

TESTIMONY
SCR43/SR23

LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
LAURA H. THIELEN
Chairperson**

**Before the Senate Committee on
WATER, LAND, AGRICULTURE AND HAWAIIAN AFFAIRS**

Monday, March 2, 2009

3:15 P.M.

State Capitol, Conference Room 229

**In consideration of
SENATE CONCURRENT RESOLUTION 43 – SENATE RESOLUTION 23
REQUESTING THE DIVISION OF CONSERVATION AND RESOURCES
ENFORCEMENT TO APPLY FOR ACCREDITATION WITH THE COMMISSION ON
ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC.**

Senate Concurrent Resolution (SCR) 43 and Senate Resolution (SR) 23 requests the Division of Conservation and Resources Enforcement (DOCARE) of the Department of Land and Natural Resources (Department) to apply for accreditation with the commission on accreditation for Law Enforcement Agencies, INC. The Department appreciates the timeliness of SCR 43 and SR 23 and will be seeking accreditation as described in the resolutions. As such, the Department supports these resolutions.

The Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) is an internationally recognized professional law enforcement accrediting agency. CALEA standards and required compliance will ensure that DOCARE will be guided by the most up-to-date, tried and proven law enforcement standards in the Nation.

The Department does request that these resolutions be modified to support DOCARE accreditation or recognition. According to the Department's preliminary conversations with CALEA, a resource enforcement agency the size of DOCARE may be more suited for recognition than accreditation. Accreditation includes policies for activities DOCARE does not engage in, such as holding cells for detainees. The Department would prefer to be flexible at this stage and work with CALEA to determine whether DOCARE should seek accreditation or recognition, and be guided by that national organization to select the best process for DOCARE.

For this Committee's consideration, the Department has attached letters from the Hamilton County Park District Safety Division in Cincinnati, Ohio and Mr. Richard Haake, (Ret.) Deputy Chief of the Forest Preserve District of DuPage County, Winfield, Illinois, endorsing CALEA as an effective tool toward better law enforcement.

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Hamilton County Park District

Park Ranger

Hamilton County Park District
Safety Division
10245 Winton Road
Cincinnati, Ohio 45231

(513) 521-3980 (513) 728-3559 FAX

Colonel Steven R. Newsom, Chief Ranger

Hamilton County
Park District
It's Great Outdoors!
GreatParks.org

February 12, 2009

State of Hawaii
Department of Land and Natural Resources
Post Office Box 621
Honolulu, Hawaii 96809

Re: CALEA Accreditation for Division of Conservation and Resources Enforcement Officers

Dear Legislators:

Please accept this letter in support of the Division of Conservation and Resources Enforcement Officers and their efforts to become involved in the CALEA Accreditation self-assessment process. It is the epitome of accountability and professionalism for any law enforcement agency.

We employ fifty Park Rangers, thirty-five which are full-time officers that patrol five districts in Hamilton County, Ohio. We are responsible for all law enforcement activity in twenty-one parks and preserves, spanning more than 16,000 acres in and around Cincinnati, Ohio. Over 8 million guests visit us each year. We were the first park district ranger department in the United States to achieve CALEA (Commission on Law Enforcement Accreditation) accredited status, which occurred in 1994.

CALEA accreditation brought immediate benefits, including a professional and standardized policy manual. It allowed us to have legally defensible policies, and external neutral assessors who ensured we adhered not only to these policies, but to CALEA's stringent and well-respected standards of professionalism.

The initial process of revamping our manual and collecting the necessary proofs was a difficult and arduous task. As we progressed through each successive onsite, our policies continued to improve and evolve, as did our proofs. CALEA upkeep became less labor intensive and we developed a system to stay current on proofing.

CALEA is an international networking organization, but they offer many opportunities to network at the national, state, and local levels. In fact they highly encourage accredited agencies to join together in "PACs" (Police Accreditation Coalitions.) We were involved in our state level PAC (State of Ohio Accreditation Resource), with agencies attending bimonthly meetings from around the state in a central location.

