



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

BY OVERNIGHT AND
REGISTERED MAIL
RETURN RECEIPT REQUESTED

NOV 6 1989

U.S. v. Hawaii



MH-HI-001-001

Honorable John Waihee
Governor of Hawaii
Hawaii State Capitol
Honolulu, HI 96813

Re: Investigation of Hawaii State Hospital, Kaneohe and
Honolulu, Hawaii

Dear Governor Waihee:

I am writing to let you know of our intention to investigate conditions within the Hawaii State Hospital, Kaneohe and Honolulu, Hawaii. This investigation is pursuant to the Civil Rights of Institutionalized Persons Act, 42 U.S.C. Sections 1997-1997j.

The purpose of the investigation will be to determine whether there exists any violations of the statutory and federal constitutional rights of patients residing at the facility. The investigation will focus on allegations related to an inadequate number of professional and direct care staff, abuse and neglect of patients, overuse of restraints, inadequate recordkeeping practices, substandard physical conditions, and the failure to provide treatment sufficient to avoid undue risks to personal safety and unreasonable bodily restraint. The initiation of this investigation in no way evidences any prejudgment on our part that patient federal rights have been violated. If any violations are found, we look forward to conferring with you and your staff concerning corrective actions that might be appropriate.

As a means of commencing this investigation, I wish to propose an initial meeting in the near future between our attorneys and representatives of your office. It has been our experience that such a preliminary conference can substantially expedite the process. We also wish to arrange for our attorneys, consultants, and perhaps agents of the Federal Bureau of Investigation to visit the Hawaii State Hospital. We shall be in touch with your staff to work out the specifics of our meeting and later visits.

- 2 -

Your cooperation in this matter is greatly appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read "James P. Turner". The signature is fluid and cursive, with the first name "James" being more prominent.

James P. Turner
Acting Assistant Attorney General
Civil Rights Division

cc: Honorable Warren Price
Attorney General
State of Hawaii

Dr. Howard Gudeman
Superintendent, Hawaii State Hospital

Daniel A. Bent, Esquire
United States Attorney