



The Judiciary, State of Hawai‘i

Testimony to the House Committee on Public Safety, Veterans, & Military Affairs

Representative Gregg Takayama, Chair
Representative Cedric Asuega Gates, Vice Chair

Testimony to the House Committee on Human Services

Representative Joy A. San Buenaventura, Chair
Representative Nadine K. Nakamura, Vice Chair

Friday, February 7, 2020, 9:55 a.m.
State Capitol, Conference Room 329

WRITTEN TESTIMONY ONLY

by
Rodney A. Maile
Administrative Director of the Courts

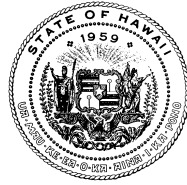
Bill No. and Title: House Bill No. 2524, Proposed House Draft 1, Relating to the Department of Public Safety.

Purpose: Requires PSD to establish a mental health first aid training program that provides mandatory eight-hour sessions triennially for law enforcement, correctional officers, and other public safety officials under PSD.

Judiciary’s Position:

The Judiciary supports the intent of the bill to increase awareness and knowledge of, and improve the response to, mental health challenges, and defers to DPS in all other respects on this bill in its current form.

Thank you for the opportunity to testify on this measure.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
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**Testimony COMMENTING on H.B. 2524
RELATING TO THE DEPARTMENT OF PUBLIC SAFETY**

REPRESENTATIVE GREGG TAKAYAMA, CHAIR
HOUSE COMMITTEE ON PUBLIC SAFETY, VETERANS, AND MILITARY AFFAIRS

REPRESENTATIVE JOY A. SAN BUENAVENTURA, CHAIR
HOUSE COMMITTEE ON HUMAN SERVICES AND HOMELESSNESS

Hearing Date and Time: Friday, February 7, 2020 at 9:55 a.m.

Room: 329

1 **Department Position:** The Department of Health (“Department”) supports the intent of this
2 measure and offers comments.

3 **Department Testimony:** The subject matter of this measure intersects with the scope of the
4 Department’s Behavioral Health Administration (BHA) whose statutory mandate is to assure a
5 comprehensive statewide behavioral health care system by leveraging and coordinating public,
6 private and community resources. Through the BHA, the Department is committed to carrying
7 out this mandate by reducing silos, ensuring behavioral health care is readily accessible, and
8 person-centered. The BHA’s Adult Mental Health Division (AMHD) provides the following
9 testimony on behalf of the Department.

10 The Department appreciates the intent of this bill but has concerns that the mandates
11 set forth in the measure may reverse or hinder progress made by our collaborative efforts over
12 the last two years to achieve the goals we believe this measure sets forth and which the
13 department strongly supports.

14 The Department acknowledges that the establishment of a mental health first aid
15 training program within the PSD is important for continuing education of law enforcement. We
16 respectfully submit that mental health training is already being offered within the PSD through

1 their Training and Staff Development (TSD) Division and has worked with our department to
2 align their training efforts with ours regarding mental health and crisis intervention training.
3 Additionally, our review of the curriculum used by the PSD is more in depth, tailored to public
4 safety and has more tips and techniques unique to the PSD settings than traditional Mental
5 Health First Aid trainings

6 We want to acknowledge that PSD has been working closely with the department to develop
7 coordinated system-wide training, interventions and protocols wherever our departments
8 intersect in relationship to mental health and substance abuse issues in order to effectuate a
9 balanced public health/public safety continuum of care.

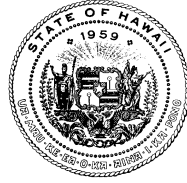
10 The Department will continue to collaborate with the PSD to expand and build on their
11 current mental health training curriculum and asks the legislature to support existing efforts of
12 the PSD to address mental health training for PSD staff.

13

14 **Offered Amendments:** None.

15 Thank you for the opportunity to testify.

16 **Fiscal Implications:** Undetermined.



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Testimony COMMENTING on H.B. 2524
RELATING TO THE DEPARTMENT OF PUBLIC SAFETY

REPRESENTATIVE GREGG TAKAYAMA, CHAIR
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HOUSE COMMITTEE ON HUMAN SERVICES AND HOMELESSNESS

Hearing Date and Time: Friday, February 7, 2020 at 9:55 a.m.

Room: 329

1 **Department Position:** The Department of Health (“Department”) strongly supports the intent
2 of this measure and offers comments.

3 **Department Testimony:** The subject matter of this measure intersects with the scope of the
4 Department’s Behavioral Health Administration (BHA) whose statutory mandate is to assure a
5 comprehensive statewide behavioral health care system by leveraging and coordinating public,
6 private and community resources. Through the BHA, the Department is committed to carrying
7 out this mandate by reducing silos, ensuring behavioral health care is readily accessible, and
8 person-centered. The BHA’s Adult Mental Health Division (AMHD) provides the following
9 testimony on behalf of the Department.

10 The Department strongly supports the intent of this bill to require the Department of
11 Public Safety (PSD) to establish a mental health first aid training program that provides
12 mandatory eight-hour sessions triennially for law enforcement, correctional officers, and other
13 public safety officials under PSD.

