
A BILL FOR AN ACT

RELATING TO THE AUDITOR.

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

1 SECTION 1. The legislature finds that since the passage of
2 mandatory minimum sentences for the use, possession, or
3 distribution of crystal methamphetamine, Hawaii's prison
4 population has dramatically increased. This rise in inmate
5 population has caused Hawaii to contract with out-of-state
6 private prisons to ease overcrowding.

7 The legislature also finds that, in 1996, Hawaii
8 transferred 300 prisoners out of the state, and the number of
9 transfers has been rapidly rising ever since. Ten years later,
10 in 2006, Hawaii had 1,844 prisoners housed in private prisons on
11 the mainland. Today, Hawaii has over 2,000 prisoners serving
12 their sentences in Corrections Corporation of America prisons in
13 Arizona and Kentucky.

14 The legislature further finds that there has never been an
15 audit of the private mainland prisons that Hawaii has contracted
16 with to house the State's inmates, despite the fact that deaths



1 and serious injuries have occurred at several of the contract
2 prisons on the mainland.

3 The purpose of this Act is to require a performance audit
4 of a private prison on the mainland housing Hawaii prisoners
5 with regard to the issues of delivery of services, visitation,
6 and the department of public safety's monitoring of its
7 contract.

8 SECTION 2. The office of the auditor shall conduct a
9 performance audit of the Saguaro Correctional Facility in Eloy,
10 Arizona. The performance audit shall cover:

11 (1) Treatment and services provided to Hawaii inmates,
12 including:

- 13 (A) Medical services;
- 14 (B) Mental health services;
- 15 (C) Substance abuse treatment;
- 16 (D) Education;
- 17 (E) Vocational training; and
- 18 (F) Food services;

19 (2) Facilitation of family and community connections,
20 including:

- 21 (A) Visitation;
- 22 (B) Videoconferencing; and



- 1 (C) Telephone communication;
- 2 and
- 3 (3) The department of public safety's execution of its
- 4 statutory duties, including:
- 5 (A) Monitoring of private prisons;
- 6 (B) Enforcement of contract provisions; and
- 7 (C) Public access to contracts and monitoring
- 8 reports.

9 SECTION 3. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$ or so
11 much thereof as may be necessary for fiscal year 2008-2009 for
12 the auditor to conduct the performance audit mandated under this
13 Act.

14 The sum appropriated shall be expended by the auditor for
15 the purposes of this Act.

16 SECTION 4. The auditor shall report findings and
17 recommendations to the legislature no later than twenty days
18 prior to the convening of the regular session of 2009.

19 SECTION 5. This Act shall take effect on July 1, 2020.



Report Title:

Auditor; Performance Audits; Private Prisons

Description:

Requires the auditor to conduct a performance audit of a private prison on the mainland that houses Hawaii prisoners. Makes an appropriation. Effective 07/01/2020. (SB2342 HD1)

