

---

---

# 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.



**Report Title:**

Department of the Sheriff; Task Force

**Description:**

Creates a task force to determine whether a new Department of the Sheriff is needed, and if its establishment is feasible and needed, to begin the planning process. Report to the Legislature. Effective July 1, 2011. (SB11 HD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

