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## The Senate

STATE CAPITOL  
HONOLULU, HAWAII 96813

May 13, 2011

The Honorable William J. Aila, Jr.  
Chair, Board of Land and Natural Resources  
Department of Land and Natural Resources  
1151 Punchbowl Street  
Honolulu, Hawai'i 96813

Dear Mr. Aila:

I write in response to your Department's request for information on the Senate vote on the following Senate Concurrent Resolution:

S.C.R. No. 14, S.D. 2

Disapproving the Reset Aside of the Former Kulani Correctional Facility Lands from the Department of Public Safety to the Department of Defense for the Youth Challenge Academy, Requesting the Department of Defense to Look to Other Places on the Big Island to Relocate the Youth Challenge Academy, and Urging the Department of Public Safety to Reopen Kulani Correctional Facility at the Present Site of the Youth Challenge Academy and Rehire the Same Staff

S.C.R. No. 14, S.D. 2 was adopted by the Senate on April 5, 2011 by voice vote, with no objections. All 25 members of the Senate were present for the vote.

Attached for your information is a copy of the Concurrent Resolution that was adopted by the Senate.

If you have any questions or need additional information, please do not hesitate to contact me at 586-6656 or [c.taniguchi@capitol.hawaii.gov](mailto:c.taniguchi@capitol.hawaii.gov).

Sincerely,

CAROL TANIGUCHI  
Senate Clerk

Attachment

cc: Mr. Russell Y. Tsuji, Administrator, Land Division, DLNR  
✓Mr. Paul J. Conry, Administrator, Division of Forestry & Wildlife, DLNR  
Senate President Shan S. Tsutsui  
Senator Gilbert Kahele

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## SENATE CONCURRENT RESOLUTION

DISAPPROVING THE RESET ASIDE OF THE FORMER KULANI CORRECTIONAL FACILITY LANDS FROM THE DEPARTMENT OF PUBLIC SAFETY TO THE DEPARTMENT OF DEFENSE FOR THE YOUTH CHALLENGE ACADEMY, REQUESTING THE DEPARTMENT OF DEFENSE TO LOOK TO OTHER PLACES ON THE BIG ISLAND TO RELOCATE THE YOUTH CHALLENGE ACADEMY, AND URGING THE DEPARTMENT OF PUBLIC SAFETY TO REOPEN KULANI CORRECTIONAL FACILITY AT THE PRESENT SITE OF THE YOUTH CHALLENGE ACADEMY AND REHIRE THE SAME STAFF.

