

OFFICE OF INFORMATION PRACTICES

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To: House Committee on Higher Education & Technology

From: Cheryl Kakazu Park, Director

Date: February 17, 2021, 2:00 p.m.
Via Videoconference

Re: Testimony on H.B. No. 539, H.D. 1
Relating to Threat Assessment

Thank you for the opportunity to submit testimony on this bill, which would create a program to train, establish, and operate threat assessment teams. The Office of Information Practices (OIP) takes no position on the substance of this bill but had recommended an amendment to the bill as introduced. The H.D. 1 version of this bill made that amendment, and OIP has no further concerns regarding this bill.



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/17/2021

Time: 02:00 PM

Location: 309 Via Videoconference

Committee: House Higher Education &
Technology

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: HB 0539, HD1 RELATING TO THREAT ASSESSMENT.

Purpose of Bill: Establishes a program within the Hawaii state fusion center to train, establish, and operate threat assessment teams, including for educational institutions. Effective 7/1/2050. (HD1)

Department's Position:

The Hawaii State Department of Education (Department) supports HB 0539, HD1.

Threat assessment is a problem-solving approach to violence prevention that involves assessment and intervention with both students and adults who have threatened violence in some way. Every act of violence is preventable if people recognize the signs. Several major and authoritative publications such as *Enhancing School Safety Using a Threat Assessment Model* and the *Final Report of the Federal Commission on School Safety* have identified actionable steps and best practices in establishing a threat assessment program.

The development and establishment of a threat assessment program in the Department has been a priority of the Safety, Security and Emergency Preparedness Branch. The branch has been working and coordinating closely with both the Hawaii Office of Homeland Security, Hawaii State Fusion Center, and other agencies in developing a threat assessment program that would prevent targeted violence in our schools. These partnerships have been invaluable. Developing and establishing a threat assessment program ensures the Department is meeting national school safety and security standards.

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

The Hawai'i State Department of Education is committed to delivering on our promises to students, providing an equitable, excellent, and innovative learning environment in every school to engage and elevate our communities. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.

Testimony for HB539 HD1

To: PDP, HET, FIN

Date: February 17, 2021

Time: 2:00 PM

Place: Conference Room 309 via video conference

Re: Support of HB539 relating to Threat Assessment

Aloha Legislators,

My name is David Nakao and I am a resident of Hawaii from Mililani. I am currently a Licensed Social Worker and am writing in my personal support for HB539.

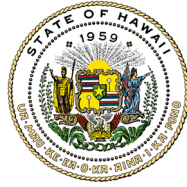
I am in support of HB539 because I believe that this bill will help to manage and prevent future threats and improve the State's ability to protect its residents and visitors. I believe that multidisciplinary teams provide a unique perspective to approaching, analyzing and managing various situations to create beneficial outcomes for both providers and target populations. In my experience as a Social Worker I have worked with multidisciplinary teams providing services in different settings such as mental health crises and those living with chronic diseases such as End Stage Renal Disease. In my experience, working with multiple disciplines helped our teams to collaborate with each other using our unique approaches to identify key warning signs to inform the team when creating individualized treatment plans. These plans worked to help keep the individual safe and establish goals to help them advance toward personal wellness. I believe developing these individual treatment plans with a multidisciplinary team allowed everyone involved to focus on different aspects of their lives to provide the best support to the individual.

I believe that this bill will be able to create and provide a unique approach to improving the State's ability to protect its residents and visitors and is why I am in support of HB539.

Respectfully Submitted,

David Nakao.

DAVID Y. IGE
GOVERNOR



KENNETH S. HARA
MAJOR GENERAL
ADJUTANT GENERAL

STEPHEN F. LOGAN
COLONEL
DEPUTY ADJUTANT GENERAL

STATE OF HAWAII
DEPARTMENT OF DEFENSE
OFFICE OF THE ADJUTANT GENERAL
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TESTIMONY ON HOUSE BILL 539 HD1
RELATED TO THREAT ASSESSMENT

PRESENTATION TO THE
COMMITTEE ON HIGHER EDUCATION & TECHNOLOGY

BY

PATRICIA S. KICKLAND
PROGRAM MANAGER
HAWAII STATE FUSION CENTER

FEBRUARY 17, 2021

Chair Representative Gregg Takayama and Vice Chair Representative Lynn DeCoite and members of the Higher Education & Technology Committee.

