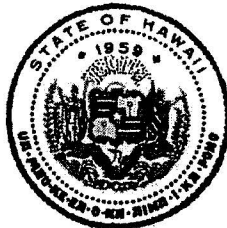


NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

919 Ala Moana Blvd. 4th Floor
Honolulu, Hawaii 96813

JODIE MAESAKA-HIRATA
INTERIM DIRECTOR

MARTHA TORNEY
Deputy Director of
Administration

Deputy Director
Corrections

KEITH KAMITA
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON HOUSE BILL 492 HD1
A BILL FOR AN ACT RELATING TO PUBLIC SAFETY

by

Jodie Maesaka-Hirata, Interim Director
Department of Public Safety

House Committee on Finance
Representative Marcus Oshiro, Chair
Representative Marilyn B. Lee, Vice Chair

Thursday, February 24, 2011, 10:45 AM
State Capitol, Conference Room 308

Chair Oshiro, Vice Chair Lee and Members of the Committee:

The Department of Public Safety (PSD) supports the intent of House Bill 492 HD1. This bill requires PSD to address the operational deficiencies of the Sheriff Division as outlined in the State Auditor's audit of the division. PSD supports the development and implementation of 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 PSD pursue specific recommendations outlined by the State Auditor. PSD is already working on the State Auditor's recommendations that includes:

1. Reallocating funding within PSD 900's current budget to perform a risk assessment of each section of the Sheriff's Division;
2. Upon finalization of the Risk Assessment, PSD plans to finalize the

comprehensive Strategic Plan that the Sheriff Division has worked on since the Audit; and

3. Initiate the process of preparing for and pursuing accreditation from the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) by reviewing the Sheriff Division's standard operating procedures, general orders, existing policies and statutes to ensure alignment with the Sheriff Division's goals and objectives. This will include working with other law enforcement agencies that are actively accredited.

Thank you for this opportunity to testify on this matter.

NEIL ABERCROMBIE
GOVERNOR



PATRICK H. SNIFFEN
Lieutenant/Commander
Maui Section
2145 Main Street
Wailuku, Hawaii 96793
Phone: 808-244-2909

STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
SHERIFF DIVISION/MAUI SECTION
Maui, Lanai & Molokai

February 23, 2011

Honorable Shan S. Tsutsui
President of the Senate
State Capitol, Suite 409
Honolulu, Hawaii 96813

RE: Testimony on House Bill 491 and House Bill 492 Relating to Public Safety

Dear Senate President Tsutsui,

I wanted to keep you apprised of HB491 and HB492. I have given my support for both proposed acts. I do have some questions relative to HB492. I will restate what I have previously testified to Chair Aquino, Vice Chair Cullen and Members of the Committee.

HB492. It is the spirit of the proposed act for the Sheriff Division to develop and implement a strategic plan to protect the public and security by correcting those deficiencies found in Auditor Report No. 10-06 which I support. But will it also be a requirement to separately and in conjunction with, address those areas of "concerns raised" by auditor Ms. Marion Higa? The Sheriff Division is currently in the process of addressing some of the deficiencies noted in the audit report.

Thank you for your support of the Sheriff Division-Maui Section. I wish you long life, prosperity and good fortune in all your endeavors.

Mahalo.

Respectfully yours,

Patrick H. Sniffen, Lieutenant, Commander
Sheriff Division/Maui Section

PHS:la



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA

Executive Director

Tel: 808.543.0011

Fax: 808.528.0922

NORA A. NOMURA

Deputy Executive Director

Tel: 808.543.0003

Fax: 808.528.0922

DEREK M. MIZUNO

Deputy Executive Director

Tel: 808.543.0055

Fax: 808.523.6879

The Twenty-Sixth Legislature, State of Hawaii
House of Representatives
Committee on Finance

Testimony by
Hawaii Government Employees Association
February 24, 2011

H. B. 492, H.D. 1 - RELATING
TO PUBLIC SAFETY

The Hawaii Government Employees' Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of H.B. 492, H.D. 1, 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. H.B. 492, H.D. 1 specifies corrective action to improve deficiencies highlighted in the audit through a report to the 2012 Legislature on such issues 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 a 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.

House of Representatives
Committee on Finance
Re: H.B. 492, H.D. 1 - Relating to Public Safety
February 24, 2011
Page 2

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 H.B. 492, H.D. 1.

Sincerely,

A handwritten signature in black ink, appearing to read "N.A. Nomura", with a long horizontal flourish extending to the right.

Nora A. Nomura
Deputy Executive Director

TESTIMONY ON HOUSE BILL 492, HD1
RELATING TO PUBLIC SAFETY

House Committee on Finance
Representative Marcus Oshiro, Chair

Thursday, February 24, 2011; 10:45 AM
State Capitol, Conference Room 308

Representative Oshiro and Members of the Committee:

I am in strong support of House Bill 492, HD1. This bill requires the Department 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.

