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GOVERNOR

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No. _____

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

by

Clayton A. Frank, Director
Department of Public Safety

Committee on Health
Representative Ryan I. Yamane, Chair
Representative Scott Y. Nishimoto, Vice Chair

Tuesday, March 9, 2010; 10:00 A.M.
State Capitol, Conference Room 329

Representative Yamane, Representative Nishimoto, and Members of the Committee:

The Department of Public Safety (PSD) **opposes** Senate Bill 2919, SD1, which requires PSD to provide security for the State's secure psychiatric rehabilitation facility located in Kaneohe beginning September 1, 2010. As previously testified, PSD **does not** have the appropriate staff (Security Officers) to provide security for the State Hospital, nor does PSD have the financial resources to assist the Department of Health with security functions at any of its facilities. All Security Officer positions previously with PSD are slated to be abolished and funding for the positions is being returned to the general fund.

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

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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.

Further, it should be noted the when PSD had security officer positions that were assigned to the State Hospital, their duties and responsibilities **did not include** any security functions within the hospital itself but rather they were stationed at the gate entrance area and conducted perimeter checks. The security officers were not authorized nor allowed to enter hospital wards and/or treatment areas. Unfortunately there appears to be a misperception and/or misunderstanding that the presence of security officers would somehow reduce and/or prevent assaults on staff within the hospital which is inaccurate. Some may have developed a false sense of security regarding the presence of security officers at the State Hospital. However, the security officers **were not** hospital orderlies, mental health aides, nor part of the hospital staff.

The duties and responsibilities of the security officers were not to enter the hospital to provide for the safety and security of the staff but rather to help control the gate entrance and to conduct perimeter checks of the facility grounds which is considerably different than the duties and functions of hospital orderlies and/or mental health aides.

While PSD understands 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**, and respectfully request this measure be held.

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



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

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

Testimony by
Hawaii Government Employees Association
March 9, 2010

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S.B. 2919, S.D. 1 (SSCR2442) -
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, SD 1 (SSCR2442). 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 in Kaneohe (Hawaii State Hospital) 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 the State Hospital.

HGEA has filed several grievances against 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 is to clarify the duty that PSD has in providing the security at the Hawaii State Hospital. 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. S.B. 2919, S.D. 1 would address the safety and security issues of both patients and employees at the Hawaii State Hospital.



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To date, we have not received from DOH their security plan to prevent assaults at the Hawaii State Hospital.

We appreciate the opportunity to submit our testimony in strong support of S.B. 2919, S.D. 1 (SSCR2442).

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Nora A. Nomura", with a long horizontal flourish extending to the right.

Nora A. Nomura
Deputy Executive Director