

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony COMMENTING on H.B. 2135
RELATING TO DOMESTIC VIOLENCE

REPRESENTATIVE JOHN MIZUNO, CHAIR
HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES

Hearing Date: February 6, 2018 8:30a Room Number:329

1 **Fiscal Implications:** Unknown

2 **Department Testimony:** We support the intent of H.B. 2135 to better protect victims of
3 domestic violence by requiring lethality assessment and safety planning for first responders.
4 However, H.B. 2135 would necessitate prioritizing domestic violence assessments over
5 emergency medical treatment and transport, and negatively impact primary funding for this
6 essential public health service.

7 The primary responsibility of emergency medical services agencies is the patient's medical
8 needs, timely treatment, and transport. The domestic violence assessments described in H.B.
9 2135 are the beyond the scope of emergency responder care. In situations of domestic violence,
10 elder and child abuse and neglect, the emergency responders' responsibility is to identify and
11 report these situations to the appropriate authorities and the receiving emergency department.
12 Based on EMS data, emergency medical responders annually attend to an estimated 50 to 55
13 cases of child abuse and neglect (CAN), and an additional estimated 965 cases of women who
14 experienced intimate partner violence (IPV).

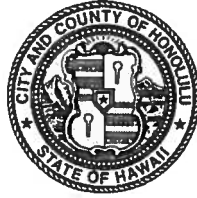
15 Requiring first responders to conduct lethality assessment and safety planning would impact
16 patient care and potentially cause delay in timely transport for definitive medical care.

17 Therefore, the proposed changes to HRS §321-234 are not recommended.

18 Thank you for the opportunity to testify.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR

SUSAN BALLARD
CHIEF

JOHN D. McCARTHY
JONATHAN GREMS
DEPUTY CHIEFS

OUR REFERENCE

WO-KK

February 6, 2018

The Honorable John M. Mizuno, Chair
and Members
Committee on Health and Human
Services
House of Representatives
Hawaii State Capitol
415 South Beretania Street, Room 329
Honolulu, Hawaii 96813

Dear Chair Mizuno and Members:

SUBJECT: House Bill No. 2135, Relating to Domestic Violence

I am Walter Ozeki, Captain of the Criminal Investigation Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 2135, Relating to Domestic Violence, with the following reservations.

The HPD recognizes that law enforcement response to domestic violence is a continually changing and evolving process. As we better understand the dynamics of domestic violence, new and better methods for dealing with perpetrators and survivors are brought to light and provides us with better alternatives. A necessary requirement of this change and evolution is training. The HPD has already implemented a lethality program and provided department-wide training in the proper use of this program.

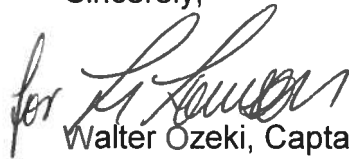
The HPD does have some questions with regard to the implementation of a safety planning program as well as the requisite training. As currently drafted, this bill does not clarify who would be responsible for providing this training, what the duration of this training should be, and what the specific curriculum of the training should consist of in order for the department to remain in compliance with these requirements.

The Honorable John M. Mizuno, Chair
and Members
February 6, 2018
Page 2

The HPD supports House Bill No. 2135, Relating to Domestic Violence, with the reservations enumerated previously.

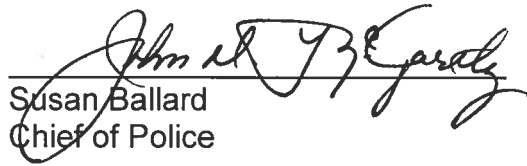
Thank you for the opportunity to testify.

Sincerely,



Walter Ozeki, Captain
Criminal Investigation Division

APPROVED:



Susan Ballard
Chief of Police

HONOLULU EMERGENCY SERVICES DEPARTMENT
CITY AND COUNTY OF HONOLULU

3375 KOAPAKA STREET, SUITE H-450 • HONOLULU, HAWAII 96819-1814
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KIRK CALDWELL
MAYOR

JAMES D. HOWE, JR.
DIRECTOR

IAN T.T. SANTEE
DEPUTY DIRECTOR

February 5, 2018

The Honorable John M. Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice-Chair
House Committee on Health and Human Services
House of Representatives
Twenty-Ninth Legislature
Regular Session of 2018

Re: HB2135 Relating to Domestic Violence

Dear Chair Mizuno, Vice Chair Kobayashi, and Members:

The Honolulu Emergency Services Department supports the intent of HB2135, however, we cannot agree with prioritizing domestic violence assessments over emergency medical treatment and transport.

We are unclear as to what the requirement to perform "lethality assessment and planning" would entail and what impact the requirement to provide these services might have on the ability to ensure proper and timely delivery of pre-hospital medical treatment.

This legislation proposes to change official protocols. This would have the effect of increasing administrative, training, and operational costs.

We are greatly concerned that if this Legislation is enacted, that a failure to prioritize official protocols and absorb the increase in costs will result in restriction of funds which will negatively impact the ability to provide EMS response services which are already significantly stressed.

Thank you for the opportunity to testify on this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "James D. Howe, Jr.", is written over the typed name and title.

