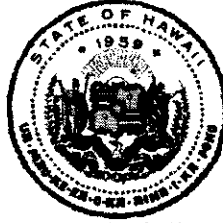


NEIL ABERCROMBIE
GOVERNOR

LATE



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

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

TED SAKAI
DIRECTOR

Martha Torney
Deputy Director
Administration

Max Otani
Deputy Director
Corrections

Keith Kamita
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON HOUSE CONCURRENT RESOLUTION 134/HOUSE RESOLUTION 104
REQUESTING ALL AGENCIES OF THE CRIMINAL JUSTICE SYSTEM
TO CONDUCT MANDATORY AND ONGOING IMPLICIT, UNCONSCIOUS
BIAS TRAINING FOR ALL EMPLOYEES

By

Ted Sakai, Director
Department of Public Safety

House Committee on Public Safety
Representative Henry J.C. Aquino, Chair
Representative Kaniela Ing, Vice Chair

Thursday, March 28, 2013, 11:00 a.m.
State Capitol, Room 309

Chair Aquino, Vice Chair Ing, and Members of the Committee:

The Department of Public Safety (PSD) **supports the intent** of the resolutions before you, which reflects a recommendation of the Native Hawaiian Justice Task Force. The Task Force, of which the Department of Public Safety is a member, was directed to "formulate policies and procedures to eliminate the disproportionate representation of Native Hawaiians in the criminal justice system..." (see Act 170/Session Laws of Hawaii 2011). The majority of the Task Force members agreed that implicit, unconscious bias may contribute to some decisions made by criminal justice officials, a concern as any bias could result in unequal treatment under the law, and such bias may be mitigated through training.

We do not agree, though, that implementing a broad training program for all employees of the Department of Public Safety is necessary. First, those who do not have contact with offenders need not be trained in this subject. Second, we question the purpose and effectiveness of training all those who do have contact with offenders on a regular basis. We respectfully request that the Department be

HCR 134/HR 104

March 28, 2013

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allowed to use its discretion to determine which staff, based on their positions, are most appropriate to attend training on implicit, unconscious bias in decision making.

Thank you for the opportunity to testify.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SEVENTH LEGISLATURE, 2013**

LATE

ON THE FOLLOWING MEASURE:

H.C.R. NO. 134 / H.R. NO. 104, REQUESTING ALL AGENCIES IN THE CRIMINAL JUSTICE SYSTEM TO CONDUCT MANDATORY AND ONGOING IMPLICIT, UNCONSCIOUS BIAS TRAINING FOR ALL EMPLOYEES.

BEFORE THE:

HOUSE COMMITTEE ON PUBLIC SAFETY

DATE: Thursday, March 28, 2013 **TIME:** 11:00 a.m.
LOCATION: State Capitol, Room 309
TESTIFIER(S): David M. Louie, Attorney General, or
Lance M. Goto, Deputy Attorney General

Chair Aquino and Members of the Committee:

The Department of the Attorney General ("Department") has concerns about these resolutions and submits comments.

The purpose of these resolutions is to request that state and county law enforcement agencies conduct mandatory and ongoing "implicit, unconscious bias training" for all employees.

The Department is concerned because the requested action is vague and ambiguous, and unfunded. The reference to "implicit, unconscious bias training" is not clearly defined and the problem that the training is intended to address is also unclear.

These resolutions are requesting that agencies expend valuable time and resources to conduct "mandatory" and "ongoing" training for "all employees." The reference to "ongoing" training is unclear. It could be referring to annual training for the employees. It could also be referring to a regular training program for all new employees, who have not previously received the training. The requirement that the training be provided to "all employees," may be overly broad. Most employees in the Department are not involved in any way with the criminal justice system. And amongst those that are involved with the criminal justice system, many hold positions that do not have any role in determining how a criminal case will be handled.

ing2-Brandon

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 27, 2013 7:59 PM
To: pbstestimony
Cc: marybarter@me.com
Subject: *Submitted testimony for HCR134 on Mar 28, 2013 11:00AM*

LATE

HCR134

Submitted on: 3/27/2013

Testimony for PBS on Mar 28, 2013 11:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Mary M. Barter	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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