I am Patricia S. Kickland, Program Manager, Hawaii State Fusion Center (HSFC). Thank you for the opportunity to submit testimony in SUPPORT OF THE INTENT of HB539 HD1.

The purpose of HB539 HD1 is to protect the community statewide by helping agencies train, establish, and operate multi-disciplinary threat assessment teams. Such teams often include mental health professionals, educators, health care providers, social workers and other individuals who have a variety of expertise. These individuals then collaborate to identify threats, assess them, and manage them using the resources of the team's own institution and the community.

In order for threat assessment teams to do their work, they need two main things – training, and the ability to share information. HB539 HD1 is intended to enable the HSFC to train teams and to facilitate information sharing in a lawful manner. HB539 HD1 will provide assistance to threat assessment teams from all sectors of critical infrastructure, such as health care, transportation, information technology, and energy.

Although education is not listed as a main sector of critical infrastructure by federal definition, HB539 HD1 includes specific provisions that would enable the HSFC to help our education partners. As drafted, HB539 HD1 gives department schools, charter schools, and the University of Hawaii system the authority to adopt policies specific to threat assessment teams within their own institutions. Education threat assessment teams would be a subset of the statewide multidisciplinary threat assessment program that HSFC seeks to develop using its experience working with all areas of critical infrastructure.

We have been informed that changes need to be made to the section that refers to sharing of restricted criminal justice information to non-criminal justice agencies. For that reason, lines 8-10 on page 19 should be deleted. HSFC takes no position on the amendment to line 1 that changes "insure" to "ensure."

HSFC supports the intent of HB539 HD1 to enable the HSFC to provide information to threat assessment teams. HSFC recommends the following amendments:

Delete line 7, page 7, through and including line 3, page 8. On page 7, at the end of line 6, insert “when the criminal history information constitutes restricted criminal justice information, the fusion center shall only disseminate restricted criminal justice information to threat assessment team members from a criminal justice agency.”

On page 12, line 16, delete “record.” After “128A-C,” insert “Only threat assessment team members from a criminal justice agency may receive restricted criminal justice information.”

On page 14, line 6, delete “record.” After “128A-C,” insert “Only members threat assessment team members from a criminal justice agency may receive restricted criminal justice information.”

The end result is that threat assessment teams that include a team member from a criminal justice agency may have that team member receive restricted criminal justice information. Presumably that team member would follow all applicable laws regarding dissemination.

HSFC respectfully requests that HSFC be allowed to develop the definition of “vet” in future administrative rules. The vetting process would vary by subject matter and be developed in cooperation with agencies who choose to participate.

Thank you for allowing me to testify in SUPPORT OF THE INTENT of HB539 HD1.

Patricia S. Kickland, Program Manager, Hawaii State Fusion Center, patricia.kickland@hawaii.gov

COMMITTEE ON HIGHER EDUCATION & TECHNOLOGY

Rep. Gregg Takayama, Chair
Rep. Lynn DeCoite, Vice Chair

Wednesday, February 17, 2021

2:00 PM

Via Videoconference
Conference Room 309
Hawaii State Capitol

Aloha Chair Takayama, Vice Chari DeCoite and Committee Members,

My name is Luella Costales and I am writing in support of HB539.

As an active community member, former Honolulu Police Commissioner, and alumni of the FBI Citizens Academy, I commend the understanding of the importance of preventing threats and acts of violence through active community engagement.

Threat assessment teams have the potential to provide a way for workplaces, schools, and public agencies to keep themselves safe. At the individual institution level, Threat Assessment teams allow organizations to identify potential threats and create a way to assess and manage situations in a way consistent with each community's values. HB539 will help agencies that want to build threat assessment teams get access to training and assistance developing their teams. This is similar to the relationship between the FBI and the members of the FBI Citizens Academy which helps connect the agency to the community in not only assessing threats but also serves as a way for the community to support the FBI's important work as well.

HB539 facilitates information sharing when appropriate and will be consensual and not mandatory. The information obtained would allow Threat Assessment teams to better understand the dynamics of concerning situations and help the teams manage them over time.

HB539 is about keeping our community safe and I stand in strong support.

Mahalo,

Luella Costales

Luella_costales@yahoo.com