

GM540

Measure Title: Submitting for consideration and confirmation to the Board of Private Detectives and Guards, Gubernatorial Nominee, ALBERT DENIS, for a term to expire 06-30-2016.

Report Title: Board of Private Detectives and Guards

Description:

Companion:

Package:

Current Referral: CPH

GM541

Measure Title: Submitting for consideration and confirmation to the Board of Private Detectives and Guards, Gubernatorial Nominee, ALBERT DENIS, for a term to expire 06-30-2020.

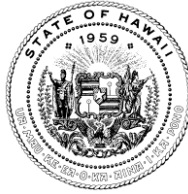
Report Title: Board of Private Detectives and Guards

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Package:

Current Referral: CPH



DAVID Y. IGE
GOVERNOR
SHAN S. TSUTSUI
LT. GOVERNOR

STATE OF HAWAII
OFFICE OF THE DIRECTOR
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CATHERINE P. AWAKUNI COLÓN
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TO THE SENATE COMMITTEE ON
COMMERCE, CONSUMER PROTECTION, AND HEALTH

TWENTY-EIGHTH LEGISLATURE
Regular Session of 2016

Tuesday, March 1, 2016
9:30 a.m.

TESTIMONY ON GOVERNOR'S MESSAGE NOS. 540 & 541.

TO THE HONORABLE ROSALYN H. BAKER, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Charlene Tamanaha and I am the Executive Officer for the Board of Private Detectives and Guards, Department of Commerce and Consumer Affairs ("Department"). The Department thanks you for the opportunity to testify on Governor's Message No. 540, regarding the **appointment** and Governor's Message No. 541, regarding the **reappointment**, of Albert Denis to the Board of Private Detectives and Guards ("Board"). The Department supports the confirmation of Albert Denis' appointment and reappointment to the Board.

Albert Denis was appointed as an interim industry member to the Board on December 15, 2015. He attended his first meeting on January 14, 2016, and is rapidly refamiliarizing himself with the Board's laws and rules, procedures, protocol, and Act 208, SLH 2010. Mr. Denis formerly served on the Board from 1988 – 1996, and as its

Chair from 1993 to 1996. As evidence of his commitment to contribute to the Board, he has already volunteered to propose a definition for classroom instruction which incorporates distance learning for the Board's rules.

For these reasons, the Department believes that Mr. Denis will continue to contribute to the Board while enhancing the Board's effectiveness.

The Department supports the confirmation of Albert Denis' appointments to the Board of Private Detectives and Guards, and thanks you for the opportunity to provide testimony.

John K. Tsukayama, PhD
Email: johnsukayama@hotmail.com
Home: 808.239.4202 Cell: 808.779.6888

February 28, 2016

Senate Committee on Commerce, Consumer Protection and Health
Via email CPHtestimony@capitol.hawaii.gov

Re: Letter of Endorsement: GM 540 & 541: Albert Denis – Board of Private
Detectives and Guards

Dear CCPH Committee Members,

I am privileged to provide this letter of endorsement and recommendation for Mr. Albert B. Denis for re-appointment to the Board of Private Detectives and Guards.

I have known Mr. Denis since 1984. Up to November 2006 we were colleagues at a licensed Guard Agency and Private Detective Agency, which Mr. Denis grew from a concern of fewer than twenty employees to approximately 550 guards, detectives, and administrative staff. During that time he was responsible for setting the high degree of professionalism for the various lines of business within the firm, which allowed the company to enjoy unsurpassed client loyalty and a reputation in the industry for quality second to none.

For more than thirty years Mr. Denis has been a respected leader in the industry among both Guard Agency and Private Detective Agency principals. He has on numerous occasions sought out the opinions of the industry members across the state to obtain consensus on issues important to safeguarding the integrity of the professions and the protection of the public. He has lent his services as a board member and expert consultant to the Department of Commerce and Consumer Affairs for as long as I have known him. His opinions are widely respected by his peers and government regulators alike.

