
HOUSE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT
AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, SHERIFF DIVISION,
AND TO REPORT ON THE SUITABILITY OF THE ADMINISTRATIVE
ORGANIZATION OF THE DEPARTMENT OF PUBLIC SAFETY AND SHERIFF
DIVISION.

1 WHEREAS, the Sheriff Division of the Department of Public
2 Safety ("Sheriff Division"), is responsible for meeting the
3 mandates of the federal Homeland Security Act of 2002; and
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5 WHEREAS, the Sheriff Division has broad responsibility for
6 statewide law enforcement functions; and
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8 WHEREAS, the Sheriff Division receives funding at the
9 discretion of the Director of the Department of Public Safety
10 and must compete for funding with the Department of Public
11 Safety's Corrections Division ("Corrections Division"), which
12 typically receives between sixty percent and eighty percent of
13 funds appropriated to the Department of Public Safety; and
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15 WHEREAS, the Sheriff Division's primary mission diverges
16 from the primary mission of the Department of Public Safety; and
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18 WHEREAS, in his 2005 response to Act 83, Session Laws of
19 Hawaii 2003 ("2005 Response"), the Interim Director of the
20 Department of Public Safety, Richard Bissen, considered the
21 feasibility of separating the Department of Public Safety into a
22 Department of Corrections and a Department of Law Enforcement;
23 and
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25 WHEREAS, in reference to law enforcement and corrections,
26 the 2005 Response states "there is little operational
27 relationship between the two functions." Further, "[a]s
28 currently organized, a single director must attempt to establish
29 resource priorities for each function without adversely
30 impacting the other"; and



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2 WHEREAS, the 2005 Response conservatively estimates that a
3 separation of the Department of Public Safety into a Department
4 of Corrections and a Department of Law Enforcement would cost
5 \$1,600,000 more per year; and

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7 WHEREAS, viable alternatives exist to the continued
8 placement of the Sheriff Division within the Department of
9 Public Safety; now, therefore,

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11 BE IT RESOLVED by the House of Representatives of the
12 Twenty-fifth Legislature of the State of Hawaii, Regular Session
13 of 2009, the Senate concurring, that the Auditor is requested to
14 conduct a financial audit of the Department of Public Safety,
15 and is requested to include in that audit;

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17 (1) The total amount of funds requested by the Department
18 of Public Safety to advance its mission and goals, and
19 the percentage of such funds allocated to the Sheriff
20 Division;

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22 (2) Issues relating to the Department of Public Safety's
23 strategic and financial plan, its budgeting process,
24 and its process of forecasting future financial needs;
25 and

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27 (3) Any and all other matters that the Auditor would
28 normally undertake as necessary or appropriate in a
29 system-wide financial audit; and

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31 BE IT FURTHER RESOLVED that the Auditor is requested to
32 conduct a management audit of the Department of Public Safety
33 that includes the following components and addresses the
34 following issues;

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36 (1) How priorities for expenditures within the Department
37 of Public Safety are determined;

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39 (2) What responsibilities of the Sheriff Division are not
40 adequately achieved due to insufficient resources; and

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42 (3) An examination and evaluation of alternative
43 administrative structures for law enforcement and
44 correction functions, including but not limited to:



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- (A) Creation of a new executive department for the Sheriff Division;
- (B) Placement of the Sheriff Division in a different executive department; and
- (C) Functional separation of the Corrections Division and Sheriff Division within the Department of Public Safety, with different heads, budgets, and support staff; and

BE IT FURTHER RESOLVED that the Department of Public Safety, its staff, and other relevant persons or agencies are requested to cooperate with and assist the Auditor, and to provide information requested by the Auditor; and

BE IT FURTHER RESOLVED that the Auditor submit the findings and recommendations of the financial and management audits and the report, including any proposed legislation, to the Legislature not later than twenty days prior to the convening of the Regular Session of 2010; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Auditor, the Governor, the Attorney General, the Director of Public Safety, and the Deputy Directors of the Law Enforcement and Corrections Divisions of the Department of Public Safety.

OFFERED BY: *Rep. Hanshaw*

FEB 25 2009