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

Robin Nagamine, Lieutenant
Sheriff Division

COMMITTEE ON FINANCE

TESTIMONY IN SUPPORT OF: HB 492 HD1

Aloha, Chair Rep. Marcus R. Oshiro, Vice Chair Rep. Marilyn B. Lee, and members of the committee.

→ Sean Neilson

I am a Deputy employed by the State Sheriff's Division and I would like to submit testimony in **SUPPORT** of House Bill 492 HD 1, 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.

The state auditor was tasked to complete this report and investigate the deficiencies within our Division. She completed her report and submitted it on time. Why would anyone spend our tax dollars on a report that finds glaring deficiencies and then chooses not to correct the problems? I would analogize this by taking your car to a reputable mechanic, paying up front to have him diagnose all the problems and potential problems then driving away WITHOUT addressing any of his findings.

Thank you in advance for your attention to this matter.

TESTIMONY ON HOUSE BILL 492, HD1
RELATING TO PUBLIC SAFETY

House Committee on Finance
Representative Marcus Oshiro, Chair

Thursday, February 24, 2011; 10:45 AM
State Capitol, Conference Room 308

Representative Oshiro and Members of the Committee:

I am in strong support of House Bill 492, HD1. This bill requires the Department 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.

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

Robin Nagamine, Lieutenant
Sheriff Division

FINTestimony

From: mailinglist@capitol.hawaii.gov
ent: Tuesday, February 22, 2011 12:03 PM
fo: FINTestimony
Cc: dan14975@yahoo.com
Subject: Testimony for HB492 on 2/24/2011 10:45:00 AM

Testimony for FIN 2/24/2011 10:45:00 AM HB492

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Daniel Pang
Organization: Individual
Address:
Phone:
E-mail: dan14975@yahoo.com
Submitted on: 2/22/2011

Comments:

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 22, 2011 4:27 PM
To: FINTestimony
Cc: keanapuni1@yahoo.com
Subject: Testimony for HB492 on 2/24/2011 10:45:00 AM

Testimony for FIN 2/24/2011 10:45:00 AM HB492

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Umiamaka
Organization: Individual
Address:
Phone:
E-mail: keanapuni1@yahoo.com
Submitted on: 2/22/2011

Comments:

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 22, 2011 4:49 PM
To: FINTestimony
Cc: michael.s.oakland@hawaii.gov
Subject: Testimony for HB492 on 2/24/2011 10:45:00 AM

Testimony for FIN 2/24/2011 10:45:00 AM HB492

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Lt Michael Oakland
Organization: Hawaii State Sheriff Division
Address:
Phone:
E-mail: michael.s.oakland@hawaii.gov
Submitted on: 2/22/2011

Comments:

Aloha Chair Oshiro, Vice Chair Lee and members of the committee. I am Lt. Michael Oakland of the State Sheriff Division and I am in SUPPORT of this bill and it's intent. I feel that it will take money to realize the issues that this bill and the State Auditor has pointed out, and due to the states fiscal issues I feel that we could require the department to report back to the legislature with all the costs associated with all of the needs being met for future budgets.

If there are any questions please let me know and I can help in any way needed. Thank you very much for hearing this bill.

Lt. Michael Oakland, Commander
Airport Patrol Section, Sheriff Division Honolulu International Airport, Kalaeloa and
Dillingham Air Fields

FINTestimony

From: mailinglist@capitol.hawaii.gov
ent: Wednesday, February 23, 2011 6:35 AM
To: FINTestimony
Cc: mokiao@yahoo.com
Subject: Testimony for HB492 on 2/24/2011 10:45:00 AM

Testimony for FIN 2/24/2011 10:45:00 AM HB492

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Matthew Mokiao
Organization: Individual
Address:
Phone:
E-mail: mokiao@yahoo.com
Submitted on: 2/23/2011

Comments:

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 23, 2011 6:24 AM
To: FINTestimony
Cc: ano8t6@yahoo.com
Subject: Testimony for HB492 on 2/24/2011 10:45:00 AM

Testimony for FIN 2/24/2011 10:45:00 AM HB492

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Paul Ano
Organization: Individual
Address:
Phone:
E-mail: ano8t6@yahoo.com
Submitted on: 2/23/2011

Comments:

FINTestimony

n: Alan.Y.Leung@hawaii.gov
t: Wednesday, February 23, 2011 5:54 AM
To: FINTestimony
Subject: HB 491 AND 492

Aloha Chair Mr. Oshiro and Vice Chair Ms. Lee,

My name is Alan Leung and I am in support on the measure of HB 491 and HB 492.

