



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

November 16, 2007

Mr. Domingo S. Herraiz
Director, Bureau of Justice Assistance
Office of Justice Programs
U.S. Department of Justice
810 7th Street, NW
Washington, DC 20531

RE: HAWAII VOI/TIS INCENTIVE GRANT NO. 96-CV-VX-0015 (\$13,097,633)

Dear Mr. Herraiz:

In response to your attached letter dated October 18, 2007, I am proposing a change to the project scope to other allowable VOI/TIS activities, which will be completed by the current grant deadline of October 19, 2008. The State of Hawaii is confident that it will be able to meet all of its VOI/TIS Incentive Grant obligations for the new allowable plans presented here, as described in the initial phase of Procurement and Delivery by the expiration date of the grant.

I plan to expend \$14,055,000 (\$12,654,500 of the VOI/TIS funds and \$1,400,500 in matching funds from the State of Hawaii) to address our proposed project. These changes will: (1) increase the number of lower-level security beds at various correctional facilities, statewide, to enable the Department of Public Safety (PSD) to free up higher level security beds for violent offenders elsewhere; (2) increase the opportunities for inmate participation in substance abuse treatment programs via the addition of new physical space at statewide facilities; (3) enhance the Corrections Division's drug detection efforts with the purchase of electronic devices for optimal detection of contraband substances; and (4) the renovation of the Department of Human Services (DHS) community-based correctional facilities for non-violent juvenile offenders.

Plan One. The first phase of Plan One would be accomplished by using the VOI/TIS Incentive Grant No. 96-CV-VX-0015 funds, along with the 10 percent State of Hawaii match to procure housing packages consisting of Sprung™ Instant Structure buildings, together with mobile restroom structures totaling approximately 7,064 square feet, capable of handling 64 inmates, as well as providing direct support functions to them. The Maui, Kauai, and Kulani facilities will require two housing packages each and one housing package for the Hawaii Community Correctional Center. In total, this plan shall provide 256 male and 192 female beds.

The financial need to implement Plan One is approximately \$5,950,000, which includes the procurement of storage structures and will be used to protect the housing packages from the

ATTACHMENT A

elements. The four 50' x 50' storage structures will enable PSD to store its purchases until such time as all subsequent State of Hawaii funding and other administrative actions can be completed.

Plan Two. The first phase of Plan Two calls for the increase of physical support space that will provide additional program opportunities to inmate participants in PSD's substance abuse treatment programs. Similar to the housing packages described above, the program packages will include mobile restroom containers. The total cost of the program packages for the Maui, Hawaii and Oahu Correctional Centers and at the Halawa, Kulani and Waiawa Correctional Facilities is approximately \$3,800,000.

September 30, 2008 will be the projected completion date of the first phase for the Housing and Program Packages. This would include procurement, shipping and delivery actions as well as storage building assembly. In order for the State of Hawaii to accomplish this task, we must receive your approval no later than January 31, 2008.

The second phase of Plans One and Two will be the assembly of the housing and program packages, which will be fully funded by the State of Hawaii. The project schedule for this phase will reflect all necessary administrative actions that need to be taken, as well as actual construction.

Plan Three. Plan Three, estimated at \$1,300,000, will utilize the VOI/TIS Incentive Grant along with the 10 percent State of Hawaii match to purchase electronic detection devices that will screen individuals for narcotics, without the need for physical contact. The Maui, Halawa, Oahu, and Women's facilities require one walk-through detector each, and twelve portable detectors will be purchased and distributed throughout the facilities statewide.

Plan Four. Plan Four is requesting a change in the project scope to include DHS, which manages and operates the Hawaii Youth Correctional Facility (HYCF). The primary purpose of the HYCF is to provide safe and secure housing for the most violent and dangerous juvenile offenders who pose a threat to the community.

Approximately \$2,455,000 of the VOI/TIS funds will be used for the renovation of three community-based correctional facilities for non-violent juvenile offenders. The renovation to facilities on the islands of Maui, Hawaii, and Oahu will provide 36 additional beds (Safe House) for male juvenile offenders.

Exigent circumstances clearly exist in the fact that HYCF is currently occupied beyond capacity. Moreover, over-crowding contributes to the on-going deficiencies in the operation of the facilities under a Memorandum of Agreement relating to a Department of Justice settlement.

Finally, the State of Hawaii will meet its obligations to its VOI/TIS Incentive Grant by complying with the National Environmental Policy Act (NEPA) requirements for the proposed

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plan. The State of Hawaii recognizes expenditures associated with NEPA compliance are allowed under the VOI/TIS Incentive Grant. It is my understanding that all NEPA related actions is allowable expenses of the VOI/TIS grant. The State anticipates that expenses for NEPA would be approximately \$550,000.

Enclosed is documentation that provides more details of the project, the schedule and cost projections.

Please feel free to contact PSD Director Clayton A. Frank at (808) 587-1350 or by email at Clayton.A.Frank@hawaii.gov with any questions you might have. On behalf of the State of Hawaii, I take this opportunity to express my gratitude for your patience and understanding in this matter. I look forward to working with you toward a successful completion.

Sincerely,



LINDA LINGLE

c: The Honorable James R. Aiona, Jr., Lt. Governor of Hawaii
Clayton A. Frank, Dept. of Public Safety
Russ K. Saito, Dept. of Accounting & General Services
Lillian B. Koller, Dept. of Human Services

Enclosures



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

November 27, 2007

The Honorable Linda Lingle
Governor, State of Hawaii
Executive Chambers
State Capitol
Honolulu, HI 96813

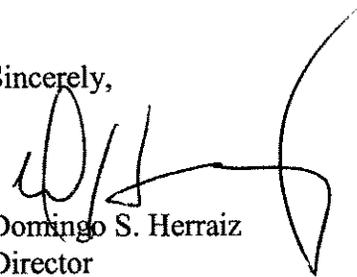
Dear Governor Lingle:

The purpose of this letter is to respond to your November 16, 2007 letter requesting a change of scope for Hawaii's Violent Offender Incarceration and Truth-In-Sentencing (VOI/TIS) Incentive grant (96-CV-VX-0015). I reviewed and approve your proposed change in scope, time-task plan, and request to exceed the 10 percent cap on funding juvenile programs due to exigent circumstances outlined in your letter.

I appreciate and commend your staff for the creativeness exhibited in your proposal. I hope that the VOI/TIS funds will have a positive impact in your State. I have instructed my staff to follow-up with Public Safety Department Director Clayton A. Frank regarding the National Environmental Policy Act (NEPA) requirements associated with installation of the temporary housing and facility renovations. VOI/TIS grant funds can be used to pay for NEPA assessments and studies.

If you have any questions, I can be reached at (202) 353-2720 or email Domingo.S.Herraiz@usdoj.gov. You can also direct any questions to Eileen Garry, Deputy Director for Programs, at (202) 307-6226 or email Eileen.Garry@usdoj.gov.

Sincerely,



Domingo S. Herraiz
Director

ATTACHMENT B