

LINDA LINGLE  
GOVERNOR



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No. \_\_\_\_\_

TESTIMONY ON SENATE BILL 2334  
RELATING TO PUBLIC SAFETY  
Deputy Directors; Sheriff; appointment qualifications.

By

Clayton A. Frank, Director  
Department of Public Safety

Senate Committee on Public Safety & Military Affairs  
Senator Will Espero, Chair

Tuesday January 29, 2008, 2:45 p.m.  
Conference Room 225  
State Capitol

Senator Espero and Members of the Committee:

The Department of Public Safety (PSD) opposes Senate Bill 2334. This bill limits the ability of the Governor and the Director of Public Safety to appoint candidates that would be the most appropriate for the positions in question. It is critical for the successful operation of any department that the leaders and administrators work together as a unit. Therefore it is critical that the Governor and the Director of Public Safety have the opportunity and the capacity to select those administrators that will work well within the current system. For this reason, the Department of Public Safety opposes Senate Bill 2334.

Thank you for this opportunity to testify.

TESTIMONY ON SENATE BILL 2334  
RELATING TO PUBLIC SAFETY

Senate Committee on Public Safety  
Senator Will Espero, Chair

**LATE TESTIMONY**

Tuesday, January 29, 2008; 2:45 PM  
State Capitol, Conference Room 225

Senator Espero and Members of the Committee:

I would like to take this opportunity to request for your strong support of SB 2334, which would repeal exemptions from civil service of the First and Second Deputy Sheriff.

Historically, these exemptions were established when the Office of the Sheriff was under the Judiciary branch of government. The Chief Justice made the appointments to these positions. When the Office of the Sheriff was moved into the newly created Department of Public Safety pursuant to Act 211, SLH 1989, the exemption to civil service of these position were transferred along with newly established Sheriff Division under the Department of Public Safety. While those appointed positions might have been appropriate for the Office of the Sheriff under the Judiciary in the 1980's, it would have a negative impact on the current Sheriff Division organization. In the 1980's, the Office of the Sheriff had authorized positions of approximately 70 deputy sheriffs and related non-uniformed positions. Currently, the Sheriff Division has approximately 360 authorized deputy sheriffs and related non-uniformed positions. Having an appointed First or Second Deputy would have a negative impact on continuity of Sheriff Division operations. As being appointed positions, the persons appointed would inevitably be from outside of the Sheriff Division. This would bring into the Sheriff Division's upper management, persons without the institutional knowledge for effective administrative and operational management of the Division.

Another issue is that maintaining an appointed First and Second Deputy Sheriff may hinder the Sheriff Division's efforts into establishing Deputy Sheriff V (Captain) and Deputy Sheriff VI (Major) within the Sheriff Division. The Division is currently working with the Department of Human Resources Development (DHRD) on the process for

expanding the Deputy Sheriff class series to include Captains and Majors. It is my concern that the current exemptions from civil service of the first and second deputy sheriff may be applied by DHRD to the proposed Captain and Major classes.

As reflected in the attached Sheriff Division organization chart, there are an insufficient number of upper management positions above the operational segments of the Division. Span of control is a crucial principle in the efficient management of any law enforcement organization. The repeal of the exemptions from civil service of the First and Second Deputy Sheriff as well as the successful establishment of Captains and Majors within the Deputy Sheriff class series will address the span of control issues.

I also support the provision that the Deputy Director for law enforcement and the Sheriff shall be graduates of a law enforcement academy. A solid foundation in law enforcement principles is essential in the effective management of any law enforcement organization. Thank you for this opportunity to testify on this important matter.

Robin Nagamine