Sergeant Alan Leung
Homeland Security Liaison
Special Duty Coordinator
State of Hawaii
Department of Public Safety
Sheriff Division
First Aid/CPR/AED Instructor
FLETC EVOC Driving Instructor
Work: (808) 587-2647
Fax: (808) 587-2642
Cell: (808) 347-2488
email: Alan.Y.Leung@hawaii.gov

FINTestimony

From: mailinglist@capitol.hawaii.gov
ent: Tuesday, February 22, 2011 10:59 PM
To: FINTestimony
Cc: deptwo@hotmail.com
Subject: Testimony for HB492 on 2/24/2011 10:45:00 AM

Testimony for FIN 2/24/2011 10:45:00 AM HB492

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: ernie oki
Organization: Individual
Address:
Phone:
E-mail: deptwo@hotmail.com
Submitted on: 2/22/2011

Comments:

As a deputy sheriff I was glad to read the auditor's report because I believe it exposed all of the deficiencies that exist in our division. I have to admit that at first I was a little embarrassed to see all of our "dirty laundry" exposed like that for everyone to read, but it is my hope that this report will start a process to remedy many of the problems that exist in the sheriff division.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 22, 2011 7:46 PM
To: FINTestimony
Cc: thomas.cayetano@leo.gov
Subject: Testimony for HB492 on 2/24/2011 10:45:00 AM

Testimony for FIN 2/24/2011 10:45:00 AM HB492

Conference room: 308
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: 2/22/2011

Comments:

Rep Oshiro and fellow committee members; I am a state employee of this organization with twenty-five plus years of highly dedicated service to the people of Hawaii. I am requesting of your committee to please allow passage of this bill. The state auditor's findings are long overdue. Thanking you in advance for your committee's consideration.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 23, 2011 9:41 AM
To: FINTestimony
Cc: michael.v.decenzo@hawaii.gov
Subject: Testimony for HB492 on 2/24/2011 10:45:00 AM

Testimony for FIN 2/24/2011 10:45:00 AM HB492

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Michael DeCenzo
Organization: Individual
Address:
Phone:
E-mail: michael.v.decenzo@hawaii.gov
Submitted on: 2/23/2011

Comments:
Aloha Chair Marcus OSHIRO and Vice Chair Marilyn LEE,

I am Deputy Michael DECENZO and I fully support this bill, and humbly ask that this committee support it as well.

Thank you,

Michael D.

FINTestimony

From: Sean Springer [kanealii808@gmail.com]
Sent: Wednesday, February 23, 2011 9:52 AM
To: FINTestimony
Subject: Chair Marcus Oshiro and Vice Chair Marilyn Lee

As a Deputy Sheriff, I am in support of House Bills 491/492:

HB RELATING TO PUBLIC SAFETY. PBM,
491 Requires and sets a deadline for the department of public safety to pursue and obtain accreditation for the sheriff FIN
Status division from the Commission on Accreditation for law Enforcement Agencies, Inc.

HB RELATING TO PUBLIC SAFETY.
492 Addresses the operational deficiencies of the sheriff division of the department of public safety that were highlighted
Status in the auditor's audit of the division. Makes appropriation.

As seen in the State Audit, these bills are required to address the found discrepancies and lead the Sheriff Division in to the Twenty First (21) Century. Furthermore, it helps to protect the State of Hawaii from future litigation/liability. By following the Commission on Accreditation for law Enforcement Agencies, Inc. standards the Sheriff Division would be inline with the best practices used in contemporary law enforcement agencies.

V/R

Sean Springer

FINTestimony

From: Melva.F.Ferreira@hawaii.gov
ent: Wednesday, February 23, 2011 9:49 AM
To: FINTestimony
Subject: HB492

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

I'm contacting your committee to ask for your strong support of HB492. Which, when implemented will be a tangible and necessary first step for progress within the Sheriff Division. The passage of HB492 has the potential of forcing the Department of Public Safety to once and for all begin to seriously address some of the numerous concerns that have plagued the Sheriff Division for the past two decades. One of the issues that your passage of HB492 can hopefully tackle is of particular importance to me; the ongoing shortage of personnel with the Sheriff Division, the Warrants Section in particular.

For over three years I have worked as both the Office Assistant and the Working Clerical Supervisor in the Sheriff Division Warrant(s) office. When I started my position in 2001 there was one supervisor and five office assistant clerks. As a result of personnel moving onto other positions and others retiring, the staff has been reduced to one supervisor and one office assistant (night shift). The vacancies left have either not been filled or the monies allotted for these positions have been used elsewhere, resulting in several of these positions being eliminated.

