

HCR 139

Measure Title:

REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO WORK WITH THE HAWAII LAW ENFORCEMENT MEMORIAL FOUNDATION, THE COUNTY POLICE DEPARTMENTS, THE DEPARTMENT OF PUBLIC SAFETY, THE UNITED STATES MARSHAL FOR THE DISTRICT OF HAWAII, THE STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS, AND THE CONCERNS OF POLICE SURVIVORS INCORPORATED, TO PLAN AND CONSTRUCT A HAWAII STATE LAW ENFORCEMENT MEMORIAL.

Report Title:

Hawaii State Law Enforcement Memorial

Nakakuni, Florence (USAHI)

To: espero1@capitol.hawaii.gov
Subject: House Concurrent Resolution 139

Senator Will Espero
Chair, Public Safety/Military Affairs Committee
Hawaii State Senate

Dear Chairman Espero and Members of the Committee,

I am writing in support of House Concurrent Resolution 139 (HCR 139) which is scheduled for public hearing before the Senate Public Safety/Military Affairs Committee on Wednesday, April 21, 2010. HCR 139 requests the Department of Accounting and General Services to work with the Hawaii Law Enforcement Memorial Foundation, the County Police Departments, the Department of Public Safety, the United States Marshall for the District of Hawaii and the State of Hawaii Organization of Police Officers to plan and construct a Hawaii State Law Enforcement Memorial honoring men and women who, while in the line of duty, make the ultimate sacrifice to serve and protect the people of Hawaii. Private funds will be solicited for the construction of the memorial, to be constructed on the grounds of the Hawaii State Capitol, which will be perpetual and honor law enforcement personnel who serve at the local, state and federal levels of government. Thank you for continuing to support those who serve.

Sincerely,

Florence Nakakuni
United States Attorney
District of Hawaii

LINDA LINGLE
GOVERNOR



RUSS K. SAITO
Comptroller

SANDRA L. YAHIRO
Deputy Comptroller

**STATE OF HAWAII
DEPARTMENT OF ACCOUNTING
AND GENERAL SERVICES**

P.O. BOX 119
HONOLULU, HAWAII 96810-0119

TESTIMONY
OF
RUSS K. SAITO, COMPTROLLER
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
TO THE
SENATE COMMITTEE
ON
PUBLIC SAFETY and MILITARY AFFAIRS
ON
April 21, 2010

H.C.R. 139

REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO WORK WITH THE HAWAII LAW ENFORCEMENT MEMORIAL FOUNDATION, THE COUNTY POLICE DEPARTMENTS, THE DEPARTMENT OF PUBLIC SAFETY, THE UNITED STATES MARSHAL FOR THE DISTRICT OF HAWAII, THE STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS, AND THE CONCERNS OF POLICE SURVIVORS INCORPORATED, TO PLAN AND CONSTRUCT A HAWAII STATE LAW ENFORCEMENT MEMORIAL.

Chair Espero and members of the Committee, thank you for the opportunity to testify on H.C.R. 139.

The Department of Accounting and General Services (DAGS) supports the intent of this concurrent resolution and is willing to work with the representatives that this concurrent resolution names in planning a memorial to honor law enforcement personnel who have made the ultimate sacrifice to serve and protect the people of Hawai'i.

DAGS would like to point out that a memorial worthy of the law enforcement personnel will likely require the services of artists and or design professionals. Because

no money has been set aside for this purpose, the organizations that DAGS is asked to work with should include representatives from the artistic and design professional organizations. DAGS also notes that the representatives that DAGS is asked to work with are from organizations related to law enforcement. Additional representatives from the design professional organizations, landscape architects, and cultural organizations would help with findings, recommendations, and projected costs.

Thank you for the opportunity to testify on this matter.



AFSCME
LOCAL 152, AFL-CIO

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The Twenty-Fifth Legislature, State of Hawaii
Hawaii State Senate
Committee on Public Safety and Military Affairs

Testimony by
Hawaii Government Employees Association
April 21, 2010

H.C.R. 139 – REQUESTING DAGS TO
PLAN AND CONSTRUCT A HAWAII
STATE LAW ENFORCEMENT
MEMORIAL

The Hawaii Government Employees' Association, AFSCME Local 152, AFL-CIO strongly supports H.C.R. 139, which calls for the Department of Accounting and General Services (DAGS) to work with the Hawaii Law Enforcement Memorial Foundation, the county police departments and other organizations to plan and construct a Hawaii State Law Enforcement Memorial on the grounds of the Hawaii State Capitol. The primary purpose of the memorial is to honor law enforcement personnel who made the ultimate sacrifice while serving and protecting the people of Hawaii. The memorial will be constructed through the solicitation of private funds.

