
16 access to support services.



1           The legislature further finds that the current contract for  
2   incarcerating female prisoners, who are residents of Hawaii, on  
3   the mainland expires in October 2008. The near-term expiration  
4   of this contract provides an opportunity for the department of  
5   public safety to review what additional facilities and programs  
6   must be in place to adequately house and rehabilitate female  
7   prisoners upon their return to Hawaii.

8           The purpose of this Act is to create a strategic plan to  
9   provide services to the State's female prisoners who are  
10  incarcerated on the mainland and who will be returning to  
11  Hawaii.

12           SECTION 2. The department of public safety shall develop a  
13  strategic plan by January 1, 2009, to provide female prisoners  
14  returning to Hawaii adequate:

- 15           (1) Housing;
- 16           (2) Community supervision;
- 17           (3) Medical care;
- 18           (4) Drug treatment;
- 19           (5) Reintegration programs;
- 20           (6) Employment training; and
- 21           (7) Transitional services.



1 SECTION 3. There is appropriated out of the general  
 2 revenues of the State of Hawaii the sum of ~~\$100,000~~<sup>-\$0-22</sup> or so much  
 3 thereof as may be necessary for fiscal year 2008-2009 for the  
 4 department of public safety to develop a strategic plan to  
 5 ensure successful reentry into the community of as many female  
 6 prisoners as possible who are returning from incarceration on  
 7 the mainland and who are residents of the State of Hawaii.

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

10 SECTION 4. This Act shall take effect on July 1, 2008.

APPROVED this                      day of                      , 2008

GOVERNOR OF THE STATE OF HAWAII



