
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 the department of
2 corrections and rehabilitation oversees eight correctional
3 facilities throughout the State: Halawa correctional facility,
4 Waiawa correctional facility, Kulani correctional facility, the
5 women's community correctional center, Hawaii community
6 correctional center, Kauai community correctional center, Maui
7 community correctional center, and Oahu community correctional
8 center. It also contracts with CoreCivic to transfer and
9 incarcerate nine hundred thirty-eight male inmates at Saguaro
10 correctional center in Arizona, despite the availability of open
11 beds at Waiawa correctional facility and Kulani correctional
12 facility.

13 The legislature recognizes that some correctional
14 facilities throughout the State face issues of overcrowding and
15 understaffing, which threatens the safety and well-being of
16 incarcerated individuals and corrections staff. As of December



1 2024, there were nine hundred forty-seven individuals
2 incarcerated at the Oahu community correctional center.

3 The legislature further finds that the department of
4 corrections and rehabilitation reported that from 2021 to 2023,
5 approximately thirty to forty per cent of inmates incarcerated
6 in the State's correctional facilities were homeless immediately
7 prior to entry, and an even larger percentage exit to
8 homelessness. The Hawaii correctional system oversight
9 commission reported that eighty-six per cent of the inmate
10 population needs substance use treatment at some level, Native
11 Hawaiians are disproportionately incarcerated, and many in
12 Hawaii's correctional facilities need mental health services.

13 The legislature further finds that the department of
14 corrections and rehabilitation, with the support of the
15 department of accounting and government services, is proposing
16 to construct a new, expanded one thousand three hundred bed jail
17 to replace the Oahu community correctional center through a
18 public-private partnership.

19 The estimated cost to replace the Oahu community
20 correctional center according to the department of corrections
21 and rehabilitation's current plans for expansion and



1 construction is \$1,000,000,000. This proposed new jail would
2 make it the single largest public works project in state history
3 and does not include the recurring costs of operation. To date,
4 the department of corrections and rehabilitation has expended
5 approximately \$25,000,000 on planning consultants, including
6 public relations professionals on this proposed project.

7 Furthermore, the legislature finds that expenditure of
8 taxpayer dollars on this proposed project is proceeding even
9 though the department of corrections and rehabilitation has made
10 no discernable effort to maintain and repair existing
11 facilities, including at the Oahu community correctional center.
12 Moreover, the department of corrections and rehabilitation has
13 not immediately implemented actionable changes at the Oahu
14 community correctional center that do not require new
15 construction, as outlined by the Hawaii correctional system
16 oversight commission.

17 In addition, the legislature finds that the department of
18 corrections and rehabilitation should work collaboratively with
19 justice system partners, beginning on Oahu, to increase
20 diversion infrastructure to substantially reduce incarceration
21 levels in the State's jails, address the root causes of



1 individuals' involvement with the criminal legal system, and
2 decrease pre-trial detention times to six months or less.

3 The legislature further finds that the department of
4 corrections and rehabilitation has also not provided a full
5 accounting of how past funding relating to the proposed project
6 has been spent. Finally, the legislature finds that the
7 department of corrections and rehabilitation is proceeding with
8 this project without a current comprehensive systems-wide
9 approach to master planning. The department of corrections and
10 rehabilitation is requesting another \$30,000,000 to issue a
11 request for proposals to replace the Oahu community correctional
12 facility even though the department's last ten-year master plan
13 update was completed in 2003. The last report lacked an
14 analysis of data-driven systems strategies to significantly
15 reduce the number of individuals who hold pretrial status in the
16 State's jails and divert those who are houseless, poor, and in
17 need of mental health care and substance use treatment to the
18 appropriate service providers.

19 Accordingly, the purpose of this Act is to:

20 (1) Require and appropriate funds for the office of the
21 auditor to perform a comprehensive forensic audit of



1 the department of corrections and rehabilitation and
2 department of accounting and general services
3 regarding spending related to the planning, design,
4 financing, construction, and maintenance of a new jail
5 to replace the Oahu community correctional center; and
6 (2) Require the office of the auditor to submit a report
7 of its findings and recommendations, including any
8 proposed legislation, to the legislature.

9 SECTION 2. (a) The office of the auditor shall perform a
10 comprehensive forensic audit of the department of corrections
11 and rehabilitation and department of accounting and general
12 services regarding spending related to the planning, design,
13 financing, construction, and maintenance of a new jail to
14 replace the Oahu community correctional center.

15 (b) The forensic audit shall include, at a minimum:
16 (1) A review of accountability measures within the
17 department of corrections and rehabilitation and
18 department of accounting and general services related
19 to the planning of a new jail to replace the Oahu
20 community correctional center;



- 1 (2) An analysis of the department of corrections and
2 rehabilitation's budget and whether the expenditure of
3 funding related to the planning, design, financing,
4 construction, and maintenance of a new jail to replace
5 the Oahu community correctional center is in
6 accordance with the funding's original purpose;
- 7 (3) An examination of the department of corrections and
8 rehabilitation and department of accounting and
9 government services' compliance with procurement laws
10 related to the planning, design, financing,
11 construction, and maintenance of a new jail to replace
12 the Oahu community correctional center;
- 13 (4) A list of all contractors and subcontractors; the date
14 of the contracts; the amount of the contracts; the
15 scope of the contractors' and subcontractors' duties;
16 and the completion of the contractors' and
17 subcontractors' duties related to the proposed
18 construction of a new jail to replace the Oahu
19 community correctional center; and
- 20 (5) Any other matters that the office of the auditor deems
21 necessary or appropriate.



1 (c) The office of the auditor shall submit a report of its
2 findings and recommendations, including any proposed
3 legislation, to the legislature no later than twenty days prior
4 to the convening of the regular session of 2026.

5 SECTION 3. The department of corrections and
6 rehabilitation and department of accounting and government
7 services shall fully cooperate with and provide any necessary
8 assistance to the office of the auditor with respect to the
9 comprehensive forensic audit and shall respond promptly to all
10 requests from the office of the auditor, including providing
11 records and other information requested during the course of the
12 audit.

13 SECTION 4. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so
15 much thereof as may be necessary for fiscal year 2025-2026 for
16 the office of the auditor to perform a comprehensive forensic
17 audit pursuant to section 2 of this Act.

18 The sum appropriated shall be expended by the office of the
19 auditor for the purposes of this Act.

20 SECTION 5. This Act shall take effect on July 1, 2025.

21



H.B. NO. 1446

INTRODUCED BY: *Xi Cao*

JAN 23 2025



H.B. NO. 1446

Report Title:

Department of Corrections and Rehabilitation; Department of Accounting and General Services; Comprehensive Forensic Audit; Report; Appropriation

Description:

Requires the Office of the Auditor to perform a comprehensive forensic audit of the Department of Corrections and Rehabilitation and Department of Accounting and General Services related to the planning, design, financing, construction, and maintenance of a new jail to replace the Oahu Community Correctional Center. Requires a report. Appropriates funds.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

