



The Judiciary, State of Hawai'i

**Testimony to the Thirty-Second State Legislature
2023 Regular Session**

Senate Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Tuesday, February 28, 2023, 10:00 a.m.
Conference Room 211 & Via Videoconference

by:

Brandon M. Kimura
Deputy Administrative Director of the Courts

WRITTEN TESTIMONY ONLY

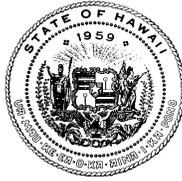
Bill No. and Title: Senate Bill No. 1594, S.D. 1, Relating to Crisis Intervention.

Purpose: Establishes a Crisis Intervention and Diversion Program within the Department of Health to divert those with mental health issues to appropriate health care services. Defines "crisis center" and "crisis intervention officer". Authorizes a person believed to be imminently dangerous to self or others by a law enforcement officer to be assisted by a crisis intervention officer and transported to a designated crisis center. Appropriates funds for the Crisis Intervention Team Program and for the Department of Health certify law enforcement officers in mental health first aid, as disseminated by the National Council for Mental Wellbeing, and the crisis intervention team model, as developed by Crisis Intervention Team International. (SD1)

Judiciary's Position:

The Judiciary supports the intent of this measure. Behavioral health crisis centers that provide care, diagnosis, or treatment for persons experiencing a mental illness or substance use disorder crisis could provide extraordinary value to individuals, families, communities, and public and private systems.

Thank you for the opportunity to testify on this measure.



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

Testimony in SUPPORT of S.B. 1594, S.D. 1
RELATING TO CRISIS INTERVENTION

SENATOR DONOVAN M. DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS

Hearing Date, Time and Room Number: Tuesday, February 28, 2023, 10 a.m. in Rm. 211/VIDEO

1 **Fiscal Implications:** Undetermined.

2 **Department Position:** The Department of Health (“Department”) supports this measure,
3 offering comments and amendments.

4 **Department Testimony:** The Adult Mental Health Division (AMHD) provides the following
5 testimony on behalf of the Department.

6 The purpose of this measure is to establish and appropriate funds for a crisis
7 intervention and diversion program within the Department with the goal of diverting
8 individuals in need from the criminal justice system to the health care system.

9 The Department appreciates the intent of this measure which addresses a critical
10 component of our “safety net” system where individuals receive care when and where they
11 need it, and through the most appropriate level of service. In cases where an individual is being
12 diverted from the criminal justice system to the health care system, such as when behavioral
13 health crisis care is needed, the Department has an existing crisis care continuum available to
14 meet this need.

1 In §334-1, Hawaii Revised Statutes (HRS), a definition of “behavioral health crisis center”
2 already exists. We believe this definition is appropriate and we support the use of these
3 centers to provide crisis care services. We do not believe there is a need at this time to
4 redefine this term in this measure.

5 In regards to the definition of a “crisis intervention officer” as written in this measure,
6 the Department intends to certify these individuals.

7 Establishing a new crisis intervention and diversion program will require the
8 Department to establish positions to oversee the implementation and administration of the
9 program. We estimate that we would need two FTE positions for a crisis services coordinator
10 and a crisis intervention and diversion program manager. We estimate that the cost for the
11 crisis intervention team program could be approximately \$150,000.00 annually.

12 **Offered Amendments:** The Department respectfully requests the following amendments.

13 Page 2, lines 20-21 through Page 3, lines 1-2, strike this section. As noted above, we
14 believe the definition established in HRS is sufficient and this new definition is not needed.

15 Page 3, lines 5-7, “Officers shall be certified by the Department of Health as specialized
16 first responders for calls involving people in crisis.”

17 Page 3, lines 11-12, strike “or placement in a designated mental health program.”

18 Page 3, lines 19 and 21, “or a crisis intervention officer certified by the Department of
19 Health.”

20 Page 4, lines 3-4, “or a designated behavioral health crisis center”

21

22 Thank you for the opportunity to testify on this measure.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org

RICK BLANGIARDI
MAYOR



ARTHUR J. LOGAN
CHIEF

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS

OUR REFERENCE **ML-SK**

February 28, 2023

The Honorable Donovan M. Dela Cruz, Chair
and Members
Committee on Ways and Means
State Senate
Hawaii State Capitol
415 South Beretania Street, Room 211
Honolulu, Hawaii 96813

Dear Chair Dela Cruz and Members:

Subject: Senate Bill No. 1594, S.D. 1, Relating to Crisis Intervention

I am Mike Lambert, Major of the Training Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports Senate Bill No. 1594, S.D. 1, Relating to Crisis Intervention.

Police officers respond to thousands of crisis calls annually. In 2022, there were over 2,400 documented "Applications by a Law Enforcement Officer for Emergency Evaluation (MH-1)." This figure does not include the numerous individuals who voluntarily went to a licensed psychiatric facility for examination or utilized crisis mobile outreach services.

Currently, Section 334-59 of the Hawaii Revised Statutes only allows officers to initiate an emergency admission without calling a mental health emergency worker (MHEW) for instances when an individual is threatening or attempting suicide. There are occasions when an individual is not threatening or attempting suicide but is clearly a danger to self or others. It is impractical for an officer to simultaneously de-escalate or detain this individual and call for an MHEW for transport approval. There are also situations in which having to call for an MHEW delays medical care for an individual whose behavior is due to the consumption of illicit drugs.

