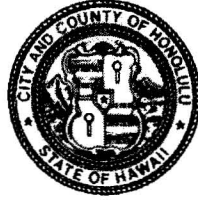


LATE TESTIMONY

HONOLULU EMERGENCY SERVICES DEPARTMENT
CITY AND COUNTY OF HONOLULU

3375 KOAPAKA STREET, SUITE H-450 • HONOLULU, HAWAII 96819-1869
Phone: (808) 723-7800 • Fax: (808) 833-3934



MUFI HANNEMANN
MAYOR

ELIZABETH A. CHAR, M.D.
DIRECTOR

March 8, 2010

The Honorable Ken Ito, Chair, and Members
Committee on Water, Land, and Ocean Resources
House of Representatives
The Twenty Fifth Legislature
Regular Session of 2010
State Capitol
Honolulu Hawaii 96813

Dear Chair Ito and Committee Members:

Re: SB2249, SD1, Relating to the Penal Code

The City & County of Honolulu's Emergency Services Department strongly supports the intent of SB2249, which would make assaulting a Water Safety Officer in the State of Hawaii a Class C felony. The Ocean Safety and Lifeguard Services Division of this Department employs over two hundred men and women who provide essential lifeguard services for the island of Oahu. These services include constant monitoring and surveillance of beach and ocean areas, the prevention of aquatic injury and drowning, rescue, and emergency response to medical cases at the beach and near shore environments. During the last five years there have been 10 documented cases of assault on our lifeguard personnel during the course of their duties.

We understand that there are very important issues being discussed during this legislative session and that this issue may not be perceived as a priority. Unfortunately, many of the effects of the economic downturn, including increased drug use and homelessness, have manifested themselves in the parks and beaches of Oahu. In most cases, the City and County Water Safety Officer is the only figure of authority in the areas where many incidents occur, including domestic violence cases, thefts, and other crimes. Our lifeguards do not have any law enforcement authority or training to detain or arrest those who break the law, and are limited to warning and advising people and alerting the appropriate enforcement agency (HPD, DLNR Enforcement) when offenses occur. This notification and subsequent contact by the enforcement personnel places the lifeguard in an extremely vulnerable and defensive position, as he or she must remain on the beach at their assigned station, susceptible to retaliation and retribution by the law breaker when the enforcement personnel leave the area.

We feel strongly that our Ocean Safety personnel are essential public safety employees who need the same level of protection from unnecessary assault and battery that is enjoyed by other public safety and health care workers. We urge you to seriously consider this matter and recognize the important role of professional lifeguards in the State of Hawaii.

Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth A. Char".

Elizabeth A. Char, M.D, Director
Honolulu Emergency Services Department