

SB 10

RELATING TO PUBLIC SAFETY.

Addresses the operational deficiencies of the sheriff division of the department of public safety that were highlighted in the auditor's audit of the division. Makes appropriation.

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

JODIE F. MAESAKA-HIRATA
INTERIM DIRECTOR

MARTHA TORNEY
Deputy Director
Administration

Deputy Director
Corrections

KEITH KAMITA
Deputy Director
Law Enforcement

No. _____

**TESTIMONY ON SENATE BILL 10
RELATING TO PUBLIC SAFETY**

By

Jodie Maesaka-Hirata, Interim Director
Department of Public Safety

Senate on Public Safety, Government Operations, and Military Affairs
Senator Will Espero, Chair
Senator Michell Kidani, Vice Chair

Tuesday, February 15, 2011; 2:45 PM
State Capitol, Conference Room 224

Senator Espero, Vice Chair Kidani, and Members of the Committee:

The Department of Public Safety (PSD) supports the intent of Senate Bill 10. This bill requires PSD to develop and implement a comprehensive strategic plan to correct the deficiencies in the sheriff division that were reported in Auditor Report No. 10-06, *Audit of the Department of Public Safety, Sheriff Division*, dated June 2010. It also requires that the department pursue recommendations by the State Auditor.

PSD feels that this measure is unnecessary as the State Auditor's recommendations are being pursued at this time.

Thank you for this opportunity to testify on this matter.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

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The Twenty-Sixth Legislature, State of Hawaii
The Senate
Committee on Public Safety, Government Operations & Military Affairs

Testimony by
Hawaii Government Employees Association
February 15, 2011

S.B. 10 – RELATING TO
PUBLIC SAFETY

The Hawaii Government Employees' Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of S.B. 10, which corrects some of the operational deficiencies identified by the Auditor in Report 10-06, Audit of the Department of Public Safety, Sheriff Division, issued in June 2010. The Auditor found that the Sheriff Division has been assigned a range of duties, but because of "ineffective leadership" at the departmental level, the state law enforcement agency "lacks guidance and direction."

We agree with the Auditor that since the Sheriff Division was transferred to the Department of Public Safety in 1989, it has had an ill-defined role and a lack of clarity about its mission. As a result, the Sheriff Division has struggled to uphold its expanded law enforcement duties and responsibilities. S.B. 10 specifies corrective action to improve deficiencies highlighted in the audit through a report to the 2012 Legislature on issues such as:

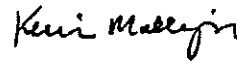
1. Improving the Division's radio system to provide adequate and reliable communications for on-duty officers in line with the applicable law enforcement standards of the Commission on Accreditation for Law Enforcement Agencies. This is safety issue for our members.
2. Relocating the receiving desk from Halawa Correctional Facility to address the problem of processing a defendant in one location and retrieving warrants from a distant location, and to facilitate the process that applies to persons who voluntarily turn themselves in.
3. Addressing departmental leadership concerns by developing and implementing internal controls to improve the efficiency and effectiveness of Sheriff Division operations that meet its division's goals and objectives.

The Senate
Committee on Public Safety, Government Operations & Military Affairs
Re: S.B. 10 - Relating to Public Safety
February 15, 2011
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4. Requiring the Departments of Transportation and Public Safety to remedy problems in the Auditor's Report related to airport security.

Thank you for the opportunity to testify in support of S.B. 10.

Sincerely,



 Nora A. Nomura
Deputy Executive Director

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 13, 2011 7:17 PM
To: PGM Testimony
Cc: cwatarida@hotmail.com
Subject: Testimony for SB10 on 2/15/2011 2:45:00 PM

Testimony for PGM 2/15/2011 2:45:00 PM SB10

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Chad Watarida
Organization: Sheriff Division
Address:
Phone:
E-mail: cwatarida@hotmail.com
Submitted on: 2/13/2011

Comments:

I support SB10. We need the inefficiencies stated in the auditors report corrected. I am pleased the legislature is helping the division correct this inefficiencies.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 3:23 PM
To: PGM Testimony
Cc: estankos@yahoo.com
Subject: Testimony for SB10 on 2/15/2011 2:45:00 PM

Testimony for PGM 2/15/2011 2:45:00 PM SB10

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Edward Stankos
Organization: Individual
Address: Ala Ilima Street Honolulu, HI
Phone: (808)389-7246
E-mail: estankos@yahoo.com
Submitted on: 2/10/2011

Comments:

I respectfully submit this statement in total support of SB9. The auditor was very clear in her report that the Sheriff Division is in desperate need for a fix to the operational deficiencies described in her report. Please pass this bill, Mahalo

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 7:48 PM
To: PGM Testimony
Cc: Colin.K.Malani@Hawaii.Gov
Subject: Testimony for SB10 on 2/15/2011 2:45:00 PM