The Honorable Donovan M. Dela Cruz, Chair
and Members
Page 2
February 28, 2023

To ensure that the Department of Health (DOH) is comfortable with crisis intervention team officers being able to initiate an emergency admission, the HPD would like to request that the DOH provide training and a certification course for our officers.

Officers have an extremely dangerous job; not having control over real-time decisions at the scene increases the risk to officers, the person in crisis, and the observing community. By certifying officers to initiate an emergency admission, it allows officers to concentrate on the de-escalation and care of the individual in crisis thus reducing future trauma.

The HPD urges you to support Senate Bill No. 1594, S.D. 1, Relating to Crisis Intervention, with the proposed amendment to include training by the DOH. We appreciate the committee's consideration of these concerns.

Thank you for the opportunity to testify.

Sincerely,



Mike Lambert, Major
Training Division

APPROVED:



 Arthur J. Logan
Chief of Police



SB1594 SD1 Mental Health Diversion to Crisis Beds

COMMITTEE ON WAYS AND MEANS

Senator Donovan M. Dela Cruz, Chair

Senator Gilbert S.C. Keith-Agaran, Vice Chair

Tuesday, Feb. 28, 2023: 10:00 : Room 211 Videoconference

Hawaii Substance Abuse Coalition supports SB1594 SD1

ALOHA CHAIR, VICE CHAIR AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization for substance use disorder and co-occurring mental health disorder treatment and prevention agencies and recovery services.

HSAC strongly supports a Crisis Intervention and Diversion Program within the Department of Health to divert those with mental health issues to appropriate health care services utilizing a "crisis intervention officer". Authorizes a person believed to be imminently dangerous to self or others by a law enforcement officer to be assisted by a crisis intervention officer and transported to a designated crisis center.

Recommend that police continue their training to help them be more effective in working with the crisis intervention officer.

We support **diversion alternatives** for people subject to their **mental health disease**. It's time for Hawaii to expand our criminal justice diversion programs. The diversions include screening and evaluations for involuntary hospitalization or assisted community treatment. It's important that this bill the **need for more behavioral health crisis centers so that more diversions can happen** in our justice systems.

- Often people who have severe substance use disorders that may include drug induced psychosis, or for those who are severely mentally impaired that are frequently arrested are unsheltered homeless and in dire need of intervention and crisis care.
- It requires a lot of time of police officers who have to arrest them even if the crimes are misdemeanors. This is how jails become overcrowded because of this population.
- The alternative is a danger to public safety when criminal defendants, who could qualify for commitment due to severe mental health issues, are released back into the community without appropriate care.

Diverting more people with mental health issues or co-occurring (substance use and mental health) disorders to treatment with enable a sooner realized benefit from treatment and more

support for their conditions. Such treatment can reduce or eliminate their reoccurring involvement with the criminal justice system.

By focusing on people who are reoccurring in the justice system, HSAC strongly supports diversion strategies to help people receive effective mental health treatment and/or substance abuse treatment. Providing treatment and supports will help people with mental health issues to better access housing, employment and possibly get off the street entirely. This is a clear path to help end homelessness.

We appreciate the opportunity to provide testimony and are available for questions.

SB-1594-SD-1

Submitted on: 2/23/2023 3:20:49 PM

Testimony for WAM on 2/28/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
John Deutzman	Individual	Support	Written Testimony Only

Comments:

Honorable Senators,

As a Waikiki resident deeply invoved in public safety ,I strongly support this bill and any measures that will give indiviuals the emergency mental health care they need. My neighborhood is swarming with people who need help and are not getting it.

Out of 691 arrests in my neighborhood, only 5 defendants were involuntarily confined for treatment. That's less than one percent. One woman was found "unfit for trial" 8 times in 2022 but routinely sent back out on the streets only to cause trouble and get re arrested again.

Providing proper crisis intervention can save lives and improve the qualtiy of life for all.

Mahalo,

John Deutzman, Waikiki Resident

SB-1594-SD-1

Submitted on: 2/25/2023 5:03:11 PM

Testimony for WAM on 2/28/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

Every year, thousands of people in Hawai‘i are cited or arrested for offenses such as drinking liquor in public, loitering in public parks after hours, and camping on sidewalks, beaches, and other restricted public places each year. Many of these people suffer from issues relating to drugs, alcohol, or mental illness. Many of those cited do not appear in court, leading to bench warrants being issued for their arrests.

Time and resources are expended bringing people to court, and the court system, prosecutors, and police are caught in a never-ending revolving door situation. In response to this situation, mental health service providers have been working with appropriate law enforcement agencies and the criminal justice system to implement a crisis intervention program on O‘ahu.

This system would provide individuals in need with appropriate care by establishing a crisis intervention and diversion program within the Department of Health, to divert people in crisis from the criminal justice system to the healthcare system, and appropriate funds to support crisis intervention efforts. Please support this bill.

LATE

SB-1594-SD-1

Submitted on: 2/27/2023 10:20:40 AM
Testimony for WAM on 2/28/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Shannon Rudolph	Individual	Support	Written Testimony Only

Comments:

Support