This continuing problem often leads to staff shortage issues. This is of particular concern in the Warrant(s) Section as there is supposed to be an Office Assistant in the office around the clock. As our office handles and maintains warrants from Parole/Attorney General, Grand Jury, Information Charging, not to mention the thousands of traffic warrants, someone must be working at all times. Because of the staff shortages it has not been unusual that I have worked 12-16 hour days due to the fact that there is no one available to cover the next shift. I have often had to work overtime simply because it is cheaper to have me stay than to hold one of the deputy sheriff's over to work in the warrant office. Due to salary differences, having a deputy sheriff's work overtime instead of a clerk only digs the divisions overtime hole that much deeper.; This shortage also affects our ability to take breaks or meals. Because of the continual calls the office receives (HPD/Sheriffs/Judiciary/General Public) we are often forced to eat on the run if we are able to eat at all. This situation is not exclusive to the warrant clerks. The clerks who handle the Transportation Section duties, work with the same shortages and issues (more duties and work than Staff). Hopefully the passage of HB492 these and many of the other challenges facing the Sheriff Division can finally begin to be addressed and corrected.

In closing I'd like to thank the committee for their consideration of my testimony and to once again ask for your strong support of HB492.

FINTestimony

From: Ray [TheSchwa0001@hawaii.rr.com]
ent: Wednesday, February 23, 2011 10:33 AM
To: FINTestimony
Subject: In SUPPORT OF HB 491 and 491.

I Deputy Sheriff Raymond A. SCHWARTZ am submitting testimony in favor of House Bill 491 and 492.
I believe that these Bills with help further the Sheriffs in many ways that are outlined in the bills.
Thank you.

FINTestimony

From: mailinglist@capitol.hawaii.gov
ent: Wednesday, February 23, 2011 11:50 AM
To: FINTestimony
Cc: jpiimauna@yahoo.com
Subject: Testimony for HB492 on 2/24/2011 10:45:00 AM

Testimony for FIN 2/24/2011 10:45:00 AM HB492

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Jeffrey Piimauna
Organization: Sheriff / Public Safety
Address:
Phone:
E-mail: jpiimauna@yahoo.com
Submitted on: 2/23/2011

Comments:

To Chair Marcus Oshiro and Vice Chair Marilyn Lee. I am a Sergeant with the Sheriff's Division and ask for your support on House Bill 491.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 23, 2011 2:18 PM
To: FINTestimony
Cc: huynhstephen1@hotmail.com
Subject: Testimony for HB492 on 2/24/2011 10:45:00 AM

Testimony for FIN 2/24/2011 10:45:00 AM HB492

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Stephen Huynh
Organization: Individual
Address:
Phone:
E-mail: huynhstephen1@hotmail.com
Submitted on: 2/23/2011

Comments:

i am a Deputy Sheriff and i support this bill because Through out the years we have taken on more responsibility. We need to be like how the Honolulu Police Department is organized.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 23, 2011 2:56 PM
To: FINTestimony
Cc: tkong17@hotmail.com
Subject: Testimony for HB492 on 2/24/2011 10:45:00 AM

Testimony for FIN 2/24/2011 10:45:00 AM HB492

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Thomas Kong
Organization: Individual
Address:
Phone:
E-mail: tkong17@hotmail.com
Submitted on: 2/23/2011

Comments:

I am writing you in support of HB492, which ensures that the operational deficiencies found by auditor report 10-06 are addressed efficiently and effectively. The Sheriff Division has operated for a long time despite these deficiencies, and I feel that the time is now for those shortcomings to be addressed. The state has been in a bad economic situation, which should be taken into consideration when looking at addressing some of the deficiencies, but what can be addressed efficiently should be addressed as soon as possible.

Thank You

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 23, 2011 3:19 PM
To: FINTestimony
Cc: res1vban@hawaiiantel.net
Subject: Testimony for HB492 on 2/24/2011 10:45:00 AM

Testimony for FIN 2/24/2011 10:45:00 AM HB492

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Charles Among Jr
Organization: Individual
Address:
Phone:
E-mail: res1vban@hawaiiantel.net
Submitted on: 2/23/2011

Comments:

Aloha Committee members, I humbly ask that you support this measure and thank you for your time.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 23, 2011 3:59 PM
To: FINTestimony
Cc: ltaciii@yahoo.com
Subject: Testimony for HB492 on 2/24/2011 10:45:00 AM

Testimony for FIN 2/24/2011 10:45:00 AM HB492

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: ALBERT CUMMINGS III
Organization: Individual
Address:
Phone:
E-mail: ltaciii@yahoo.com
Submitted on: 2/23/2011

Comments:

I write in support of H.B. 492, which addresses the operational deficiencies identified by the Auditor in Report 10-06, of the Sheriff Division, Department of Public Safety, issued in June 2010.