Several other states have constructed similar types of memorials. Building a law enforcement memorial at the Hawaii state capitol will focus attention on the courage and bravery that law enforcement personnel demonstrate every day. The Hawaii Government Employees Association (HGEA) represents more than 400 deputy sheriffs, parole officers and investigators who are employed by the state and the counties. These men and women protect us and help to solve crimes.

As the exclusive representatives for these employees, we request that a copy of this concurrent resolution be transmitted to the HGEA in addition to the other groups currently identified. Thank you for the opportunity to testify in support of H.C.R. 139.

Respectfully submitted,

Nora A. Nomura
Deputy Executive Director

William P. Kenoi
Mayor



Harry S. Kubojiri
Police Chief

Paul K. Ferreira
Deputy Police Chief

County of Hawai`i

POLICE DEPARTMENT

349 Kapi`olani Street • Hilo, Hawai`i 96720-3998
(808) 935-3311 • Fax (808) 961-2389

April 20, 2010

Senator Robert Bunda
Vice Chair and Members
Committee on Public Safety and Military Affairs
State Capital
415 South Beretania Street, Conference Room 312
Honolulu, Hawai`i 96813

RE: House Concurrent Resolution No. 139, Relating to the Construction of a Hawai`i State Law Enforcement Memorial

The Hawai`i Police Department strongly supports H.C.R. No 139. We are committed to working with the State of Hawai`i Department of Accounting and General Services and all other public and private entities committed to the planning and construction of a Hawai`i State Law Enforcement Memorial at our State Capitol.

National Police Week, which occurs each year during the week in which May 15 falls, recognizes the service and sacrifice of U.S. law enforcement. Established by a joint resolution of Congress in 1962, National Police Week pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others.

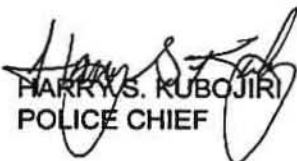
Hawai`i Police Department officers killed in the line of duty include:

Manuel Cadinha, 1918
William "Red" Oili, 1936
Ronald "Shige" Jitchaku, 1990
Kenneth Keliipio, 1997

The establishment of a State of Hawai`i Law Enforcement Memorial would be a lasting tribute to the families of our fallen officers and forever honor their sacrifice to the people of the State of Hawai`i.

Thank you for allowing the Hawai`i Police Department to express our support.

Sincerely,


HARRY S. KUBOJIRI
POLICE CHIEF

TESTIMONY OF SIDNEY A. HAYAKAWA

HOUSE CONCURRENT RESOLUTION NO. 139

REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO WORK WITH THE HAWAII LAW ENFORCEMENT MEMORIAL FOUNDATION, THE COUNTY POLICE DEPARTMENT, THE DEPARTMENT OF PUBLIC SAFETY, THE UNITED STATES MARSHAL FOR THE DISTRICT OF HAWAII, THE STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS, AND THE CONCERNS OF POLICE SURVIVORS INCORPORATED, TO PLAN AND CONSTRUCT A HAWAII STATE LAW ENFORCEMENT MEMORIAL.

SENATE COMMITTEE ON PUBLIC SAFETY/MILITARY AFFAIRS

As a former law enforcement officer with 39 years of experience with Federal (U.S. Drug Enforcement Administration and U.S. Transportation Security Administration), State (Department of Public Safety) and county (Honolulu Police Department) law enforcement organizations, I strongly endorse both resolutions to establish and construct a Hawaii State Law Enforcement Memorial.

Law enforcement officers who have sacrificed their lives for our community must be remembered. Their loved ones, families, and friends must be assured that we have not forgotten that these individuals have made the ultimate sacrifice and they will always be remembered. The memorial will also serve as a symbol for the State of Hawaii and how we support law enforcement.