SOAR was an invaluable resource to ensure that our policies were commensurate with other local jurisdictions and our proofs were on par. SOAR also provided an informal assessment tool where agencies could bring specific policies and proofs to meetings for evaluation, or a pool of members could provide an on-site "mock" assessment to member agencies.

CALEA was more than just a symbol on our vehicles, paperwork, and nametags. It was an expression of professional pride and spoke volumes to other law enforcement agencies we frequently interact with. We handled calls, issues, and complaints in a consistent and proven manner, in compliance with our policies. We experienced very few formal complaints against members of the department.

Compliance with CALEA's standards reduced our liability and as a result our insurance and liability coverage was less costly. Three lawsuits occurred against our department during our accredited tenure. According to our legal counsel in each case, our accredited status greatly assisted them in our defense.

Unfortunately I must refer to our accredited status in the past tense. In December 2008 we were forced to make many budget cuts in order to keep our budget from going into deficit, and unfortunately CALEA accreditation was one of those items cut. We notified CALEA of this change in January 2009. CALEA taught our agency policy creation, proofing, and management and left a legacy that we can continue to operate as a professional law enforcement organization. They provided us the tools necessary for self management. We are grateful to CALEA for the assistance and guidance they provided to our agency for fourteen years.

Sincerely,

Sgt. Sheli McDonough

Sgt. Sheli McDonough
Accreditation Manager
District Supervisor

February 14, 2009

Richard A. Haake
Deputy Chief (Ret.)
Forest Preserve District of DuPage County
0N684 Brandon Blvd.
Winfield, Illinois 60190

Dear Legislators:

I appreciate the opportunity to address you in regard to the Division of Conservation and Resources Enforcement's (DOCARE) desire to join a growing number of law enforcement agencies in the United States, Canada and Mexico seeking international accreditation. I think I can offer you a rather unique perspective on accreditation, having been employed by a conservation and education-oriented police department for 28 years. Additionally, my experiences as an assessor and team leader for the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) for the past eight years provides me with additional insight into the benefits of accreditation.

I started my law enforcement career with the Forest Preserve District of DuPage County's Law Enforcement Department in 1981 as a sworn Ranger. As a conservation law enforcement agency, we were often referred to as something less than a police agency even though we had the same authority as any other agency in Illinois. Looking back and seeing where we are now, I can see how that opinion may have had some truth to it. Although our agency made many small steps from 1981 to 1998, we still remained years behind what other law enforcement agencies in the state were accomplishing. In 1997, I attended the School of Police Staff and Command, hosted by Northwestern University. My final project was a research paper of my choosing and I chose to research accreditation. The more I discovered about CALEA through my research, the more convinced I became that it was what our agency needed. In 1998, we began the self-assessment process and signed a contract with CALEA. For the next three years, I developed policy and procedures built on sound CALEA standards as approved by the International Association of Chiefs of Police, the National Organization of Black Law Enforcement Executives, the National Sheriffs' Association and the Police Executive Research Forum. The 460 standards address nearly every aspect of a law enforcement operation. Some standards, such as Court Security and Holding Facilities, did not apply to our particular agency, so we did not have to comply. In 2001, the Law Enforcement Department received its initial CALEA accreditation award and we have remained in compliance and fully expect our third reaccreditation award in 2010. We no longer are referred to as something less than a police agency, our officers serve on many county and statewide law enforcement boards, our policies are sound and would hold up to court scrutiny if ever challenged and our agency feels a sense of pride never before experienced. The thinking that some day our Department would be "absorbed" by the Sheriff's Office no longer exists. We can hold our head up as one of only approximately 800 agencies who are accredited by CALEA.

In 2001, after our initial award, I was contacted by CALEA to serve as an assessor. As a CALEA Assessor, and subsequently a Team Leader, I have had the opportunity to assess law enforcement agencies across the United States and Mexico. I have assessed agencies with employees as few as 25 and as many as 2000. To say that it was more important to one size or type agency than the other would be erroneous. Every agency I assessed saw immediate benefits to being accredited and some agencies have been reaccredited as many as five times. I personally have assessed capital police, university police, sheriff's departments, conservation police, municipal police, airport police and park police. No matter what type of policing an agency does, the benefits still apply. Abiding by CALEA standards helps to ensure the following:

- * reduces an agency's liability and risk exposure,
- * forces agencies to keep up with changing laws,
- * holds the agency and its employees accountable for its actions,
- * strengthens the agency's relationship with the community, and
- * provides a time-tested means to facilitate an agency's pursuit of excellence.