Testimony for PGM 2/15/2011 2:45:00 PM SB10

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Sgt. Colin Kalama-Malani
Organization: Individual
Address:
Phone:
E-mail: Colin.K.Malani@Hawaii.Gov
Submitted on: 2/10/2011

Comments:

Aloha, I'm a Sergeant/Deputy Sheriff III, for 30 years, currently at the HIA since 1999, a widower, a father of (3), grandfather of (3), I testified in 1987 before Senator Mike Croziers hearing for Act 211, then a Housekeeping measure to include the Sheriff's in the newly proposed Dept. of Public Safety, we were absorbed in July of 1990, the Corrections half of PSD had already formulated the initial infrastructure to control our budget and asset forfeiture monies, to attempt to attain our police powers and relinquish our name & title(s) of "Sheriff, Deputy Sheriff" were in jeopardy before Senator's & Reps of being lost forever, I testified again on the Historical aspects, merits and retention of our positions to not become "Special Services Deputies." As other LE Positions Nationwide, Marshals, Police, Sheriff's, have clear and distinct duties which require proper collective bargaining representation. To include all state LE units ie; AG's, DLNR, Harbors, NED, Sheriff's, etc., is essential for consolidation of jurisdictional powers, defined authority & budget, training & accreditation, sustained mission with short & long term goals & objectives in concert with the 2009-2010 PSD Audit. We are again at a critical juncture in our quest for survival and recognition in accordance with our profession, job and classification. Our current need for redress & grievances begs your support of this legislative Senate Bill #10, mahalo

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 4:14 PM
To: PGM Testimony
Cc: james.r.nakamura@hawaii.gov
Subject: Testimony for SB10 on 2/15/2011 2:45:00 PM

Testimony for PGM 2/15/2011 2:45:00 PM SB10

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: James Nakamura
Organization: Individual
Address: 438 Kamakee st #140 Honolulu, HI
Phone: 808-836-6606
E-mail: james.r.nakamura@hawaii.gov
Submitted on: 2/10/2011

Comments:

I support this bill and hope it "cuts the fat" where needed and adds support where it is needed.

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 12, 2011 7:26 AM
To: PGM Testimony
Cc: mokiao@yahoo.com
Subject: Testimony for SB10 on 2/15/2011 2:45:00 PM

Testimony for PGM 2/15/2011 2:45:00 PM SB10

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Matthew Mokiao
Organization: Individual
Address:
Phone:
E-mail: mokiao@yahoo.com
Submitted on: 2/12/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 11, 2011 1:24 PM
To: PGM Testimony
Cc: leuna874@hotmail.com
Subject: Testimony for SB10 on 2/15/2011 2:45:00 PM

Testimony for PGM 2/15/2011 2:45:00 PM SB10

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Alan Leung
Organization: Individual
Address:
Phone:
E-mail: leuna874@hotmail.com
Submitted on: 2/11/2011

Comments:

As a deputy Sheriff for 21 years, I support this bill and PSD need to address critical issues from the audit in order to provide a safer working environment for the deputies.

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From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 12, 2011 12:48 PM
To: PGM Testimony
Cc: twilliams6969@yahoo.com
Subject: Testimony for SB10 on 2/15/2011 2:45:00 PM

Testimony for PGM 2/15/2011 2:45:00 PM SB10

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Tony Williams
Organization: Individual
Address:
Phone:
E-mail: twilliams6969@yahoo.com
Submitted on: 2/12/2011

Comments:

I am a Deputy Sheriff for 3 years and with the state department for a total of 11 years and I am in support of this bill

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 14, 2011 9:14 AM
To: PGM Testimony
Cc: AJONES4414@aol.com
Subject: Testimony for SB10 on 2/15/2011 2:45:00 PM

Testimony for PGM 2/15/2011 2:45:00 PM SB10

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: ANN JONES
Organization: Individual
Address:
Phone:
E-mail: AJONES4414@aol.com
Submitted on: 2/14/2011

Comments:

I urge your support and passage of this bill to provide our State Sheriff's division the funding, support and recognition needed to keep our communities safe.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 14, 2011 9:43 AM
To: PGM Testimony
Cc: PWL962@hotmail.com
Subject: Testimony for SB10 on 2/15/2011 2:45:00 PM

Testimony for PGM 2/15/2011 2:45:00 PM SB10

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Patrick Lee
Organization: Individual
Address:
Phone:
E-mail: PWL962@hotmail.com
Submitted on: 2/14/2011

Comments:

I am currently employed as a Sheriff Lieutenant. I have been with the department for 21 years. I support this measure

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 14, 2011 7:32 AM
To: PGM Testimony
Cc: thomas.cayetano@leo.gov
Subject: Testimony for SB10 on 2/15/2011 2:45:00 PM

Testimony for PGM 2/15/2011 2:45:00 PM SB10

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Thomas K Cayetano
Organization: Individual
Address:
Phone:
E-mail: thomas.cayetano@leo.gov
Submitted on: 2/14/2011

Comments:

