
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 60 percent and 80 percent of funds
13 appropriated to the Department of Public Safety (PSD); and
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15 WHEREAS, the Sheriff Division's primary mission diverges
16 from the primary mission of PSD; 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 PSD into a Department of Corrections
22 and a Department of Law Enforcement; and
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24 WHEREAS, in reference to law enforcement and corrections,
25 the 2005 Response states "there is little operational
26 relationship between the two functions." Further, "[a]s
27 currently organized, a single director must attempt to establish
28 resource priorities for each function without adversely
29 impacting the other"; and
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1 WHEREAS, the 2005 Response conservatively estimates that a
2 separation of the PSD into a Department of Corrections and a
3 Department of Law Enforcement would cost \$1,600,000 more per
4 year; and

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6 WHEREAS, viable alternatives exist to the continued
7 placement of the Sheriff Division within PSD; now, therefore,

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

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15 (1) The total amount of funds requested by PSD to advance
16 its mission and goals, and the percentage of such
17 funds allocated to the Sheriff Division;
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19 (2) Issues relating to the PSD's strategic and financial
20 plan, its budgeting process, and its process of
21 forecasting future financial needs; and
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23 (3) Any and all other matters that the Auditor would
24 normally undertake as necessary or appropriate in a
25 system-wide financial audit;

26
27 and

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29 BE IT FURTHER RESOLVED that the Auditor is requested to
30 conduct a management audit of PSD that includes the following
31 components and addresses the following issues;

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33 (1) How priorities for expenditures within PSD are
34 determined;
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36 (2) What responsibilities of the Sheriff Division are not
37 adequately achieved due to insufficient resources;
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39 (3) The adequacy of the method by which the amount of pay
40 provided to officers in the Sheriff Division is
41 calculated;
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43 (4) Any disparities in pay between the officers in the
44 Sheriff Division and other law enforcement officers,



particularly county police officers, in the state, being mindful of the amount of training and responsibilities involved in each area of law enforcement area; and

(5) An examination and evaluation of alternative administrative structures for law enforcement and corrections functions, including but not limited to:

- (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 PSD, with different heads, budgets, and support staff;

and

BE IT FURTHER RESOLVED that PSD, 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 no later than 20 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 Governor, Auditor, Attorney General, Director of Public Safety, and the Deputy Directors of the Law Enforcement and Corrections Divisions of the Department of Public Safety.