In Illinois there are nearly 100 agencies in the accreditation process. In my county alone there are almost 20 agencies accredited or in the process. CALEA has become the accepted practice on how to do business in Illinois and is becoming more widely sought out throughout the United States, Canada and Mexico.

I could go on and on about the benefits that our agency and other agencies have seen but I have tried to be brief and to the point. It is my hope that this letter will entice you to approve DOCARE's request to become accredited. If you desire any other personal testimony, I could easily provide you with many Chiefs' names from other accredited police departments. I would strongly suggest you visit CALEA's website (www.calea.org) for further information on the process.

I hope this short introductory letter has helped you to understand CALEA a little better and the benefits that DOCARE and the community would receive should you approve their request to sign a contract with CALEA. My personal information is provided below should you desire to contact me personally.

Thank you for your time in this most important matter.

Sincerely,

Richard A. Haake

Home address:
0N684 Brandon Blvd.
Winfield, Illinois 60190

(630) 738-0529
richardhaake@sbcglobal.net



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA
Executive Director
Tel: 808.543.0011
Fax: 808.528.0922

NORA A. NOMURA
Deputy Executive Director
Tel: 808.543.0003
Fax: 808.528.0922

DEREK M. MIZUNO
Deputy Executive Director
Tel: 808.543.0055
Fax: 808.523.6879

The Twenty-Fifth Legislature, State of Hawaii
Hawaii State Senate
Committee on
Water, Land, Agriculture and Hawaiian Affairs

Testimony by
Hawaii Government Employees Association
March 2, 2009

**S.C.R. 43 and S.R. 23 – REQUESTING
THE DIVISION OF CONSERVATION
AND RESOURCES ENFORCEMENT
TO APPLY FOR ACCREDITATION
WITH THE COMMISSION ON
ACCREDITATION FOR LAW
ENFORCEMENT AGENCIES, INC.**

The Hawaii Government Employees Association supports the purpose and intent of S.C.R. 43 and S.R. 23, which would allow for application into the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA). In today's litigious environment, state and local governments are increasingly being sued and held liable for actions committed by public employees. Activities involving public safety personnel are the source of a significant percentage of these lawsuits. This can be particularly worrisome for public safety agencies that are operating under out-dated or non-existent policies and procedures.

The adoption of performance standards, which serve to reduce risk exposures associated with these activities, is strongly encouraged. One of the best defenses against lawsuits brought upon a public safety agency is that the agency acted properly, in accordance with established, written policies that meet CALEA Standards.

The importance of clearly written and legal policies and procedures as a tool for stating management expectations and performance standards cannot be overestimated. Directives establish a specific code of acceptable behaviors, as well as guide the officer in decision making. With a properly established policy and procedure directive system, controversy about official department policy on critical and sensitive issues will decrease.

A comprehensive policy and procedures directive system should address: patrol operation; criminal investigations; vehicle pursuit; vehicle operations; deadly force; non-

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deadly force; firearms; property and evidence control; communications; vice and drug enforcement; juvenile operations; records, training; fiscal management; organizational structure; mutual aid; special operations; crime prevention; community relations; internal affairs; public information; traffic enforcement; accident investigation; victim/witness assistance; prisoner transportation; holding facility operations; court security; and others.

Agencies that seek accreditation are required to comply only with those standards that are specifically applicable to them. Applicability is based on two factors -- its size and its functions. Applicable standards are categorized as mandatory or other-than-mandatory. If an agency cannot comply with a standard because of legislation, labor agreements, court orders, or case law, waivers can be sought from the Commission. The standards prescribe "what" agencies should be doing, not "how" they should be doing it.

Thank you for the opportunity to testify in support of S.C.R. 43 and S.R. 23.

Respectfully submitted,



Nora A. Nomura
Deputy Executive Director

TESTIMONY
SCR43/SR23
(END)