

LINDA LINGLE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

LATE TESTIMONY

CLAYTON A. FRANK
DIRECTOR

DAVID F. FESTERLING
Deputy Director
Administration

TOMMY JOHNSON
Deputy Director
Corrections

JAMES L. PROPOTNICK
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 2919
RELATING TO THE HAWAII STATE HOSPITAL
by
Clayton A. Frank, Director
Department of Public Safety

Senate Committee on Public Safety and Military Affairs
Senator Will Espero, Chair
Senator Robert Bunda, Vice Chair

Committee on Health
Senator David Y. Ige, Chair
Senator Jsoh Green, M.D., Vice Chair

Thursday, February 4, 2010; 1:15 PM
State Capitol, Conference Room 309

Senator Ige, Senator Espero, and Members of both Committees:

The Department of Public Safety (PSD) **strongly opposes** Senate Bill 2919, which requires the PSD to provide security for the State's secure psychiatric rehabilitation facility located in Kaneohe beginning September 1, 2010. 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 court house. 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.

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, and respectfully request this measure be held.

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

LATE TESTIMONY



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

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The Twenty-Fifth Legislature, State of Hawaii
Hawaii State Senate

Committee on Public Safety and Military Affairs
Committee on Health

Testimony by
Hawaii Government Employees Association
February 4, 2010

S.B. 2919 – RELATING TO THE HAWAII STATE HOSPITAL

The Hawaii Government Employees Association, AFSCME Local 125, AFL-CIO, strongly supports the purpose and intent of S.B. 2919 – Relating to the Hawaii State Hospital. 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. This measure requires a report from the Department of Health (DOH), with collaboration from PSD, to the legislature on its plan for the provision of short and long-term security for the Kaneohe facility and increasing and aging forensic population needs.

The HGEA has filed several grievances against the DOH regarding security and safety issues such as assaults against staff by patients. There have been occasions where staff had to be transported by ambulance to receive proper treatment. The safety issues have been a long-standing problem. The intent of S.B. 2919 is to clarify the duties of the PSD to include security at the Hawaii State Hospital. Currently in existence is Section 26-14.6, Hawaii Revised Statutes, which states in part, "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 within five (5) bargaining units. They include positions such as Blue Collar Supervisors, White Collar Employees, White Collar Supervisors, Registered Professional Nurses and



Hawaii State Senate
Committee on Public Safety and Military Affairs
Committee on Health
Re: S.B. 2919 – Relating to the Hawaii State Hospital
February 4, 2010
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Professional and Scientific Employees. S.B. 2919 would address the security and safety of the employees and patients of the Hawaii State Hospital.

We have yet to receive from DOH their security plan. Requiring the agencies to report to the legislature the short and long-range plans for security at the hospital would press them to be accountable to employees, patients and the community at large.

We appreciate the opportunity to submit our testimony in strong support of S.B. 2919

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

LATE TESTIMONY

John M. Flanigan
45-546 Kapalai Rd
Kaneohe HI 96744
February 3, 2010

To: Senator Will Espero, Chair
Committee on Public Safety and Military Affairs

To: Senator David Y Ige, Chair
Committee on Health

Subject: Testimony in Support of SB 2919

Aloha Senators Espero and Ige:

This is testimony in strong support for SB 2919 requiring the Department of Public Safety to be the provider of security at the Hawaii State Hospital in Kaneohe

As a member of the Kaneohe Neighborhood Board, I am the assigned member of the Community Advisory Board to the Hawaii State Hospital. In that capacity I am very aware of the difficulties and frustrations experienced by the Hospital administration and staff because of their difficult role in caring for patients who are sometimes extremely difficult to control. As a member of the Kaneohe Neighborhood Board, I am also aware of the concern felt by local citizens because of the occasional evident lapses in security at the facility. The replacement of well-trained Department of Public Safety personnel by private security guards appears to have been detrimental to the level of security of the facility.

I respectfully request your support for this Bill.

Aloha pumehana,

John M. Flanigan

LATE TESTIMONY

TESTIMONY FOR HTH/PSM 2/4/2010 1:15:00 PM SB2919

CONFERENCE ROOM: 229
TESTIFIER POSITION: SUPPORT
TESTIFIER WILL BE PRESENT: YES
SUBMITTED BY: CHARLES ROMERO
ORGANIZATION: INDIVIDUAL
ADDRESS:
PHONE:
E-MAIL: ROMEROC@HAWAII.EDU
SUBMITTED ON: 2/4/2010

COMMENTS:

I support the passing of S.B. No. 2919. Safety should not only be the priority for the employees and patients of the Hawaii State Hospital but also for the local community as well. We understand that there is currently a budget crisis in the State of Hawaii but you cannot put a price tag on the unnecessary loss of human life as a result of a lack of security and risk reduction measures at the Hawaii State Hospital. I do not know if the escape of David True Seal, a 30-year-old accused child molester on December 3, 2009 from the Hawaii State Hospital was a direct result of the budget cuts but I do know that the passing of the bill will require the Department of Public Safety to assess the current security status at the facility, implement necessary control measures to mitigate risk, and hopefully prevent the occurrence of a future tragedy that results in the loss of life.