James D. Howe, Jr.
Director

HB-2135

Submitted on: 2/5/2018 9:32:42 AM

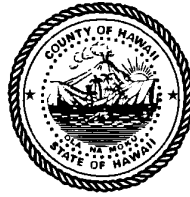
Testimony for HHS on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Councilmember Yuki Lei Sugimura	Maui County Council	Support	No

Comments:

This bill provides that funds received from the federal government for the purpose of addressing domestic violence and moneys from the Emergency Medical Services Special Fund shall not be distributed to a law enforcement agency or emergency medical services agency whose policies, procedures, and training for personnel and supervisors do not formally require lethality assessments and safety planning with victims of domestic violence.

Harry Kim
Mayor



Darren J. Rosario
Fire Chief

Renwick J. Victorino
Deputy Fire Chief

County of Hawai'i
HAWAI'I FIRE DEPARTMENT
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LATE

February 6, 2018

The Honorable John M. Mizuno, Chair
Committee on Health & Human Services
The State Senate
State Capitol, Room 439
Honolulu, Hawai'i 96813

Dear Chair Mizuno:

SUBJECT: HB 2135, RELATING TO DOMESTIC VIOLENCE
Hearing Date: Tuesday, February 6, 2018
Time/Place of Hearing: 8:30 pm, Conference Room 329

I am Darren J. Rosario, Fire Chief of the Hawai'i Fire Department (HCFD). The HCFD support the intent of HB 2135, however, do not support the incentivizing of EMS agencies who perform lethality assessments and safety planning for domestic violence patients with funding from the EMS Special Fund.

The primary mission of EMS is the timely assessment, triage, treatment and transport of 911 emergency patients in the pre-hospital setting. Mandating EMS personnel to perform lethality assessments and safety planning for Domestic Violence patients may delay the timely treatment and or transport of such patients to the Emergency Departments. EMS personnel are mandated to pass all forms of suspected child abuse, elderly abuse, and domestic violence to the proper authorities and receiving Emergency Department where a thorough lethality assessment and safety planning can be better conducted.

Please do not hesitate to contact me at 932-2901 or darren.rosario@hawaiicounty.gov should you have any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Darren J. Rosario".

DARREN J. ROSARIO
Fire Chief





TO: Chair Mizuno
Vice Chair Kobayashi
Members of the Committee

FR: Nanci Kreidman, M.A

Re: Testimony in Opposition to HB 2135, Relating to Domestic Violence

Training for first responders is certainly a priority for community programs serving survivors of domestic violence. The only way to assist survivors effectively is with well-trained interveners whose professional approach is guided by understanding of the complex problem of domestic violence.

A lethality assessment and a safety plan cannot be done by everyone. The roles, time available and capacity for effective intervention varies by profession. Law enforcement are experts in conducting investigations, but probably not safety planning. Emergency medical professionals have a responsibility for providing immediate response when there has been injury or medical emergencies. Taking the time to conduct a lethality assessment or safety plan may interfere with life saving measures only they are equipped to deliver.

Fundamental training is imperative, however. Approaching the potentially life threatening circumstances and knowing what harm may be imminent, and what drives victims to return to abusers is essential to effective response by first responders. The sensibility and sensitivity comes from training. Absolutely.

This Bill is not the best avenue for achieving the important intention of having well trained community interventions.

Thank you.

HB-2135

Submitted on: 2/3/2018 12:56:31 PM

Testimony for HHS on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dara Carlin, M.A.	Domestic Violence Survivor Advocate	Support	No

Comments:

Just wanted to say I applaud this initiative as well as the drafter's consultation with the 2017 Center for Disease Control's report. Research is only useful if we learn from and implement its findings.



Hawaii Women's Coalition

COMMITTEE ON HEALTH & HUMAN SERVICES

Rep. John M. Mizuno, Chair

Rep. Bertrand Kobayashi, Vice Chair

DATE: Tuesday, February 6, 2018

TIME: 8:30am

PLACE: Conference Room 329

LATE

STRONG SUPPORT FOR HB 2135

Aloha Chair Mizuno, Vice Chair and members,

The Coalition is in strong support of requiring first responders to have adequate training in spotting and assisting victims of domestic violence. This measure would require those departments who receive certain state and/or federal funds to provide adequate training to their personnel.

In recent years we have too often been subjected to reports from the victims in the community of neglect and/or abuse from members of law enforcement in particular. We defer to the Hawaii State Coalition Against Domestic Violence and the Domestic Violence Action Center as to what constitutes "adequate" training, but we are certain that current state of such training is woefully inadequate. HPD officers receive four hours as new recruits and **one hour** of training annually. This would be laughable if the consequences weren't so deadly.

Mahalo for the opportunity to testify,

Ann S. Freed Co-Chair, Hawai'i Women's Coalition

Contact: annsfreed@gmail.com Phone: 808-623-5676

HB-2135

Submitted on: 2/5/2018 9:33:35 AM

Testimony for HHS on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lea Minton		Support	No

Comments:

HB-2135

Submitted on: 2/5/2018 7:12:20 PM

Testimony for HHS on 2/6/2018 8:30:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez		Support	No

Comments: