



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME LOCAL 152, AFL-CIO

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The Twenty-Fourth Legislature, State of Hawaii
Hawaii State Senate

Committee on Judiciary and Labor

Testimony by
Hawaii Government Employees Association – HGEA/AFSCME, Local 152
February 28, 2008

**S.B. 2334, S.D. 1 – RELATING
TO PUBLIC SAFETY**

The Hawaii Government Employees Association supports the passage of S.B. 2334, S.D. 1.

This bill would repeal the civil service exemption for the first and second deputy sheriff, and establish a requirement that the Deputy Director for Law Enforcement and the Sheriff be graduates of a law enforcement academy.

HGEA strongly supports the repeal of the civil service exemption for the first and second deputy sheriff. Historically, the majority of appointments to these positions were from outside the division. While these individuals may have been qualified, they lacked the institutional knowledge of the operations and personnel of the Sheriffs Division. And, as appointed individuals, their tenure was limited which affects continuity. We believe that the inclusion of these positions in civil service will provide create greater continuity within the Sheriffs Division leading to a more effective and efficient law enforcement operation. These employees would also be afforded the benefit of regular civil service status which, hopefully, encourages a career in public service.

We also support the requirement that the Deputy Director for Law Enforcement and the Sheriff be graduates of a law enforcement academy. While it's no guarantee that a person with this qualification will be a successful law enforcement administrator, it does provide the proper foundation upon which an effective administration can be based.

We urge your support of S.B. 2334, S.D. 1 and thank you for the opportunity to testify.

Respectfully submitted,

Nora A. Nomura
Deputy Executive Director

TESTIMONY ON SENATE BILL 2334, SD1
RELATING TO PUBLIC SAFETY

Senate Committee on Judiciary and Labor
Senator Brian T. Taniguchi, Chair
Senator Clayton Hee, Vice Chair

Thursday, February 28, 2008; 10:00 PM
State Capitol, Conference Room 016

Senator Taniguchi and Members of the Committee:

I would like to take this opportunity to request for your strong support of SB 2334, SD1, 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 Sheriff Division's 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

LINDA LINGLE
GOVERNOR



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DEPARTMENT OF PUBLIC SAFETY
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Corrections

JAMES L. PROPOTNICK
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 2334 SD1
RELATING TO PUBLIC SAFETY
Deputy Directors; Sheriff; appointment qualifications.
by

Clayton A. Frank, Director
Department of Public Safety

Senate Committee on Judiciary and Labor
Senator Brian T. Taniguchi, Chair

Thursday, February 28, 2008, 10:00 a.m.
Conference Room 016
State Capitol

Senator Taniguchi and Members of the Committee:

The Department of Public Safety opposes Senate Bill 2334 SD1, despite the changes made in SD1, which would allow any deputy director for law enforcement or sheriff that assumed the position prior to the effective date to remain even if they did not graduate from a law enforcement academy. 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 SD1.

Thank you for this opportunity to testify.

We, the undersigned, support Senate Bill No. 2334 and House Bill No. 2066, Relating to Law Enforcement. These measures would require that the Deputy Director for Law Enforcement and the State Sheriff have graduated from a law enforcement academy. Enactment of this State public policy will better ensure that effective State policies will be in place that preserve public and officer safety, appropriate training of state law enforcement officers is provided, and law enforcement practices are implemented and followed to successfully address crime in our State. Thank you for your support.

Print Name	Signature	City	Zip Code
CLARENCE P. LEWIS	<i>Clarence P. Lewis</i>	KAILUA	96734
MARY ANNE LEWIS	<i>Mary Anne Lewis</i>	KAILUA	96734
Beverly ALDRICH	<i>Beverly Aldrich</i>	Kaneohe	96744
James Vallesteros	<i>James Vallesteros</i>	Honolulu	96822
ROBERT ISO DO	<i>Robert Iso Do</i>	Pearl City	96782
NOA KAOPUKI	<i>Noa Kaopuki</i>	NANAKULI	96797
WILLIAM KINILAU	<i>William Kinilau</i>	Mulihani	96789
GLENN GLOUVERA	<i>Glenn Glovera</i>	Waimanalo	96797
THOMAS CATHCART JR.	<i>Thomas Cathcart Jr.</i>	WAIMANALO	96795
ALAN VALDEZ JR	<i>Alan Valdez Jr.</i>	MAKAKILO	96707
BRADLEY CATHCART	<i>Bradley Cathcart</i>	HONOLULU	96822
SANFORD MURAKAMI	<i>Sanford Murakami</i>	Honolulu	96831
MANUEL CONTRERAS	<i>Manuel Contreras</i>	Honolulu	96813
Ken MATSUMIYA	<i>Ken Matsumiya</i>	Wahiawa	96786
Darryl Goya	<i>Darryl Goya</i>	Honolulu	96818
Jeffrey Hamamura	<i>Jeffrey Hamamura</i>	Kailua	96734
RODNEY KAUFANE II	<i>Rodney Kaufane II</i>	Euwa Beach	96706
Raymond Schworte	<i>Raymond Schworte</i>	Euwa Beach	96706
DANNY AKIONA	<i>Danny Akiona</i>	HONOLULU	96816

We, the undersigned, support Senate Bill No. 2324 and House Bill No. 2066, Relating to Law Enforcement. These measures would require that the Deputy Director for Law Enforcement and the State Sheriff have graduated from a law enforcement academy. Enactment of this State public policy will better ensure that effective State policies will be in place that preserve public and officer safety, appropriate training of state law enforcement officers is provided, and law enforcement practices are implemented and followed to successfully address crime in our State. Thank you for your support.

Print Name	Signature	City	Zip Code
Suzanne Chun Oakland	Suzanne Chun Oakland	Honolulu	96817
Stacy S. Chun	Stacy S. Chun	Hon	96817
Max-Chih Chun	Max-Chih Chun	HNL, HI	96817
Randy K. Catun	Randy K. Catun	Honolulu	96817
Michael Oakland	Michael Oakland	Honolulu	96817
Charisse M. Steele	Charisse M. Steele	Honolulu	96821
Derek Alvarez	Derek Alvarez	Honolulu	96817
Ellis S. Abuega	Ellis S. Abuega	Honolulu	96707
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Raymond B. DeSoto	Raymond B. DeSoto	AEA	96701
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