14 The Department acknowledges that the establishment of a mental health first aid
15 training program within the PSD is important for continuing education of law enforcement
16 personnel. We understand that mental health training is already being offered within the PSD

1 through their Training and Staff Development (TSD) Division which includes considerably more
2 mental health training than the type and amount proposed in this measure.

3 The Department is willing to collaborate with the PSD and other law enforcement
4 agencies to expand and build on their current mental health training curriculum and asks the
5 legislature to support existing efforts of the PSD to address mental health training for PSD staff.

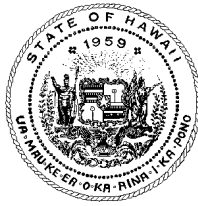
6

7 **Offered Amendments:** None.

8 Thank you for the opportunity to testify.

9 **Fiscal Implications:** Undetermined.

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

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TESTIMONY ON HOUSE BILL 2524
RELATING TO THE DEPARTMENT OF PUBLIC SAFETY.

By

Nolan P. Espinda, Director
Department of Public Safety

House Committee on Public Safety, Veterans and Military Affairs
Representative Gregg Takayama, Chair
Representative Cedric Asuega Gates, Vice Chair

Committee on Human Services and Homelessness
Representative Joy A. San Buenaventura, Chair
Representative Nadine K. Nakamura, Vice Chair

February 7, 2020; 9:55 a.m.
State Capitol, Conference Room 329

Chairs Takayama and San Buenaventura, Vice Chairs Gates and Nakamura, and
Members of the Committee:

The Department of Public Safety (PSD) appreciates the intent of House Bill (HB) 2524, House Draft (HD) 1, offers comments, and respectfully requests deferral of the measure because it is unnecessary, since PSD conducts Mental Health training that is more robust than that provided in this measure.

HB 2524, HD1, seeks to require PSD to establish a triennial mental health first aid training program for public safety personnel in the district and family courts, whose duties include proceedings for restraining or protective orders, that provides a mandatory eight-hour interactive training course to teach the skills necessary to assist a person who is developing or has developed a mental health disorder or mental health crisis, and to de-escalate crisis situations, as needed.

Law enforcement officers, specifically deputy sheriffs, are the PSD personnel assigned to the district and family courts. The Law Enforcement Training Programs, administered by the PSD Training and Staff Development (TSD) Academy, currently provide considerably more mental health training than the type and amount of training proposed in this measure. HB 2524, HD 1, would reduce the allotted time for mental health training of deputy sheriffs and substantially reduce the breadth and depth of the content contained in the present training curriculum. For example, the Law Enforcement Recruit Training Program includes 54 hours of initial mental health-related training and 10 hours of In-Service training every two years.

All of the subjects identified in subsection (b) are covered under the Law Enforcement recruit and/or in-service training modules conducted by TSD. The details are described in the sections of the Law Enforcement Recruit Training Manual Module 3, 4 and 7, and In-Service Training Manual, 3843 Crisis Intervention, 1664 Domestic Violence and 2106 Use of Force Decision Making.

The majority of deputy sheriffs have been trained in the same subjects identified in subsection (b) of this measure. Moreover, 93% of deputy sheriffs have completed the initial Crisis Intervention training, and 84% have completed the initial 8-hour Domestic Violence training specific to identifying behaviors, providing assistance and resource information, and restraining orders/protective orders. Training is continued with Sheriff deputies taking in-service training every two years.

Crisis Intervention, De-escalation and Domestic Violence trainings allow deputies, including those in the district and family courts whose duties include proceedings for restraining or protective orders, to implement the techniques and skills necessary to effectively respond for the safety of the public.

The Department views mental health training for our employees as essential training. This is demonstrated by the comprehensive nature of the training curriculum

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taught by certified TSD instructors and the frequency of in-service training. HB 2524, HD 1 would actually reduce the amount of mental health training currently afforded to PSD personnel, possibly resulting in the opposite effect of what was intended by the proposed measure. Accordingly, we respectfully request that the measure be deferred.

Thank you for the opportunity to provide testimony on HB 2524, HD1.

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON PUBLIC SAFETY, VETERANS, & MILITARY AFFAIRS

Rep. Gregg Takayama, Chair

Rep. Cedric Gates, Vice Chair

COMMITTEE ON HUMAN SERVICES & HOMELESSNESS

Rep. Joy San Buenaventura, Chair

Rep. Nadine Nakamura, Vice Chair

Friday, February 7, 2020

9:45 am – Room 329

SUPPORT w/ AMENDMENTS FOR HB 2111 – PSD MENTAL HEALTH TRAINING

Aloha Chairs Takayama and San Buenaventura and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai'i for more than two decades. This testimony is respectfully offered on behalf of the families of **ASHLEY GREY, DAISY KASITATI, JOEY O'MALLEY, JESSICA FORTSON** and all the people who have died under the "care and custody" of the state including the ten people who died in the last 5 months of 2019 and for **JAMES BORLING-SALAS** who was beaten and died on January 16th. We also remember the approximately 5,200 Hawai'i individuals living behind bars or under the "care and custody" of the Department of Public Safety on any given day and we are always mindful that more than 1,200 of Hawai'i's imprisoned people are serving their sentences abroad - thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

HB 2524 requires PSD to establish a mental health first aid training program that provides mandatory eight-hour sessions triennially for law enforcement, correctional officers, and other public safety officials under PSD.