To this end, I like to commend Representative Blake Oshiro and Senator Donna Mercado Kim for sponsoring these resolutions in support of the law enforcement community and their families.

Thank you very much for allowing me to provide testimony.

Thomas K. Aiu, JD
P.O. Box 31214
Honolulu, Hawaii 96820
Email: hawaii1811@yahoo.com
Telephone: 808.330.1888
March 16, 2010

COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Senator Will Espero, Chair

Senator Robert Bunda, Vice Chair

RE: HCR 139

Dear Senators Espero and Bunda:

Let me take this opportunity to introduce myself. I am Thomas K. Aiu, JD, a recently retired Senior Special Agent with the Drug Enforcement Administration (DEA), U.S. Department of Justice (DOJ). In addition to my 26 years with DEA, I spent several years as an agent with Hawaii State Narcotics and a year as a police officer. In all, I have nearly 30 years of law enforcement experience.

I submit testimony today in support of HCR 139 which directs that the Department of Accounting and General Services (DAGS) work with The Hawaii Law Enforcement Memorial Foundation (HLEMF), the county police departments, state and federal agencies, SHOPO, and COPS to set aside land on the grounds of the Hawaii State Capitol for the construction of The Hawaii Law Enforcement Memorial.

When police officers, sheriff deputies, and federal agents, take that oath of office and swear to uphold the Constitution, we do so in an unwavering manner. After months of training, we entertain lofty goals of protecting and serving with distinction and making a difference. We long to find that missing child, hurry to a robbery in progress, or feel that adrenalin rush when making an arrest. Many times, this exuberance comes at the expense of our families and loved ones. We forego birthdays, anniversaries, holidays and other special occasions; all for the job. We live to catch the bad guy and even after our shift is over; we can't wait to go back to work the next day. We wear our badge with pride and although a few may fall by the wayside, for the most part, we never think to tarnish ourselves or our agency.

We also know, in the deep recess of our mind, that at some point, we will be called to scour a dark alley alone, search for gang members in an abandoned building, stop a car on a lonely stretch off highway, pursue an armed drug dealer, or confront a dangerous fugitive. We rely on our training and our survival instincts. We hope and pray that the outcome is favorable for us and the violator. Most times, that's the case, perhaps with a minor scuffle, but successful none the less. Our one compelling thought "Just get home so the wife won't have to see it on the news, or worse, have her experience the quiet

approach of a commander's vehicle.”

Sometimes, though, things go bad, really bad. We're taught to trust in our training. But even when we do everything by the book, following all the rules, go by the operational plan, when its least expected, we sometimes make the ultimate sacrifice. And, we do so selflessly, always protecting the life of a fellow officer, a citizen bystander, or simply ourselves.

As a federal agent, I was fortunate to work with law enforcement officers from Honolulu to Los Angeles, San Francisco to New York, Boston to San Diego, and Seattle to Miami. I have seen firsthand the professionalism of our country's police and federal agents. I have also witnessed the tragedy and heartbreak when an officer is killed in the line of duty. It's a grim reminder that it could have been me, since we've all faced those same dangers. Yet even with the sad realities of the job, it's never enough to think about changing careers.

Those fallen are honored for paying the ultimate sacrifice while protecting their country, their city, their very neighborhood. But after the tears, the heartfelt speeches, the posthumous praise, and the conferred medals of valor; after s/he's laid to rest, the family, friends, and colleagues continue to grieve, many times alone.

States across the country have a memorial which stand in tribute to the sacrifice of their officers. Washington, D.C. is home of the National Law Enforcement Memorial where every Hawaii officer killed in the line of duty is honored and recognized. Hawaii, likewise, should maintain its own place of solitude, honor, and peace. It's time to make such a place; a constant reminder of the sacrifice, where families, friends, and colleagues may go to remember.

I respectfully urge the Senate Committee on Public Safety and Military Affairs to vote in favor of HCR 139.

Sincerely,

Thomas K. Aiu, JD
Senior Special Agent, DEA (Ret.)