1           WHEREAS, on September 9, 2010, the Board of Land and  
2 Natural Resources voted to approve the reset aside of 614.14  
3 acres of former Kulani Correctional Facility lands from the  
4 Department of Public Safety to the Department of Defense for a  
5 Youth Challenge Academy, and related easements; and  
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7           WHEREAS, this action led to the cancellations of Governor's  
8 Executive Order Nos. 1225 (527.86 acres) and 1588 (86.28 acres)  
9 for a total of 614.14 acres and reset asides of the lands  
10 identified in those Executive Orders under Governor's Executive  
11 Order No. 4341; and  
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13           WHEREAS, pursuant to section 171-11, Hawaii Revised  
14 Statutes, the Governor may, with the prior approval of the Board  
15 of Land and Natural Resources, set aside public lands to any  
16 department or agency of the State or its political subdivisions  
17 for a public use or purpose; and  
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19           WHEREAS, the power granted to the Governor to set aside,  
20 withdraw, or withdraw and set aside public lands shall be  
21 exercised subject to disapproval by the Legislature by  
22 two-thirds vote of either the Senate or the House of  
23 Representatives or by the majority vote of both, in any regular  
24 or special session next following the date of the setting aside  
25 or withdrawal, or both; and  
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1 WHEREAS, the closure of Kulani Correctional Facility in the  
2 fall of 2009 had a widespread impact on the Island of Hawaii, as  
3 well as the correctional system statewide; and  
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5 WHEREAS, in response to the announced closure, the State  
6 Senate initiated a review and assessment of the impact to the  
7 community from the planned closure of the Kulani Correctional  
8 Facility; and  
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10 WHEREAS, as part of that review, a Senate Ad Hoc Committee  
11 conducted three informational briefings: on August 13, 2009, in  
12 Hilo, Hawaii; on August 14, 2009, in Kailua-Kona, Hawaii; and on  
13 August 19, 2009, in Honolulu, Hawaii; and  
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15 WHEREAS, prior to the Honolulu informational briefing,  
16 three subpoenas commanding appearance and testimony before the  
17 Committee were served: one to the Chairperson of the  
18 Correctional Industries Advisory Committee, and two to the  
19 administrators at Kulani Correctional Facility; and  
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21 WHEREAS, written comments were received from the Department  
22 of Public Safety, the Mayor of the County of Hawaii, Community  
23 Alliance on Prisons, and six individuals, and approximately two  
24 dozen people presented oral testimony; and  
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26 WHEREAS, unfortunately, the closure of Kulani Correctional  
27 Facility was completed in October 2009, and as anticipated, that  
28 closure has had a detrimental economic and environmental impact  
29 on the Island of Hawaii; and  
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31 WHEREAS, from its 1946 opening as a work camp through the  
32 2009 closure, Kulani Correctional Facility incorporated  
33 vocational training and specialized programming for the inmates;  
34 and  
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36 WHEREAS, the inmates used these skills to contribute  
37 substantially to the needs of the Big Island, providing  
38 mechanical repair and maintenance, construction, heavy equipment  
39 operation, computer work, as well as horticulture and  
40 conservation assistance through community service projects, and  
41 many communities relied heavily on the inmates from Kulani  
42 Correctional Facility for work they would not have been able to  
43 complete by themselves; and  
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1 WHEREAS, Kulani Correctional Facility has received  
2 significant state investments through capital improvement  
3 projects - \$8,136,937 since 2000 - and it would be a serious  
4 dereliction of the State's fiscal obligations to let these  
5 facilities sit idle; and  
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7 WHEREAS, the Department of Defense has proposed to use  
8 these facilities for an expansion of the Hawaii National Guard  
9 Youth Challenge Academy, which would allow the Youth Challenge  
10 Academy program to double the current annual number of graduates  
11 from approximately 200 to 400; and  
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13 WHEREAS, the Youth Challenge Academy, which is currently  
14 housed at Kalaelo, Oahu, has been in operation since 1994, and  
15 works with 16- to 18-year-old at-risk youth who did not complete  
16 high school, providing vocational training and General  
17 Educational Development completion; and  
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19 WHEREAS, while the Youth Challenge Academy would provide  
20 benefits to the residents of the Island of Hawaii and the State,  
21 the speed of the transfer of 614.14 acres gives the community  
22 very little time to assess and react to these proposed actions  
23 and renders it more difficult for the new state administration  
24 to respond to those concerns with constructive actions; and  
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26 WHEREAS, at the September 9, 2010, Board of Land and  
27 Natural Resources hearing, the reset aside of lands to the Youth  
28 Challenge Academy generated considerable discussion, and a  
29 number of issues were raised, including funding, land tenure,  
30 and the size of the facility needed for the Youth Challenge  
31 Academy; and  
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33 WHEREAS, until these issues are resolved, the reset aside  
34 of approximately 600 acres of the land for the Hawaii National  
35 Guard Youth Challenge Academy may not be the best possible use  
36 of this unique state resource; now, therefore,  
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38 BE IT RESOLVED by the Senate of the Twenty-sixth  
39 Legislature of the State of Hawaii, Regular Session of 2011, the  
40 House of Representatives concurring, that the Legislature  
41 disapprove the reset aside of 614.14 acres of former Kulani  
42 Correctional Facility lands from the Department of Public Safety  
43 to the Department of Defense for a Youth Challenge Academy, and  
44 related easements; and



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BE IT FURTHER RESOLVED that the Department of Defense initiate a further review and assessment of the environmental and fiscal implications and benefits of the resetting aside of the 614.14 acres under the cancellations of Governor's Executive Order Nos. 1225 (527.86 acres) and 1588 (86.28 acres); and

BE IT FURTHER RESOLVED that the Department of Defense is requested to look to other places on the Big Island to relocate the Youth Challenge Academy; and

BE IT FURTHER RESOLVED that the Department of Public Safety is urged to reopen Kulani Correctional Facility at the present site of the Youth Challenge Academy as referenced above, and re-hire the same staff that worked at the Facility before the transfer to the Department of Defense; and

BE IT FURTHER RESOLVED that the Department of Defense report its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2012; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Governor, Chairperson of the Board of Land and Natural Resources, Director of Public Safety, and Adjutant General.