



GOV. MSG. NO. 1319

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

July 11, 2011

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

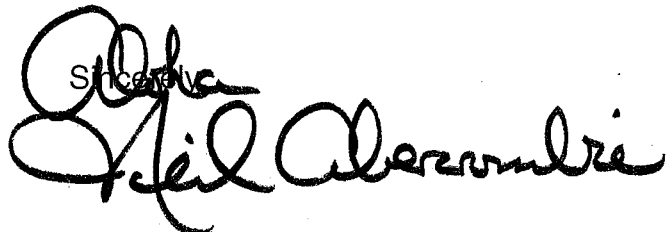
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on July 11, 2011, the following bill was signed into law:

SB11 SD2 HD2

RELATING TO THE DEPARTMENT OF THE
SHERIFF
Act 215 (11)



NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF THE SHERIFF.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the sheriff division
2 of the department of public safety shoulders responsibilities
3 that are integral to preserving the public peace and safety.
4 Specifically, the division:

5 (1) Serves and protects the public, government officials,
6 and state personnel and property under its
7 jurisdiction, including at state facilities, lands,
8 and airports, and within the jurisdictional boundaries
9 of the State, by providing law enforcement services
10 that incorporate patrols, surveillance, and
11 educational activities;

12 (2) Protects state judges and judicial proceedings,
13 secures judicial facilities, safely handles detained
14 persons, and provides secure transport for persons in
15 custody; and

16 (3) Executes arrest warrants for the judiciary and the
17 Hawaii paroling authority.



1 The purpose of this Act is to establish a task force that,
2 among other things, will:

3 (1) Determine whether the department of public safety is
4 capable of supporting and maintaining the function of
5 the sheriff division;

6 (2) Study the feasibility and essential need to create a
7 new department of the sheriff that would assume the
8 duties and functions of the sheriff division of the
9 department of public safety; and

10 (3) Create a plan for the establishment of a new
11 department only if the aforementioned task force study
12 determines that the new department is feasible,
13 essential, and capable of supporting and maintaining
14 the duties and functions of the sheriff division.

15 SECTION 2. (a) There shall be established a task force
16 that shall:

17 (1) Determine whether the department of public safety is
18 capable of supporting and maintaining the duties and
19 functions of the sheriff division;

20 (2) Determine whether it is feasible and essential to
21 create a department of the sheriff; and



- 1 (3) If the study determines the new department is feasible
2 and essential, create a plan to establish a new
3 department of the sheriff with functions presently
4 existing under the sheriff division of the department
5 of public safety and other functions deemed
6 appropriate, including the broad functions enumerated
7 in section 3 of this Act. The plan shall also include
8 a process for implementation of the plan to establish
9 a department of the sheriff.
- 10 (b) The task force shall consist of the following members:
- 11 (1) The sheriff, or the sheriff's designee, to serve as
12 chair;
- 13 (2) The director of public safety, or the director's
14 designee;
- 15 (3) The director of human resources development, or the
16 director's designee;
- 17 (4) The director of finance, or the director's designee;
- 18 (5) The attorney general, or the attorney general's
19 designee;
- 20 (6) The administrator of the courts, or the
21 administrator's designee; and



1 (7) The executive director of the Hawaii Government
2 Employees Association, or the executive director's
3 designee.

4 (c) The task force shall report its findings and
5 recommendations, including proposed legislation, if any, to the
6 legislature no later than twenty days prior to the convening of
7 the regular session of 2012. If the task force finds that the
8 creation of a department of the sheriff is feasible and
9 essential, the report shall include cost estimates to establish
10 the department of the sheriff.

11 (d) The task force shall cease to exist on May 1, 2012.

12 SECTION 3. For purposes of determining whether it is
13 feasible and essential to establish the department of the
14 sheriff pursuant to section 2 of this Act, the task force shall
15 consider the inclusion of the following broad functions in that
16 department:

17 (1) Preserving the public peace, preventing crime,
18 detecting and arresting offenders against the law,
19 protecting the rights of persons and property, and
20 enforcing and preventing violation of all laws and
21 administrative rules of the State as the sheriff deems
22 necessary or desirable or, upon request, to assist



1 other state officers or agencies that have primary
2 administrative responsibility over specific subject
3 matters or programs;

4 (2) Providing for the protection and safety of the people
5 of Hawaii through law enforcement at state facilities,
6 lands, harbors, and airports, and within the
7 jurisdictional boundaries of the State;

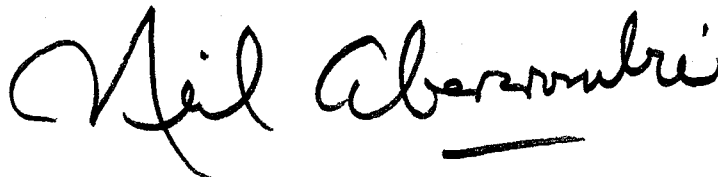
8 (3) Receiving and processing arrestees at the district and
9 circuit courts and for the neighbor islands, at the
10 respective county police department receiving desks,
11 and transporting them to appropriate agencies and
12 authorized individuals;

13 (4) Training, equipping, maintaining, and supervising the
14 force of deputy sheriffs and other employees of the
15 department; and

16 (5) Performing other law enforcement activities as may be
17 required by law, including the service of warrants.

18 SECTION 4. This Act shall take effect on July 1, 2011.

APPROVED this 11 day of JUL, 2011



GOVERNOR OF THE STATE OF HAWAII