Mr. Denis has been an expert witness in litigation concerning security liability for approximately 30 years, and is trusted to provide honest, and judicious expert opinions by both the plaintiff and defense legal communities. For just as long he has been sought after as a premises security expert by the hotel industry, condominium association community, and commercial and residential development industries. Many of the most prestigious addresses across the state have had their security systems and procedures designed, inspected, and improved by Mr. Denis.

I can recommend Mr. Denis as an individual of high integrity who can continue to be trusted to protect the public in Hawaii that relies upon the licensed Private Detective and Guard industry to safeguard their personal safety and property, as well as to conduct thorough, professional and accurate investigations.

In my opinion, the State of Hawaii should certainly continue to accept Mr. Denis' services on the Board of Private Detectives and Guards as long as he offers them. I ask the Committee on Commerce, Consumer Protection and Health to approve Mr. Denis' appointment to the Board of Private Detectives and Guards.

I am happy to discuss any of the foregoing, or any questions the Committee or its staff may have. Please feel free to call me at the above telephone numbers or reach me via email.

Yours very truly,

A handwritten signature in black ink, appearing to read "John K. Tsukayama". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

John K. Tsukayama, PhD

cc: Senator Rosalyn Baker, Chair, CPH Committee; senbaker@capitol.hawaii.gov
Senator Michelle Kidani, Vice-Chair, CPH Committee;
senkadani@capitol.hawaii.gov

Via email CPHtestimony@capitol.hawaii.gov

February 25, 2016

Senate Committee on Commerce, Consumer Protection and Health

Re: Letter of Endorsement: GM 540 & 541: Albert Denis – Board of Private Detectives and Guards

Dear CPH Committee Members,

This is to serve as a letter of endorsement for Albert Denis to be appointed to the Board of Private Detectives and Guards.

I have been a colleague of Albert Denis for more than 25 years.

I have worked with Mr. Denis as a member of the Act 208 ad hoc committee between 2011 and 2013. Prior to that, I have been associated with Mr. Denis as investigator, client, colleague and friend.

In our many years of association, I know Albert Denis to be honest and ethical; in possession of significant knowledge of the statutes and rules regulating private detectives and guards; as a trusted advocate on behalf of the security industry, and who continues to disseminate pertinent information to industry stakeholders regarding matters of regulatory compliance.

I ask that the CPH Committee and Senate thereafter confirm Albert Denis' appointment to Board of Private Detectives and Guards.

Please feel free to contact me should you have any questions or require additional information at either my direct line, 694-8593, or via email, bishikawa@boh.com

Yours very truly,



Brian Ishikawa, CPP, CFSSP
Senior Vice President, Director of Corporate Security
Bank of Hawaii

cc: Senator Rosalyn Baker, Chair, CPH Committee; senbaker@capitol.hawaii.gov
Senator Michelle Kidani, Vice-Chair, CPH Committee;
senkadani@capitol.hawaii.gov

February 25, 2016

To: Senate Committee on Commerce, Consumer Protection and Health

Re: GM 540 & 541, Board of Private Detectives and Guards Letter of Endorsement for Albert
"Spike" Denis

Dear Committee Members,

It is a pleasure to write this letter of endorsement for Albert "Spike" Denis to be appointed to the Board of Private Detectives and Guards.

I have I have known Spike for many years, and served as a consultant to his former company, Safeguard Services. We continue to work together to provide consulting services to mutual corporate clientele. I consider Spike to be a good friend and colleague.

The Spike Denis that I know has all the attributes of a good businessperson and Board member: He is honest and ethical, has a good sense of humor, a wide fund of specialized knowledge about the practices of his profession, and he brings forth a conscientious and cooperative approach to problem-solving.

For the good of Hawaii, I recommend that your committee give favorable consideration and confirm Spike Denis' appointment to Board of Private Detectives and Guards.

Please feel free to contact me should you have any questions or require additional information.



