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No. \_\_\_\_\_

TESTIMONY ON SENATE BILL 2919, SD1, HD1  
RELATING TO THE HAWAII STATE HOSPITAL

by  
Clayton A. Frank, Director  
Department of Public Safety

House Committee on Public Safety  
Representative Faye P. Hanohano, Chair  
Representative Henry J.C. Aquino, Vice Chair

Thursday, March 18, 2010; 9:00AM  
State Capitol, Conference Room 309

Representative Hanohano, Representative Aquino, and Members of the Committee:

The Department of Public Safety (PSD) **strongly opposes** Senate Bill 2919, SD1, HD1, which requires the PSD to provide security for the State's secure psychiatric rehabilitation facility located in Kaneohe. PSD does not have the appropriate staff to provide security for the State Hospital, nor does the Department have the financial resources to assist the Department of Health with security functions at any of its facilities.

The Corrections Division of PSD is primarily staffed by Adult Correctional Officers (ACO), whose work classification does not include "security officer or hospital orderly." The Corrections Division does not have the staff to divert to the State Hospital without severely compromising the safety and security of our correctional facilities, which places the staff, inmates, and public at risk.

In addition, the Sheriffs Division is staffed by Deputy Sheriffs, who are sworn law enforcement officers, not security officers or hospital orderlies. The Sheriffs Division

does not have enough staff to place Deputy Sheriffs at the State Hospital as they currently do not have the staff required to provide for the daily operations of the new Kapolei courthouse. To place Deputy Sheriffs at the State Hospital for "patients" is a poor use of our very limited law enforcement resources that are in more demand from our Judiciary and other State Departments.

Unfortunately, some State Hospital staff members and residence residing near the State Hospital may have developed a false sense of security when PSD had Security officer positions that were based at the State Hospital. It should be noted that the security officers were not responsible for security inside the hospital, but rather were primarily used as security at the gate entrance and parking lot area. The security officers were not provided any specific training in preventing escapes, working inside the hospital, nor monitoring of patients as those responsibilities were and continue to be the duties and responsibilities of Department of Health Hospital medical staff.

While PSD fully understands and appreciates the legislature's concerns with security at the State Hospital, PSD no longer has any security officer positions to provide security personnel at the State Hospital. The job classifications of both ACOs and Deputy Sheriffs are incompatible with the needs and functions of what is needed at the Hawaii State Hospital. For these reasons, and others previously stated, PSD strongly opposes SB 2919, SD1, HD1, and respectfully request this measure be held.

Thank you for the opportunity to provide testimony on this measure.



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The Twenty-Fifth Legislature, State of Hawaii  
Hawaii State House of Representatives  
Committee on Public Safety

Testimony by  
Hawaii Government Employees Association  
March 18, 2010

S.B. 2919, S.D.1, H.D. 1-  
RELATING TO THE  
HAWAII STATE HOSPITAL

The Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO, strongly supports the purpose and intent of S.B. 2919, S. D. 1, H. D.1. This bill requires the Department of Public Safety (PSD) to provide security at the State's secure psychiatric rehabilitation facility at the Hawaii State Hospital (HSH) in Kaneohe with advice from the Department of Health (DOH). This bill further requires the DOH, in collaboration with PSD, to report to the Legislature its short and long term security measures for HSH.

HGEA has filed several grievances against both PSD and DOH regarding safety and security issues such as assaults against staff by the forensic patients. There have been occasions where staff had to be transported by ambulance to receive proper medical treatment. These safety issues have been a long-standing problem. The intent of S.B. 2919, S.D. 1, H.D. 1, is to clarify the duty that PSD has in providing the security at HSH. Currently, Section 26-14.6, Hawaii Revised Statutes, states "Effective January 1, 1993, the functions and authority heretofore exercised by the director of health and the department of health relating to uniformed security employees and security contracts at various state hospitals throughout the State shall be transferred to the department of public safety." PSD's mission statement explicitly states, "The mission of the Department of Public Safety is to provide for the safety of the public and state facilities through law enforcement and correctional management."


The HGEA represents nearly 300 employees at the Hawaii State Hospital who are covered by five (5) separate bargaining units. They include blue collar supervisors, white collar non-supervisory employees, white collar supervisors, registered professional nurses and professional and scientific employees. SB2919, S.D. 1, H.D. 1 would address the safety and security issues of both the patients and employees at the HSH.

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To date, the Union has not received from DOH nor PSD any security plan to prevent assaults at the HSH.

We appreciate the opportunity to submit our testimony in strong support of SB 2929, S.D. 1, H.D. 1.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Nora A. Nomura". The signature is fluid and cursive, with the first name being the most prominent.

Nora A. Nomura  
Deputy Executive Director

*Myles Akira Yamamoto  
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March 16, 2010

The Honorable Faye P. Hanohano  
Chair  
Public Safety Committee  
Hawaii State House of Representatives  
Hawaii State Capitol Room 303  
Honolulu, Hawaii 96813

**RE: Testimony in Support of SB 2919 HD 1**

Chair Hanohano and Members of the House Public Safety Committee:

My name is Myles Yamamoto. I am writing to ask for your support of SB 2919 HD 1. As both a concerned resident of Kaneohe and member of the Kaneohe Neighborhood Board, I feel that it is of utmost importance that the legislature adopts this measure to ensure the safety and security of patients of the Hawaii State Hospital, hospital staff, Kaneohe residents, and members of the public at large.

I am deeply disturbed and concerned about the many reports of assaults and escapes from the facility. Perhaps most disturbing is the recent assault on a staff member and recent escape of a patient who still remains at large.

I understand the serious financial straits that our state is in, and can appreciate that money for programs and initiatives is very tight. That being said, I believe that it is times like these when government demonstrates what it values and where its' priorities lie. I would further argue that the primary and foremost priority of any government is to ensure the safety and security of its citizens. The priority of this value is echoed in our most sacred documents from the US Constitution to our very own State Constitution. The support of this committee of SB 2919 HD 1 reaffirms the Legislature's commitment to ensuring the safety and security of its residents.

In closing, I again strongly urge this committee and the House of Representatives support the passage of SB 2919 HD. I thank you all for the time to testify on this important matter.

Respectfully Submitted,

Myles A. Yamamoto  
(808) 348-9167