

Testimony for HB2011 on 2/14/2012 2:05:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Tuesday, February 14, 2012 10:22 AM

To: JUDtestimony

Cc: sching35@gmail.com

Testimony for JUD 2/14/2012 2:05:00 PM HB2011

Conference room: 325

Testifier position: Support

Testifier will be present: No

Submitted by: Sylvia Ching

Organization: Individual

E-mail: sching35@gmail.com

Submitted on: 2/14/2012

Comments:

LATE TESTIMONY

Larry Geller
Honolulu, HI 96817

LATE TESTIMONY

HB2011
JUD

Tuesday, February 14, 2012

2:05 p.m.
Room 325

COMMITTEE ON JUDICIARY
Rep. Gilbert S.C. Keith-Agaran, Chair
Rep. Karl Rhoads, Vice Chair

February 14, 2012

Re: HB2011—Relating to involuntary psychiatric hospitalization

In Opposition

Dear Rep. Keith-Agaran, Rep. Karl Rhoads, and members of the Committee:

This bill is not only vague, but in principle could lead to the use of physical and chemical restraint as well as deprivation of liberty that violates a person's civil rights. It puts the potential confinement of a person in the hands of undefined mental health practitioners.

Worse, it allows any person to petition for the involuntary confinement of any other, setting into motion a police and/or legal process:

Any person may file a petition alleging that a person located in the county not already in involuntary treatment for whom application could be made meets the criteria for commitment to a psychiatric facility.

It's not too far-fetched that a lawmaker could be carted away if any person in the audience believes that passing this bill into law is crazy.

Please note that "any person" could include someone odd enough to file a petition against *you*.

The bill also criminalizes mental illness and disability. According to the wording of the bill, a person could be hauled off and held if they are depressed, bipolar, even ADHD under certain definitions. The schools could be emptied of Felix students (there is no differentiation based on age). A person who is disabled physically could be taken to jail. The **wording is so vague** that someone who throws up due to the flu could be taken away by police.

Excerpt from p. 16 (note the use of the word "or"):

The petition shall be in writing upon a form adopted by the department and shall set forth facts constituting reasonable grounds to believe that the subject of the petition is mentally ill, is imminently dangerous to self or others, or is gravely disabled, or is obviously ill, and in need of care or treatment.

There may be valid grounds for involuntary hospitalization, but this bill over-reaches, violates civil liberties, and is so poorly worded that it should be rejected by your Committee.

Larry Geller

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