I am in full support of the bills intent. The State Auditor has determined a strong need to repair the inefficiencies of the organization to ensure quality control and professionalism. The residents of Hawaii require nothing less.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 14, 2011 5:58 PM
To: PGM Testimony
Cc: j.e.barnesiii@gmail.com
Subject: Testimony for SB10 on 2/15/2011 2:45:00 PM

Testimony for PGM 2/15/2011 2:45:00 PM SB10

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: James E. Barnes III
Organization: Individual
Address:
Phone:
E-mail: j.e.barnesiii@gmail.com
Submitted on: 2/14/2011

Comments:

I am a Deputy Sheriff for 10 years and I am in support of this bill.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 14, 2011 6:02 PM
To: PGM Testimony
Cc: Shane.Souza@usdoj.gov
Subject: Testimony for SB10 on 2/15/2011 2:45:00 PM

Testimony for PGM 2/15/2011 2:45:00 PM SB10

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Shane C. Souza
Organization: Individual
Address:
Phone:
E-mail: Shane.Souza@usdoj.gov
Submitted on: 2/14/2011

Comments:
I am a Deputy Sheriff for 10 years and I am in support of this bill.

ji

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 14, 2011 3:52 PM
To: PGM Testimony
Cc: nanea99@hotmail.com
Subject: Testimony for SB10 on 2/15/2011 2:45:00 PM

Testimony for PGM 2/15/2011 2:45:00 PM SB10

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Sean Springer
Organization: Individual
Address:
Phone:
E-mail: nanea99@hotmail.com
Submitted on: 2/14/2011

Comments:

Monday, February 14, 2011

To the Senate Committees of Public Safety, Government Operations, Military Affairs and the Judiciary and Labor:

I am writing in **SUPPORT** of Senate bills **9, 10, 11** and **1065**.

The law enforcement officers of the Sheriff Division face the challenging tasks of preserving public peace and safety, preventing crime, detecting and arresting offenders of the law and protecting citizen rights and property by enforcing laws. There is nothing simple or easy about fulfilling any one aspect of their daily work. As a tax paying citizen and informed voter, it is my civic duty and responsibility to **demand** support for the people who are willing to risk their lives (both ON and OFF duty) for my safety and that of my family and my community, and also the safety of our Governor and Judges.

The Division deserves the financial, capital and legal support of our State government. Our tax dollars should provide the equipment, training, and legal defense for our law enforcement officers for the reasons cited in this letter of support.

It is no secret that law enforcement costs money. Please support the brave men and women of the Sheriff's division to do their job well. As our elected leaders who pledge to "better our State," PLEASE think of the needs of law enforcement officers. They deserve funding for continued professional training, a more convenient and efficient receiving desk to process offenders, a better radio system, and a defense fund for any lawsuits that they are challenged with as a result of the commission of their daily duties. Please vote to support their work – they are professionals, not "warm bodies on the beat." Most people, legislators in particular, have not recognized the essential roles they played in the capture and prosecution of the copper thieves, which saved taxpayers hundreds of thousands of dollars in court costs because of the excellent case built against the offenders. They have EARNED RESULTS in their work with interagency investigations; arresting and retrieving suspects in several heinous crimes and/or crime organizations. They have supported and assisted other law enforcement – FBI, CIA, US Marshals, Secret Service, DEA, DHS, HPD, etc. **Please support their efforts by passing SB 9,10 and 11.**

In regards to **supporting SB 1065**, please support the necessity (and the logic) for the creation of a Sheriff's division bargaining unit. Currently they are in the same unit as office and desk workers, teachers, professors and educational officers. Law enforcement, by the very nature of their work, should NOT be in the same bargaining unit as employees who do NOT risk their lives every day on the job. There is no logic, no sense of fairness or justice in that. **They deserve their own bargaining unit that seeks to protect and represent the work that law enforcement personnel do for us. Please support SB 1065!**

Thank you for considering this testimony. Although as a collective group you have discounted the need for prayer by dismissing it from guiding your actions as leaders of the People, this citizen will continue to pray for each of you. I pray that you will make decisions that will support those who provide us safety and accept the challenge of enforcing laws. *I hope that each of you remember that our inalienable rights (life and liberty) are endowed by our Creator, NOT the government since government was created FOR the sole purpose of protecting those rights and defending us from foreign and domestic enemies.* Please help our law enforcement officers DEFEND and protect our rights and property by supporting Senate bills 9, 10, 11 and 1065.

Respectfully submitted,

Christeana Jones
(808) 284-3345
Honolulu, Hawaii

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 14, 2011 9:39 PM
To: PGM Testimony
Cc: huynhstephen@hotmail.com
Subject: Testimony for SB10 on 2/15/2011 2:45:00 PM

Testimony for PGM 2/15/2011 2:45:00 PM SB10

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Stepehn Huynh
Organization: Individual
Address:
Phone:
E-mail: huynhstephen@hotmail.com
Submitted on: 2/14/2011

Comments:
i am a Deputy Sheriff for the past three years and i support this bill