Gary M. Farkas, Ph.D., M.B.A.
Licensed Psychologist
Human Resources Consultant

GM 540 and GM541 Albert 'Spike' Denis-Board of Private Detectives & Guards

(1) Why do you want to be a member of the Board?

- I became aware of the vacancy on the Board and applied to become a Board member as an industry member engaged in the profession. I am a licensed private detective and Principal Guard (licensed effective July 15, 1985) and have been actively engaged in the profession continuously for 40 years as a security industry executive. I believe that my experience in the private security industry and prior service on the Board of Private Detectives and Guards (BPD&G) make me uniquely qualified to again serve.

(2) What do you perceive are the roles and responsibilities of a member of the Board?

- First and foremost, consumer protection
- Attend all scheduled Board meetings and complete related assignments from the Board Chair or Executive Officer timely
- As an industry member, provide the Board with security industry business market perspective, if asked, and assist with determining action on regulatory and licensure issues that come before the Board

(3) In what ways do you feel that you can help protect the consumer?

- Protection of the consumer is paramount. My knowledge of the risks posed by unlicensed activity or illicit conduct by licensed individuals or agencies can be put to use in both assisting licensees with regulatory compliance through communication, as authorized by the Board and to bring matters regarding licensure violations to the Board's attention for Board initiated complaints to RICO if necessary.
- Utilize industry specific knowledge to protect consumers

(4) Given your understanding of the roles and responsibilities of a Board member, why do you believe that you are qualified for the position? Please include a brief statement of your skills, expertise and knowledge that would aid you as a member of the Board.

- I've previously served on the BPD&G, having been appointed by Governor Waihee in 1988 and reappointed in 1992, thus serving for eight years. I served as the Board's chair from 1993 to 1996.

- I assisted with the formation of the Act 208 ad-hoc committee in September of 2010 at the request of the Board, a group of industry stakeholders who assisted the Board's executive officer with brainstorming implementation of Act 208.
- I have performed significant research on behalf of the Board including examination of the statutes and rules regulating security guards in all 50 states and Washington D.C. Prepared numerous memorandum reports to the Board and principal guards over the past 5 years.

(5) What do you hope to accomplish during your term of service?

- Assist the boards EO with rule-making for Act 208. The next four years are extremely challenging for the industry due to market conditions, and my experience will be useful to the board and industry
- Work on final implementation of 208 while keeping the private security industry abreast of how it can contribute to improving various processes to compliment DCCA policies and procedures

(6) Name three qualities that best describe you and how these qualities will benefit the Board.

- Over 40 years of business I've maintained a reputation for honesty and fair dealing. I'm trusted by colleagues, stakeholders and competitors to represent their interests on regulatory matters, and have done so since 2010.
- I'm a reliable, conscientious business executive with a track record of success.
- And as an investigator and qualified premises security consultant/expert, I have a reasonable understanding of the civil, criminal legal and regulatory systems.

(7) Name a previous experience you've had that will be beneficial as a Board member.

- Former Chair, BPD&G. Have testified as rules expert for RICO in private detective licensure matter; retained as premises security consultant in 65+ premises security cases, some involving guard agencies.
- Forty-five years of industry experience including 30 plus years as a licensed private detective and principal guard. Owned and was CEO of Safeguard Services, Inc. for 25 years (employed 550). Current employment includes responsibility for regulatory compliance
- Assisted with the passage of Act 208 (garnered industry support, testified before leg) and was involved in discussions with the DCCA and Board for all phases of implementation design of current processes

(8) Can you foresee any possible conflicts of interest that could arise during your service on the Board? How would you overcome conflicts of interest?

- Yes. Having previously served on and testified before the Board many times thereafter, I inform the Board chair and Executive Officer of any items on the agenda from which may present a conflict. Previously, when conflicts have arisen I have contacted the Board's deputy Attorney General directly to discuss any potential conflicts before Board meetings. Should a conflict arise, in addition to making it known to all Board members, I would recuse myself from hearing or commenting on the matter as appropriate and recuse myself from voting on any matters which could be viewed as a conflict of interest.