Community Alliance on Prisons is in support of appropriate mental health training since we have such a large number of people suffering from a myriad of mental health challenges from severe and persistent to behavioral to co-occurring disorders.

Not being mental health experts, we sought advice from those who are. We asked them to review the bill because we felt that it was inadequate to address the problems in our jails, prisons, and facilities.

After consultation, these are the amendments to the bill we respectfully ask the committees to consider:

On page 2, after (8) add:

"In addition to mental health first aid training, there must be: (1) some type of crisis intervention training¹; (2) Suicide Prevention and documentation requirements²; (3) Mental Health Disorders; and (4) Restraint and Seclusion procedures and documentation requirements.

¹ It could be Mental Health First Side or there are a few others to choose from.

² This is crucial since there have been a number of unexplained deaths

The initial training shall be about four hours for each training module for a total of 16 hours each year. Annual 2-3-hour refresher courses - for a total of at least 10 hours shall be conducted every year thereafter."

It was explained to us that mental health first aid is just one type of training that is geared toward de-escalation. This concerns us when we know that we have so many people suffering in so many ways that "8 hours of training every 3 three years" is definitely not enough to keep employees sharp and up to date on the latest interventions.

Proper training is a safety precaution for staff and for the incarcerated individuals. With 11 recent deaths in the last 6 months, Community Alliance on Prisons implores the committees to consider this issue a matter of life and death. It is and was for far too many people who have died at the hands of the state.

Please amend this bill to address the continuing problems in Hawai'i and facilities with whom we contract to include real mental health training. Mahalo for this opportunity to testify on this measure that protects public safety staff and those in their "care and custody".



Friday, February 7, 2020

House Bill 2524
Testifying in Support

Aloha Chairs Takayama and San Buenaventura, Vice Chairs Gates and Nakamura, and Members of the Committees on and Public Safety, Veterans, & Military Affairs and Human Services & Homelessness,

The Democratic Part of Hawai'i (The Party) **stands in support of HB2524** Relating to the Department of Public Safety, which requires PSD to establish a mental health first aid training program that provides mandatory eight-hour sessions triennially for law enforcement, correctional officers, and other public safety officials under PSD.

Mental Health First Aid is a Substance Abuse and Mental Health Services Administration (SAMHSA) approved, evidence based, modality and training that prepares people to assist and protect those who are experiencing a mental health crisis.

In Hawai'i, many of our residents who have run ins with the law, experience symptoms that stem from mental health disorders. This is especially prevalent in our houseless community. That may make it difficult for police, first responders, corrections officers and other civil servants, to handle situations in a way that can deescalate the situation. This is not the fault of the individuals on the front lines, this is simply a lack of training.

“Public safety officers, regardless of rank or position, may find themselves confronted with a mental health crisis. My Mental Health First Aid training helped me save a life, and regular incidents serve as reminders of how public safety officers fall back on their training in times of crisis.”

—Captain Joseph Coffey, Ret., Rhode Island Municipal Police Academy and Mental Health First Aid Trainer

The State Legislature has the ability to mandate these trainings to those who encounter individual with these issues, the most often. People cannot be expected to do a job unless they are equipped with the right tools. Mental Health First Aid is one of the most valuable tools that can be added be to the toolbox for our first responders.

This course will not only help those working in public safety to help other residents, but it will allow coworkers to assist each other. In these high stress jobs, our employees need to be taken care of as well. In these specific professions, officers are more prone

to go to each other for help before seeking outside help. They have shared experiences which makes confiding in each other easier.

According to the National Council these are some of the reasons to train our police officers in Mental Health First Aid - Public Safety module.

“1 in 4 law enforcement encounters involves an individual experiencing mental illness. Approximately 12 police officers in the United States die by suicide every month. Approximately 1000 officers are experiencing PTSD on the job.”

The cost for this training is well worth the potential results; a healthier community that takes care of and keeps each other safe.

It for these reasons that we urge a favorable vote on this bill.

Mahalo for the opportunity to testify,



Josh Frost
Co-Chair, Legislation Committee
Democratic Party of Hawai'i



Zahava Zaidoff
Co-Chair, Legislation Committee
Democratic Party of Hawai'i

<https://www.mentalhealthfirstaid.org/population-focused-modules/public-safety/>

HB-2524

Submitted on: 2/3/2020 6:48:56 PM

Testimony for PVM on 2/7/2020 9:55:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
John Honda	Individual	Support	No

Comments:

HB-2524

Submitted on: 2/4/2020 6:30:46 PM

Testimony for PVM on 2/7/2020 9:55:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Gerard Silva	Individual	Oppose	No

Comments: