

SB 45

RELATING TO PUBLIC SAFETY.

Repeals the civil service exemptions for the first and second deputy sheriffs. Effective 01/01/2013.

NEIL ABERCROMBIE
GOVERNOR



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

JODIE MAESAKA-HIRATA
INTERIM DIRECTOR

Deputy Director
Administration

Deputy Director
Corrections

Deputy Director
Law Enforcement

No. _____

**TESTIMONY ON SENATE BILL 45
RELATING TO PUBLIC SAFETY**

By
Jodie Maesaka-Hirata, Interim Director
Department of Public Safety

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

Thursday, January 27, 2011; 2:45 PM
State Capitol, Conference Room 224

Senator Will Espero, Senator Kidani, and Members of the Committee:

The Department of Public Safety strongly supports Senate Bill 45, which would repeal exemptions from civil service of the First and Second Deputy Sheriff. Changing these positions to civil service will provide for the effective administrative and operational management of the Sheriff Division.

This would also be inline with Act 253, Session Laws of Hawaii 2000, and Act 300, Sessions Laws of Hawaii 2006, aimed to reduce the number of civil service exempt employee in public service within the State.

The Department is currently working with the Department of Human Resources Development (DHRD) on the process for expanding the Deputy Sheriff class series to include Captains and Majors. The Department has been told by DHRD that the First and Second Deputy position must be changed to civil service before they would explore establishing Captains and Majors. The repeal of the exemptions from civil

Senate Bill 45
January 27, 2011
Page 2

service of the First and Second Deputy Sheriff as well as the successful establishment of Captains and Majors within the Deputy Sheriff class series will also address the span of control issues.

Thank you for this opportunity to testify on this important matter.

TESTIMONY ON SENATE BILL 45
RELATING TO PUBLIC SAFETY

Senate Committee on Public Safety, Government Operations, and Military Affairs
Senator Will Espero, Chair
Senator Michelle Kidani, Co-Chair

Thursday, January 27, 2011; 2:45 PM
State Capitol, Conference Room 224

Senator Espero and Members of the Committee:

I would like to take this opportunity to request for your strong support of SB 45, which would repeal exemptions from civil service of the First and Second Deputy Sheriff.

Historically, these exemptions were established when the Office of the Sheriff was under the Judiciary branch of government. The Chief Justice made the appointments to these positions. When the Office of the Sheriff was moved into the newly created Department of Public Safety pursuant to Act 211, SLH 1989, the exemption to civil service of these position were transferred along with newly established Sheriff Division under the Department of Public Safety. While those appointed positions might have been appropriate for the Office of the Sheriff under the Judiciary in the 1980's, it would have a negative impact on the current Sheriff Division organization. In the 1980's, the Office of the Sheriff had authorized positions of approximately 70 deputy sheriffs and related non-uniformed positions. Currently, the Sheriff Division has approximately 350 authorized deputy sheriffs and related non-uniformed positions. Having an appointed First or Second Deputy would have a negative impact on continuity of Sheriff Division operations. As being appointed positions, the persons appointed would inevitably be from outside of the Sheriff Division. This would bring into the Sheriff Division's upper management, persons without the institutional knowledge for effective administrative and operational management of the Division.

Another issue is that maintaining an appointed First and Second Deputy Sheriff may hinder the Sheriff Division's efforts into establishing the position classifications of Deputy Sheriff V (Captain) and Deputy Sheriff VI (Major) within the Sheriff Division. The Division is currently working with the Department of Human Resources Development (DHRD) on the process for expanding the Deputy Sheriff class series to include Captains and Majors. We have been told by DHRD that the First Deputy position must be changed to civil service before they would explore establishing Captains and Majors.

As reflected in the attached Sheriff Division organization chart, there are an insufficient number of upper management positions above the operational segments of the Division. Span of control is a crucial principle in the efficient management of any law enforcement organization. The repeal of the exemptions from civil service of the First and Second Deputy Sheriff as well as the successful establishment of Captains and Majors within the Deputy Sheriff class series will address the span of control issues.

Thank you for this opportunity to testify on this important matter.

Lieutenant Robin Nagamine
Sheriff Division

SENATE COMMITTEE ON
PUBLIC SAFETY, GOVERNMENT OPERATIONS
and MILITARY AFFAIRS

TESTIMONY IN SUPPORT OF SENATE BILL 45
Thursday, January 27, 2011, 2:45 p.m.

Senator Espero, Chair, and Senator Kidani, Vice Chair and members of the committee, I am Lieutenant Michael Oakland of the State Sheriff's Division, and I would like to write in SUPPORT of SB45, which removes the first and second deputies from statute.

This bill will allow for not only upward mobility for all Deputy Sheriffs, but, more importantly, it will provide a better span of control in our command structure. For example, currently a lieutenant in the Sheriff's Division does the equivalent scope of work as a Honolulu Police Department Major and Captain combined.

This bill will enable us to work with the Department of Human Resource Development (DHRD) to then create Captains and Majors in our rank structure. DHRD had advised the Sheriff Division that the change in statute is necessary to accomplish this

At this time, the highest rank of the Deputy Sheriff series is Lieutenant in the civil service system and then all other positions from that point to the level of the Director are appointed positions.

One of the reasons that this is not good is that when an administration transitions out there is no one in a leadership position that can provide any continuity of operations because everyone that is left are of the same rank.

The next problem that always arises is that the newly appointed persons end up taking in excess of a year to learn enough so that we can start moving forward again, not to mention that there is always a high turn over in some of our appointed positions, so we tend to stay in a "just getting started" mode.

Please consider the passage of this bill as I believe it is only one small piece to helping fix the Hawaii State Sheriff's Division.

If there are any questions, please call me at, 836-6466, 520-3901 or e-mail me at, michael.s.oakland@hawaii.gov

Mahalo Nui Loa and Aloha,

Lt. Michael Oakland, Commander
Airport Patrol Section, Sheriff Division
Honolulu International Airport,
Kalealoa and Dillingham Airfields

TESTIMONY ON SENATE BILL 45
RELATING TO PUBLIC SAFETY

Senate Committee on Public Safety, Government Operations, and Military Affairs
Senator Will Espero, Chair
Senator Michelle Kidani, Co-Chair

Thursday, January 27, 2011; 2:45 pm
State Capitol, Conf. Room 224

Senator Espero and Members of the Committee:

I am contacting you to ask for your support of SD 45, which would repeal the civil service exemptions for the First and Second Deputy Sheriff positions.

When these exemptions were created, the Office of the Sheriff was under the Judiciary branch of government. During that time the appointments were made the the Chief Justice. When the Office of the Sheriff was transferred to the Dept. of Public Safety in 1989, those exemptions went right along with the movement. While the practice of having appointed positions might have been a good idea while the Office of the Sheriff was under the Judiciary, it has ended up being very detrimental to the Sheriff Division as it currently exists.

Back in the 1980's when this practice began the Office of the Sheriff had about 70 authorized deputy sheriff and related non-uniform positions. As it stands today, the Sheriff Division has about 350 authorized deputy sheriff and related non-uniform positions. Continuing to have appointed First and Second Deputy positions has caused and continues to cause ongoing problems within the department.

As so often happens with appointed positions the Sheriff Division is at the mercy of whomever is making the appointment decisions. What the Sheriff Division most often ends up with are persons put into positions of leading the Sheriff Division who lack the institutional knowledge they need to effectively lead and manage the Sheriff's Division. When you place persons in a position that they know they will not be occupying for an extended period of time it all but eliminates any incentive for those individuals to do anything but maintain status quo. If the Sheriff Division is to be able to progress and improve it must be led by people who understand the history of the division and what needs to be done to make significant progress for the future. These lofty but attainable goals cannot be achieved by placing people into leadership positions whose skills are more often based on who they know rather than on what they know.

Another issue that has arisen with having an appointed First and Second Deputy Sheriff has been the inability to create position classifications of Deputy Sheriff V (Captain) and VI (Major). According to the Department of Human Resources Development (DHRD), the First Deputy position **MUST** be changed to civil service before they (DHRD) will even explore the possibility of establishing Captains and Majors positions. As a result of this the Sheriff Division continues to from a lack upward mobility and opportunity for advancement. What it has created is an ongoing problem of losing quality men and women who come to realize that there is little if any opportunity to advance in their careers, and it is to the divisions detriment that these people are being lost to other agencies. The ability to establish Captain and Major positions are a small but necessary step along the path to retaining and recognizing the excellence and dedication that so many of the Sheriff Division personnel show each day.

Thank you for the opportunity to testify on this matter.

Michael Hirst, Deputy Sheriff II

Sheriff Division

From: Chad Watarida [mailto:cwatarida@hotmail.com]
Sent: Wednesday, January 26, 2011 12:13 PM
To: PGM Testimony
Subject: SB 45 Jan. 27, 2011 at 14:45

Testimony on Senate Bill 45
Relating to Public Safety

Thursday, January 27, 2011; 2:45 PM
State Capitol, Conference Room 224

Dear Committee Members,

I request your support of SB 45 which repeals the civil service exemptions for the First and Second Deputy Sheriff.
I strongly believe this would help the organizational structure of the Sheriff Division.

Thank you.

Deputy Sheriff Chad Watarida
Sheriff Division, Special Operations Section.

From: Charles F.A Lacaden [mailto:lacaden51@yahoo.com]
Sent: Wednesday, January 26, 2011 11:33 AM
To: PGM Testimony
Subject: SB 45

Senator Espero and Members of the Committee:

My name is Charles Frank Lacaden, currently a Deputy Sheriff for the past 13 years on the island of Oahu. I would like to take this time to request your support in SB 45, which would repeal exemptions from civil service of the First and Second Deputy Sheriff.

Mahalo,
Deputy Charles Frank Lacaden
Sent from my iPhone

From: Michael.V.Decenzo@hawaii.gov
[mailto:Michael.V.Decenzo@hawaii.gov]
Sent: Wednesday, January 26, 2011 1:28 PM
To: PGM Testimony
Subject: Testimony For Bill SB45 - Relating to Public Safety

TESTIMONY ON SENATE BILL
RELATING TO
PUBLIC SAFETY
SB 45
Senate Committee on Public Safety
Senator Will Espero, Chair
Senator Michelle Kidani, Vice Chair

State Capitol, Conference Room 224

Senator Will Espero,

My name is Michael De Cenzo and I am a deputy sheriff with the Sheriff Division.

I hereby submit my testimony in full support of bill SB45 "Repeals the civil service exemptions for the first and second deputy."

I believe this is a necessary step in the right direction for the continued growth of the sheriff division

Respectfully submitted,

Michael De Cenzo

From: Jeffrey Piimauna [mailto:jpiimauna@yahoo.com]
Sent: Wednesday, January 26, 2011 1:29 PM
To: PGM Testimony
Subject: Testimony Senate Bill 45

TESTIMONY ON SENATE BILL 45 RELATING TO PUBLIC SAFETY

Senate Committee on Public Safety, Government Operations, and
Military Affairs

TO: Senator Will ESPERO, Chair
VIA: Senator Michelle KIDANI, Co-Chair

FROM: Sergeant Jeffrey PIIMAUNA, Public Safety, Sheriff Division Fugitive Unit

I have been a Deputy Sheriff for 25 years and would like to take this opportunity to strongly support Senate Bill 45, relating to the repeal of the civil service exemptions for First and Second Deputy Sheriff. This would be a positive step in the right direction for the Sheriff Division. Thank you for your attention in this matter.

From: Michael Hartsock [mailto:mrhartsock671@gmail.com]
Sent: Wednesday, January 26, 2011 2:36 PM
To: PGM Testimony
Subject: SB45 Testimony

TESTIMONY ON SENATE BILL45
RELATING TO PUBLIC SAFETY

Senate Committee on Public Safety, Government Operations, and Military Affairs

Senator Will Espero, Chair
Senator Michelle Kadani, Co-Chair

Senator Espero and Committee Members:

I would like to submit this testimony asking for your support of SB 45, which would repeal exemptions from civil service of the First and Second Deputy Sheriff.

During my nine plus years with the Sheriff Division I have worked for 5 permanently appointed Sheriff's and several acting Sheriff's and First Deputy Sheriff's. Due to the high turnover rate of Sheriff's there has been a lack of consistency in the leadership of our Division. If the First and Second Deputy positions were made into Civil Service positions it would allow for consistent leadership that is not only aware of the problems in the division but also with the steps already taken to alleviate those problems.

I also would encourage that the exemptions be repealed so that our division can be re-organized to allow for higher ranking positions that would ease span of control issues currently facing our division. Having worked for another law enforcement agency prior to my employment with the Sheriff Division I can see that while there is great potential for an expanded role for Hawaii Deputy Sheriff's the division is not organized properly for the expansion.

Thank you for the opportunity to testify on this very important matter.

Michael R. Hartsock
Deputy Sheriff

TESTIMONY ON SENATE BILL 45

RELATING TO PUBLIC SAFETY

Senate Committee on Public Safety, Government Operations, and Military affairs

Senator Will Espero, Chair

Senator Michelle Kidani, Co-Chair

Thursday, January 27, 2011; 2:45 PM

State Capitol, Conference Room 224

Senator Espero and Members of the Committee:

I would like to voice, through this email, my strong support for SB 45, which would repeal exemptions from civil service of the First and Second Deputy Sheriff.

I am a current member of the Sheriff Division and feel by removing the exemption from civil service there would be a continuity of service to the Division and moreover the public we serve. It is essential that the upper management of the Division have a solid foundation in the finer points of our Division to properly manage and more importantly have a clear view of the long-term goals of the Division. Appointed positions would most likely come from outside our Division and may not understand, or appreciate, the goals we, as a Division are moving toward. To extend on an analogy our Governor used during his State of the State address; if we are all paddling together in our outrigger canoe and the steersman is changed every fifty strokes, the long-term plan, or which path to take and which current to make use of, would change *every fifty strokes*. We won't win the race using this management style.

Thank you for your time and consideration in this matter. Keep your paddle in the water.

Deputy Sean Neilson

Sheriff Division

From: james barnes [mailto:j.e.barnesiii@gmail.com]

Sent: Wednesday, January 26, 2011 2:44 PM

To: PGM Testimony

Subject: TESTIMONY ON SENATE BILL 45 RELATING TO PUBLIC SAFETY

TO: Senator Will ESPERO, Chair
Senator Michelle KIDANI, Co-Chair

FROM: Deputy James E. BARNES III, Public Safety, Sheriff Division, Sheriff Criminal Investigation Unit (CIU)

I have been a Deputy Sheriff for approximately 10 years and would like to take this opportunity to strongly support Senate Bill 45, relating to the repeal of the civil service exemptions for First and Second Deputy Sheriff. This would be a positive direction for the Sheriff Division. Thank you for your attention and the opportunity to testify in support of this important matter.

Deputy Sheriff James E. BARNES III
Sheriff Division

From: Shane Souza [mailto:shaneclayton.souza@gmail.com]

Sent: Wednesday, January 26, 2011 3:00 PM

To: PGM Testimony

Subject: TESTIMONY ON SENATE BILL 45 RELATING TO PUBLIC SAFETY

TO: Senator Will ESPERO, Chair
Senator Michelle KIDANI, Co-Chair

FROM: Deputy Shane C. SOUZA, Public Safety, Sheriff Division, Sheriff Criminal Investigation Unit (CIU)

I have been a Deputy Sheriff for approximately 9 years and would like to take this opportunity to strongly support Senate Bill 45, relating to the repeal of the civil service exemptions for First and Second Deputy Sheriff. This would be a positive direction for the Sheriff Division. Thank you for your attention and the opportunity to testify in support of this important matter.

Deputy Sheriff Shane C. SOUZA
Sheriff Division

From: Melva.F.Ferreira@hawaii.gov [mailto:Melva.F.Ferreira@hawaii.gov]
Sent: Wednesday, January 26, 2011 8:48 AM
To: PGM Testimony
Subject: SB45

Aloha Committee Members,

I would like to speak in **full support of SB45**. I have been with the Sheriffs Department for the past ten years and have worked with five or six different Sheriffs and or First Deputies. Every time we get a

new Sheriff/First Deputy and whole new learning process begins again. All of this I have seen first hand and is not hearsay. With the time it takes them to learn the system, precious time is lost and for every

step forward, we end up five steps back. This process is repeated over and over again, surly we have learned something in all this time. Having the two upper management positions as appointed

positions gives no stability at the top. The creation of the middle rank positions of Captain and Majors would shore up our department make us a stronger and more effective unit.

Thank you for allowing me this chance to give my opinion.

Melva Ferreira

Melva Ferreira
Sheriffs Division - Pier 20
Clerical Supervisor - Warrants
Phone: 587-3623
Fax: 587-3639

From: Pamela Keaulani De Guzman [mailto:keaulani808@gmail.com]
Sent: Wednesday, January 26, 2011 5:15 PM
To: PGM Testimony
Subject: TESTIMONY ON SENATE BILL 45

TESTIMONY ON SENATE BILL 45
RELATING TO PUBLIC SAFETY

Senate Committee on Public Safety, Government Operations, and Military Affairs
Senate Will Espero, Chair
Senator Michelle Kidani, Co-Chair

Thursday, January 27, 2011; 245pm
State Capitol, Conference Room 224

Senator Espero and Members of the Committee:

I support SB 45 and hope you and your committee will do too. Appointing the First/Second Deputy positions in the Sheriff Division will have a strong impact. It limits the knowledge and capabilities to actually handle present administrative and operational management of the Division as well for the future.

It is important for the First or Second Deputy positions to become Civil Service positions. For me, it is highly important in meeting the qualifications and criteria of any position versus someone who doesn't know what is going on. With this said, this will definitely make a difference in all aspects in the Sheriff Division.

Thank you for this opportunity to testify on this important matter.

Pamela De Guzman
Office Assistant IV
Sheriff Division

Regarding SB #45.
Date: Thursday, January 27, 2011.
Time: 2:45 p.m.
Place: Conference room 224, State Capitol, 415 Beretania Street.

In regards to Senate Bill #45, creating Civil Service positions for the First Deputy and Second Deputy. It is paramount to the Sheriff Department that these positions be identified as Civil Service positions in order to increase upward mobility and provide a stronger command structure for the department. By making these positions Civil Service we provide better accountability and actual guidelines that would direct the individual assigned to these positions. Accountability in leadership allows for more effective leaders and better trained deputies to properly serve the people of the State of Hawaii. The deputies of the Circuit Court Patrol and Cell Block sections provide this response to the upcoming hearing.

Respectfully submitted,

ARNOLD B. DEN BESTE	<i>Arnold B. Den Beste</i>
RODNEY L. KAWAHANE	<i>Rodney L. Kawahane</i>
Stephen Huynh	<i>Stephen Huynh</i>
James S. Kimura	<i>James Kimura</i>
Deven K. English	<i>Deven K. English</i>
Kimbro Kim	<i>Kimbro Kim</i>
GARY F. ANDERSON	<i>Gary F. Anderson</i>
BENIND N. VILLA	<i>Benind N. Villa</i>
Chester Dasalla	<i>Chester Dasalla</i>
DOUGLAS TAKAYAMA	<i>Douglas Takayama</i>
Lyle Smith	<i>Lyle Smith</i>
MARILYN L. HAAS #1115 CCCB	<i>Marilyn L. Haas</i>
ANTHONY F. KAHAMUI	<i>Anthony F. Kahamui</i>
Tony Williams	<i>Tony Williams</i>
Dean Yamashita	<i>Dean Yamashita</i>
DERWIN GILMAN	<i>Derwin Gilman</i>
Mark Lionetti	<i>Mark Lionetti</i>
ELSON HONDA	<i>Elson Honda</i>
Thomas Cayetano	<i>Thomas Cayetano</i>