Joan Gribbin-Aiu
Director
Hawaii Law Enforcement Memorial Foundation
4348 Waiialae Avenue, Suite No. 527
Honolulu, Hawaii 96816
Bluehawaii135@yahoo.com
Telephone: (808) 294-0715
March 17, 2010

Committee on Public Safety and Military Affairs

Senator Will Espero, Chair

Senator Robert Bunda, Vice Chair

April 21, 2010 @ 1:40PM

RE: HRC 139: Directing the Department of Accounting to set aside land on the grounds of the Hawaii State Capitol for the construction of a State of Hawaii Law Enforcement Memorial

Good Morning Chair Espero and Vice Chair Bunda and members of the Senate Committee on Public Safety and Military Affairs. My name is Joan Gribbin-Aiu and I am the Director of the Hawaii Law Enforcement Memorial Foundation ("Foundation"). The purpose of the Foundation is to raise funds for the concept, design, construction, and maintenance of a Hawaii Law Enforcement Memorial.

I am writing to support HRC 139.

My story is a simple one. I am the mother of Tiffany Bayne-Aiu, the daughter of Bryant Bayne, a HPD SWAT officer who was killed along with Officer Tate Kahakai and HFD pilot Peter Crown. They died while attempting to rescue two hikers lost in Sacred Falls in 1995. I was also a personal friend of HPD Officer Troy Barboza, who was killed while undercover investigating a drug organization in Honolulu. Lastly, I am the wife of Thomas K. Aiu, JD, a retired Senior Special Agent with DEA who has survived three on-duty shootings, one where he was being shot at.

I have traveled through the various states with my husband due to his career. While en route to Cape Kennedy, Florida, we came upon a small unassuming building in Titusville, FL, which housed a memorial and hall of fame dedicated to law enforcement officers killed in the line of duty. We stopped and to our amazement, discovered that included among the thousands of officers killed nationwide, were the names of Hawaii's own Bayne, Kahakai, and Barboza. It was at that moment I asked my husband if Hawaii had a memorial which honored all of Hawaii's fallen. Sadly, he replied that Hawaii did not.

I also visited the National Law Enforcement Memorial in Washington, D.C. with my daughter. The Memorial, along with the Memorial's Visitor Center and Store, brings to

life the sacrifice, selflessness, and acts of heroism by those fallen. There on the “wall” was her dad’s name, permanently inscribed, and never to be forgotten. Her only comment was “why we had to travel so far just to see his name.” Once again, I thought to myself, “Hawaii should have its own memorial.”

It has been 15 years since I lost my friends in the police department and I remain close to those officers who were there when they fell. Its time Hawaii established a memorial; a place to honor all officers killed in the line of duty. It should include officers from all islands. It should include the deputy from the Sheriff’s Department as well as other state agencies. It should include the military police officer killed at Pearl Harbor. It should name the HPD motorcycle officer killed while escorting President Bush. It should include the DEA agent killed on the Big Island and the National Park Service Ranger killed in Volcano. And, it should honor those three U.S. Coast Guardsmen killed last year in a helicopter crash off Lagoon Drive. It should include everyone.

An inscription in the Law Enforcement Memorial in Great Britain states it best, “Memorials to soldiers, sailors, and airmen are commonplace, but the police fight a war with no beginning and no end.”

Now is the time for us to begin the process to properly pay tribute to our fallen heroes.

I respectfully urge you and the Committee on Public Safety and Military Affairs to pass Resolution 139.

Aloha,

Joan Gribbin-Aiu
Director
The Hawaii Law Enforcement Memorial Foundation

FROM: YUENJO15@HAWAII.RR.COM [MAILTO:YUENJO15@HAWAII.RR.COM]
SENT: TUESDAY, APRIL 20, 2010 11:10 PM
TO: PSM TESTIMONY
SUBJECT: HCR 139

SENATOR ROBERT BUNDA
VICE CHAIR
SENATE PUBLIC SAFETY/MILITARY AFFAIRS
RE: HOUSE RESOLUTION HCR 139

DEAR SENATOR BUNDA,

APRIL 20, 2010

I AM IN FULL SUPPORT OF HOUSE RESOLUTION 139, THE HAWAII LAW ENFORCEMENT MEMORIAL. AS A SUPERVISORY SPECIAL AGENT WITH THE DRUG ENFORCEMENT ADMINISTRATION (DEA) FOR 19 YEARS AND AS A FORMER HONOLULU POLICE DEPARTMENT (HPD) OFFICER FOR 10 YEARS, I BELIEVE THAT THE HAWAII LAW ENFORCEMENT MEMORIAL IS LONG OVERDUE.

