

MAR 07 2014

SENATE CONCURRENT RESOLUTION

URGING THE GOVERNOR TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP TO BUILD A NEW SYSTEM OF PRISONS, JAILS, AND HALFWAY HOMES FOR HAWAI'I, TO BE OWNED AND OPERATED BY THE STATE AND ITS COUNTIES.

1 WHEREAS, it is the duty and obligation of the State to
2 employ and operate a system of prisons and jails that
3 incarcerate and rehabilitate individuals in society who are
4 guilty of crimes; and

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6 WHEREAS, the State currently employs and operates a system
7 of prisons and jails that are overcrowded and in some cases old
8 and dilapidated; and

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10 WHEREAS, inadequate facilities have forced the State to
11 send prisoners to private mainland prisons; and

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13 WHEREAS, the practice of sending the State's prisoners to
14 private mainland prisons is a temporary solution that is no
15 longer viable or in the best interests of prisoners, their
16 families, or society as a whole; and

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18 WHEREAS, the State's current prison population, including
19 those incarcerated on the mainland, is over 5,000 and is
20 estimated to exceed 6,000 in the foreseeable future; and

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22 WHEREAS, the Governor and the Legislature agree that the
23 State's prison system needs to be improved to alleviate the
24 conditions that result in the outsourcing of Hawai'i's prisoners;
25 and

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27 WHEREAS, the practice of sending the State's prisoners to
28 mainland prisons needs to be eliminated as soon as possible; and

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30 WHEREAS, despite the promising fiscal condition of the
31 State, it will never be sufficiently positive to allow Hawai'i to



1 pay the estimated \$800,000,000 to \$1,000,000,000 that is needed
2 to build a new system of prisons and jails; and
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4 WHEREAS, if the current situation continues, prison
5 conditions will only worsen and potentially lead to federal
6 intervention that will financially burden the State, as seen in
7 California, which resulted in the costly federal oversight of
8 California's prison health care system; and
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10 WHEREAS, federal intervention threatens all other parts of
11 government service, including but not limited to education,
12 welfare, and other aspects of public safety; and
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14 WHEREAS, the Department of Public Safety has not provided a
15 concrete plan to rebuild our prisons and jails in response to
16 the burgeoning prison system crisis; now, therefore,
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18 BE IT RESOLVED by the Senate of the Twenty-seventh
19 Legislature of the State of Hawaii, Regular Session of 2014, the
20 House of Representatives concurring, that the Governor is urged
21 to enter into a public-private partnership with a company that
22 has the proven capabilities of building a new prison system and
23 to build a new system of prisons, jails, and halfway homes for
24 Hawai'i, to be owned and operated by the State and its counties;
25 and
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27 BE IT FURTHER RESOLVED that the Governor is urged to
28 achieve the goal of bringing home all of the State's prisoners
29 that are incarcerated on the mainland no later than July 1,
30 2018; and
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32 BE IT FURTHER RESOLVED that the public-private partnership
33 be in accordance with the Justice Reinvestment Act and that a
34 minimum of seventy percent of the repayment costs for the new
35 system be paid for through cost savings and efficiencies, as
36 compared to the existing system; and
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38 BE IT FURTHER RESOLVED that the public-private partnership
39 thoroughly evaluate refurbishment and expansion of any existing
40 facilities that may have remaining useful life and can be
41 feasibly extended for a minimum of thirty years; and
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1 BE IT FURTHER RESOLVED that the financial analysis of all
2 proposals, refurbishments, and construction be completed on a
3 whole life methodology; and
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5 BE IT FURTHER RESOLVED that all proposals include a total
6 cost of ownership analysis, including but not limited to: first
7 cost of capital, all land and infrastructure costs, building
8 operating costs and maintenance, managerial operating costs
9 including all staff costs, and remaining useful life beyond the
10 thirty-year period; and
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12 BE IT FURTHER RESOLVED that no later than May 31, 2014, the
13 relevant state departments put out a request for proposals to
14 the prison building industry; and
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16 BE IT FURTHER RESOLVED that no later than December 31,
17 2014, the State select a private partner to accomplish the goal
18 of providing Hawai'i with a new, state of the art, system of
19 prisons, jails, and halfway homes; and
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21 BE IT FURTHER RESOLVED that the Governor, at the time of
22 the State of the State Address in January 2015, provide the
23 Legislature with a final version of all plans for the new prison
24 system and a complete accounting for how the public-private
25 partnership will implement the plans without increasing taxes;
26 and
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28 BE IT FURTHER RESOLVED that certified copies of this
29 Concurrent Resolution be transmitted to the Governor, Director
30 of Public Safety, and Director of Finance.
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OFFERED BY: Will Eyo
