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February 12, 2016

To: The Honorable Mark M. Nakashima, Chair,  
The Honorable Jarrett Keohokalole, Vice Chair, and  
Members of the House Committee on Labor & Public Employment

The Honorable Gregg Takayama, Chair,  
The Honorable Kyle T. Yamashita, Vice Chair, and  
Members of the House Committee on Public Safety

Date: Friday, February 12, 2016  
Time: 10:00 a.m.  
Place: Conference Room 309, State Capitol

From: Linda Chu Takayama, Director  
Department of Labor and Industrial Relations (DLIR)

**Re: H.B. No. 2390 Relating Employment Practices**

**I. OVERVIEW OF PROPOSED LEGISLATION**

HB 2390 amends section 378-27, Hawaii Revised Statutes (HRS), to add the Department of Public Safety (DPS) to the exception from unlawful practices in administering lie detector tests.

DLIR supports the measure.

**II. CURRENT STATUS**

The lie detector test currently only excludes any law enforcement agency from practices deemed unlawful when administering a lie detector test, including psychological tests to determine the suitability of a candidate for a position with the agency.

**III. COMMENTS ON THE HOUSE BILL**

The department appreciates the similarities between public safety and other law enforcement agencies. The department supports the measure that seeks to improve the quality of applicants for employment with DPS.

DAVID Y. IGE  
GOVERNOR



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Deputy Director  
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**Shawn H. Tsuha**  
Deputy Director  
Law Enforcement

No. \_\_\_\_\_

TESTIMONY ON HOUSE BILL 2390  
RELATING TO EMPLOYMENT PRACTICES

By  
Nolan P. Espinda, Director

House Committee on Labor and Public Employment  
Representative Mark M. Nakashima, Chair  
Representative Jarrett Keohokalole, Vice Chair

House Committee on Public Safety  
Representative Gregg Takayama, Chair  
Representative Kyle T. Yamashita, Vice Chair

Thursday, February 12, 2016; 10:00 a.m.  
State Capitol, Conference Room 309

Chairs Nakashima and Takayama, Vice Chairs Keohokalole and Yamashita, and  
Members of the Committee:

The Department of Public Safety (PSD) **supports** House Bill (HB) 2390, as this bill was part of the Governor's package submitted on behalf of PSD. This bill will ensure that PSD's hiring process is consistent between the Law Enforcement and the Corrections Divisions.

PSD currently screens law enforcement applicants by utilizing technology to evaluate an applicant's history as it relates to prior employment, false information, violence, theft, drug use, and other factors. This bill will allow PSD to uniformly apply its hiring process to both the Law Enforcement and Corrections Divisions to realize the best applicants for public employment.

Thank you for the opportunity to testify on this measure.