LATE TESTIMONY

Glenn Ida
45-284 Pahikaua St.
Kaneohe, Hi. 96744

Sen. Willie Espero, Chair
Sen. Rober Bunda, Vice-Chair
Committee on Public Safety and Military Affairs

Sen. David Ige, Chair
Sen. Josh Green, Vice-Chair
Committee on Health

Thursday, Feb. 4, 2010, at 1:15 PM.
Conference Room 229

Good afternoon Chairs Espero and Ige and committee members.

My name is Glenn Ida. I'm a Kaneohe resident, I support SB 2919, Relating to the State Hospital.

The security situation at the State Hospital is very disturbing. From time to time, we have to endure the uncertainty and dangers of escapees from a secure psychiatric facility on the state hospital grounds. We need security professionals with arrest authority to be able to apprehend and bring back patients who are trying to leave the premises without proper authorization.

We also have to deal with a large outpatient population going in and out of the mental health clinic for counseling and maintenance medication just below Windward Community College which is next to the District park where our children and seniors congregate.

I hope that by passing this measure, SB 2919, that the security of the State Hospital will be improved.

Thank you for allowing me to testify on this important matter.

Glenn Ida
808-295-1280

LATE TESTIMONY

Lani Tsuneishi
988 Kalapaki Street
Honolulu, Hawaii 96825

SB 2919 Testimony

I support SB 2919 which would require Public Safety to provide security at Hawaii State Hospital in Kaneohe. Many of the patients at Hawaii State Hospital have committed violent crimes and are admitted for treatment to this facility. Staff made up of Psychiatrists, Psychologists, Nurses, Social Workers and other clinical staff provide round the clock care and treatment to these patients. Staff are assaulted and brutalized by these patients who are often unstable and dangerous.

Restoring the officers of Public Safety back to Hawaii State Hospital and expanding their role so they provide a valuable police and security presence on our campus will help immeasurably. Due to cutbacks in 2009, we lost their valuable service.

I ask that their role at the hospital be to assist the clinical staff to provide a safe working environment and safe milieu for the patients. In the past, they have intervened and protected clinical staff that were assaulted by violent patients. They also worked with staff in the past to bring back patients who had eloped. Presently we have security that cannot provide hands on, if staff are assaulted.

These public safety officers also have helped maintain security when we have had contraband issues or unruly visitors. One nurse said that on a particularly rough day, he had the Public Safety officer walk the unit with him and the presence of a uniformed officer helped calm patients. We recently had a serious assault in our video conference room where patients who have court on other islands, will meet with the judge via video conferencing. Having security in the video conference room would be instrumental in keeping a safe and secure hospital.

We further ask that if the public safety officers are brought back to the hospital, that they regular patrol the grounds on all shifts, that they come on the units and if needed be staffed on the units and assist clinical staff with problem patients. During the day they patrol areas where we have patient programming and classes to prevent elopements. Our hospital has over 10 buildings, so security presence which includes Building A, Gym, Occupational Therapy building, Dispensary, plant nursery etc as well as all the units will help facilitate a calm therapeutic milieu.

With the increasing violent nature of our patients, many who are admitted with mental illness diagnosis as well as a substance abuse problem, I am asking your committee to support this bill and bring back the Public Safety Officers to Hawaii State Hospital. Please expand their role so that clinical staff can do their job which is to provide quality patient care to our mentally ill patients.

Lani Tsuneishi, RN

LATE TESTIMONY

FROM: HTHTESTIMONY
SENT: MONDAY, FEBRUARY 08, 2010 11:55 AM
TO: PSM TESTIMONY
SUBJECT: FW: TESTIMONY FOR SB2919 ON 2/8/2010 2:45:00 PM

LATE TESTIMONY

—ORIGINAL MESSAGE—

FROM: MAILINGLIST@CAPITOL.HAWAII.GOV
[MAILTO:MAILINGLIST@CAPITOL.HAWAII.GOV]
SENT: MONDAY, FEBRUARY 08, 2010 11:31 AM
TO: HTHTESTIMONY
CC: ERINANN815@AOL.COM
SUBJECT: TESTIMONY FOR SB2919 ON 2/8/2010 2:45:00 PM

TESTIMONY FOR HTH 2/8/2010 2:45:00 PM SB2919

CONFERENCE ROOM: 016
TESTIFIER POSITION: SUPPORT
TESTIFIER WILL BE PRESENT: NO
SUBMITTED BY: ERIN RUTHERFORD
ORGANIZATION: INDIVIDUAL
ADDRESS:
PHONE:
E-MAIL: ERINANN815@AOL.COM
SUBMITTED ON: 2/8/2010

COMMENTS:

A STATE HOSPITAL IS IN MANDATORY NEED OF SECURITY. CUTTING OUT SECURITY DUE TO A BUDGET CRISIS IS ONE OF THE LAST PLACES CUTS SHOULD BE MADE. WHEN YOU PUT THE SAFETY AND SECURITY OF PATIENTS AND STAFF IN JEOPARDY, JUST DO TO BUDGET CUTS, THEN THE PRIORITIES OF THE STATE ARE ASS-BACKWARDS. LETS GET IT RIGHT THIS TIME.