HONORING OUR FALLEN HAWAII HEROES, THE NUMEROUS FEDERAL AND STATE LAW ENFORCEMENT OFFICERS WHO HAVE DIED IN THE LINE OF DUTY IS A TIME HONORED TRADITION. I REMEMBER TRAVELING TO WASHINGTON DC FOR THE PURPOSE OF HONORING OUR LAW ENFORCEMENT HEROES, TO INCLUDE HAWAII LAW ENFORCEMENT OFFICERS WHO DIED IN THE LINE OF DUTY. A MEMORIAL BASED IN HAWAII WILL ALLOW ALL HAWAII RESIDENTS AND VISITORS TO OUR ISLANDS THE OPPORTUNITY TO HONOR OUR HEROES.

THANK YOU FOR ALLOWING ME THE OPPORTUNITY TO VOICE MY SUPPORT IN FAVOR OF THE HAWAII LAW ENFORCEMENT MEMORIAL.

JAMES YUEN

THE TWENTY-FIFTH LEGISLATURE
REGULAR SESSION OF 2010
COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Senator Will Espero, Chair
Senator Robert Bunda, Vice Chair

AMENDED NOTICE OF HEARING

DATE: Wednesday, April 21, 2010
TIME: 1:40 p.m.
Conference Room 312
PLACE: State Capitol
415 South Beretania Street

A M E N D E D A G E N D A

HCR 123
(HSCR1305-10)
Testimony
Status

RECOGNIZING AEROSPACE AS A STRATEGIC AND TIMELY
GROWTH INDUSTRY FOR HAWAII AND REQUESTING THE
STATE ADMINISTRATION TO TAKE PROACTIVE,
COORDINATED, AND SUSTAINED ACTION TO FULLY
REALIZE THE SIGNIFICANT SCIENTIFIC, EDUCATIONAL, PSM
AND COMMERCIAL BENEFITS THE AEROSPACE INDUSTRY
CAN BRING TO THE STATE.
NO. The state is over militarized as it is today.
We need to direct our attention to agriculture to
sustain ourselves.

HCR 223, HD1
(HSCR1341-10)
Testimony
Status

REQUESTING THE LEGISLATIVE REFERENCE BUREAU, WITH
ASSISTANCE FROM THE DEPARTMENT OF DEFENSE, TO
CONDUCT A STUDY ON THE FEASIBILITY OF USING PSM
LUALUALEI NAVAL ROAD AS AN EVACUATION ROUTE IN
THE EVENT OF AN EMERGENCY OR NATURAL DISASTER ON
THE LEEWARD COAST.
YES. It makes more sense to use that exit plan.

HCR 187
(HSCR1320-10)
Testimony
Status

REQUESTING THE HAWAII PAROLING AUTHORITY TO
ESTABLISH A HOPE PAROLE PILOT PROGRAM.
YES. It will help reverse negative mentality and PSM
attitude. change of mindset to a positive is
always beneficial o the community at large.

HCR 139
(HSCR1316-10)

REQUESTING THE DEPARTMENT OF ACCOUNTING AND PSM
GENERAL SERVICES TO WORK WITH THE HAWAII LAW [Measure added

Testimony
Status

ENFORCEMENT MEMORIAL FOUNDATION, THE COUNTY POLICE DEPARTMENTS, THE DEPARTMENT OF PUBLIC SAFETY, THE UNITED STATES MARSHAL FOR THE DISTRICT OF HAWAII, THE STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS, AND THE CONCERNS OF POLICE SURVIVORS INCORPORATED, TO PLAN AND CONSTRUCT A HAWAII STATE LAW ENFORCEMENT MEMORIAL.

on 04-16-10)

NO. Under the current economic conditions, it's best to put this off to a better circumstance where it can be afforded. A complete audit of ALL the state's expenditure should be done and nefarious practices should stop. Such as spending the allotted budget so the following year it can be maintained.

Mahalo for allowing me to share my mana'o on these items.

David M. K. Inciong, II

Pearl City, HI 96782-2581

tane_1@msn.com