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# SENATE RESOLUTION

ESTABLISHING A SPECIAL MENTAL HEALTH TASK FORCE TO STUDY WHETHER HAWAII SHOULD PROVIDE A CONTINUUM OF MENTAL HEALTH CARE FOR INCARCERATED PERSONS.

1 WHEREAS, chapter 334, part VIII, Hawaii Revised Statutes,  
2 relating to involuntary outpatient mental health treatment,  
3 provides procedures and criteria for the involuntary outpatient  
4 treatment for persons in need of mental health services; and

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6 WHEREAS, the existing law on involuntary outpatient mental  
7 health treatment was originally enacted by Act 251, Session Laws  
8 of Hawaii 1984, and remains today in substantially the same  
9 language; and

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11 WHEREAS, the involuntary outpatient treatment law provides  
12 for a maximum outpatient treatment period of not more than one  
13 hundred eighty days or six months; and

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15 WHEREAS, existing law does not provide for follow-up mental  
16 health treatment after the expiration of six months, which in  
17 many instances is sorely needed for the benefit of the patient  
18 and the safety of society; and

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20 WHEREAS, in Hawaii, a white paper submitted to the 2002  
21 National Conference on Mental Health Statistics, by a professor  
22 at the University of Hawaii at Manoa, Department of Psychology,  
23 and the Adult Mental Health Division of the Hawaii Department of  
24 Health, estimates that the population with severe and persistent  
25 mental illness is 2.6 per cent of adults, or approximately  
26 24,000 people; and

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28 WHEREAS, there are approximately 13,000 adults currently  
29 being were served by the Adult Mental Health Division; and

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31 WHEREAS, persons who have been discharged from further  
32 treatment after a maximum period of six months have a high  
33 probability of needing continuous mental health care, but in all  
34 likelihood do not receive such care because of a lack of further  
35 professional attention and care; and



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2 WHEREAS, discharged persons may go on to become involved in  
3 the criminal justice system; and  
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5 WHEREAS, *The Honolulu Advertiser*, on January 14, 2007,  
6 reported on its investigation that found that the care of  
7 mentally ill inmates in Hawaii's prison system is so deficient  
8 that many fail to get treatment and are subjected to conditions  
9 considered harmful and likely to worsen their symptoms; and  
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11 WHEREAS, the prison mental health services are one  
12 component of the total mental health care system in Hawaii in  
13 which the entry point for mental health services is assisted  
14 outpatient treatment; and  
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16 WHEREAS, a special mental health task force would be able  
17 to expertly assess whether Hawaii should provide some form of  
18 post-involuntary outpatient mental health care, and assess the  
19 quality and effectiveness of mental health services provided to  
20 incarcerated persons; now, therefore,  
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22 BE IT RESOLVED by the Senate of the Twenty-fourth  
23 Legislature of the State of Hawaii, Regular Session of 2007,  
24 that the Governor of the State of Hawaii is requested to  
25 establish a special mental health task force and provide  
26 administrative support thereto; and  
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28 BE IT FURTHER RESOLVED that the special mental health task  
29 force be chaired by the Governor, or designee; the Chief of the  
30 Adult Mental Health Division, or designee, of the Department of  
31 Health; the Chief Justice of the Hawaii Supreme Court, or  
32 designee; the Director of Public Safety, or representative; a  
33 representative of the Hawaii Housing Finance and Development  
34 Corporation, selected by the corporation; the Attorney General,  
35 or designee; the Prosecuting Attorney of the City and County of  
36 Honolulu, or designee; the Public Defender or designee; a  
37 representative of the Mental Health Association in Hawaii, to be  
38 selected by that organization; a representative of the Hawaii  
39 Medical Psychiatric Association, to be selected by that  
40 organization; a representative of the Hawaii Psychological  
41 Association, to be selected by that organization; a  
42 representative of the Community Alliance on Prisons, to be  
43 selected by that organization; a representative of the American



1 Civil Liberties Union, to be selected by that organization; and  
2 the Legal Aid Society, to be selected by that organization; and  
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4 BE IT FURTHER RESOLVED that the special mental health task  
5 force is requested to conduct a study to assess whether Hawaii  
6 should provide some form of post-involuntary outpatient mental  
7 health care, and assess the quality and effectiveness of mental  
8 health services provided to incarcerated persons; and  
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10 BE IT FURTHER RESOLVED that the special mental health task  
11 force is requested to report its findings and recommendations,  
12 including proposed legislation, to the Legislature no later than  
13 thirty days prior to the convening of the Regular Session of  
14 2008; and  
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16 BE IT FURTHER RESOLVED that certified copies of this  
17 Resolution be transmitted to the Governor, the Director of  
18 Health, the Chief of the Adult Mental Health Division, the Chief  
19 Justice of the Hawaii Supreme Court, the Director of Public  
20 Safety, the Executive Director of the Hawaii Housing Finance and  
21 Development Corporation, the Attorney General, the Prosecuting  
22 Attorney of the City and County of Honolulu, the Public  
23 Defender, the Mental Health Association in Hawaii, the Hawaii  
24 Medical Psychiatric Association, the Hawaii Psychological  
25 Association, the Community Alliance on Prisons, the American  
26 Civil Liberties Union, and the Legal Aid Society.

