

DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committees on
JUDICIARY AND LABOR
and
WAYS AND MEANS**

**Tuesday, March 1, 2016
10:25 AM
State Capitol, Conference Room 211**

**In consideration of
SENATE BILL 2755, PROPOSED SENATE DRAFT 1
RELATING TO A LAW ENFORCEMENT EMPLOYMENT
STANDARDS AND TRAINING BOARD**

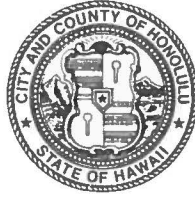
Senate Bill 2755, Proposed Senate Draft 1 proposes to establish an advisory law enforcement employment standards and training board. **The Department of Land and Natural Resources (Department) supports this measure.**

The Department believes that this measure could lead to providing a common core of knowledge and training for state and county law enforcement officers statewide.

Thank you for the opportunity to provide testimony.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu.org



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CHIEF

MARIE A. McCAULEY
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DEPUTY CHIEFS

OUR REFERENCE **WB-SK**

March 1, 2016

The Honorable Gilbert S. C. Keith-Agaran, Chair
and Members
Committee on Judiciary and Labor
The Honorable Jill N. Tokuda, Chair
and Members
Committee on Ways and Means
State Senate
Hawaii State Capitol, Room 211
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chairs Keith-Agaran and Tokuda and Members:

**SUBJECT: Senate Bill No. 2755, SD1, Relating to a Law Enforcement
Employment Standards and Training Board**

I am William Baldwin, Major of the Training Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD opposes the passage of Senate Bill No. 2755, SD1, Relating to a Law Enforcement Employment Standards and Training Board. We believe that the HPD currently meets the highest standards possible for a law enforcement agency.

As stated in a previous testimony, since 2003, the HPD has been accredited by the Commission on Accreditation for Law Enforcement Agencies, Inc. In order to be accredited, the HPD must prove that it follows the best practices of law enforcement agencies throughout the United States, including standards in the area of hiring and training new employees. The HPD must also prove that its employees receive updated certification and training to maintain these standards as law enforcement officers.

The Honorable Gilbert S. C. Keith-Agaran, Chair
and Members
Committee on Judiciary and Labor
The Honorable Jill N. Tokuda, Chair
and Members
Committee on Ways and Means
March 1, 2016
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HPD officers receive over 1,100 hours of initial recruit training. This training is among the longest and stringent in the nation, even among other major city police departments.


If minimum standards were to be set for all law enforcement agencies in the state, the HPD would insist that these standards be as high as our department's current standards. This may cause problems in other law enforcement entities where additional funding and personnel may be required to carry out the hiring and training process.

It currently takes approximately one year to complete our hiring process and training curriculum. If the standards are set lower than that of the HPD, this will add to the length of time a prospective candidate will take to complete the hiring process and training to become a sworn HPD officer.

For the above-mentioned reasons, the HPD urges you to oppose the passage of Senate Bill No. 2755, SD1, Relating to a Law Enforcement Employment Standards and Training Board.

Thank you for the opportunity to testify.

Sincerely,


William Baldwin, Major
Training Division

APPROVED:



Louis M. Kealoha
Chief of Police

Before the Senate Committees on
JUDICIARY AND LABOR
and
WAYS AND MEANS

Tuesday, March 1, 2016
10:25 AM
State Capitol, Conference Room 211

In consideration of
SENATE BILL 2755
RELATING TO A LAW ENFORCEMENT EMPLOYMENT
STANDARDS AND TRAINING BOARD

Thank you for allowing me to testify on behalf of this proposed amendment. My name is Aaron Hunger and I am a doctoral researcher at the University of Hawaii at Manoa, a former police officer in Florida and California, and a criminal justice instructor for a private college in Honolulu. I have been honored to be engaged in doctoral research involving the Honolulu Police Department, and its oversight mechanisms since 2010. Together with my teaching, I have over 24 years of police experience. Currently, I am engaged in research with the University of Hawaii at Manoa that (among other issues) seeks to understand the unique structure of the criminal justice institutions on Oahu. Based on the work and research that I have been privileged to be a part of, I am sorry to say that I must now **OPPOSE** Senate Bill 2755 (Statewide Law Enforcement Standards and Training Board).

SB2755 is unfortunately a deceptive bill, as written. The problem with SB2755 is that the bill's name promises the community a new state agency that will set policing performance standards through hiring and training guidelines. Despite an impressive title, SB2755's language limits both the authority and scope needed to meet the public's expectation for a state oversight agency. SB2755 fails to create a "standards board" as understood by law enforcement professionals or experts, which was pointed to as critical by the media. Instead SB 2755 uses the language "standards" in its title while actually authorizing only ineffective "guidelines." While seeming trite, this is actually a major issue. It is a classic case of "bait and switch."

"Standards," as understood in law enforcement, are not subject to interpretation or disregard. However, the language contained in this bill constantly excuses county police agencies from following the proscribed hiring or training guidelines suggested by the board. Instead, the bill continuously allows county policing managers to disregard this board's recommendations and instead institutionalize currently utilized corrupted models.

As understood by 49 other states, a statewide law enforcement "Standards" board's primary function is to certify or license each individual officer who is empowered to carry out policing powers within a state. This ensures that the "standard of conduct" prescribed by the state legislation is strictly adhered to by each department, and each individual police agent, as a mechanism of accountability and

oversight. Currently, SB2755 uses a linguistic play on words within its title to promise something to the public that the bill clearly is not intended to do.

As currently written, SB2755 describes a “Law Enforcement Training and Hiring Guidance Committee,” and not a “Police Officers Standards and Certification Board.” The reason this bill should not be passed unless amended, is to prevent further communal frustration at law enforcement or its oversight that may be caused by an expectation that this agency will govern police “Standards of Conduct.”

Passing SB2755, knowing that its name intentionally misleads the public, is both unethical and unwise. This bill is a sheep in wolf’s clothing, promising much but not written to allow for anything other than a solidification of current misguided policy. Cementing the current police managers into criminologist positions is both illogical, and also demonstrates a complete misunderstanding of modern law enforcement oversight models. Police managers and administrators’ primary function is to manage and administer police services, and not to spend countless hours engaging in academic debate over criminological theory or design. This is why other states utilize non-sworn experts in criminology and criminal justice for this position. Taking police administrators away from performing operational tasks to instead engage in hours of research and design is counterproductive and often demands skills not possessed by current police managers based on currently implemented training and hiring models.

Because the language in SB2755 fails to empower the board to enforce its own guidelines, the county police departments and other law enforcement agencies are free to disregard this board’s recommendations, and instead continue operating in a fashion that has proven to endanger the community. This bill misinforms the public by misleading and misguiding the community into believing that the state has instituted oversight of police activity, when in fact the bill is not designed for this function at all. If left unaddressed, this deception will most probably lead to an eventual stain on the State Attorney General’s office, the Governor, and the legislators that stood in support this bill. Although Hawaii is in dire need of a state level police oversight mechanism, this bill stands to aggravate the current dysfunctionality. I stand in **OPPOSITION** of bill SB2755, in its current form.

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 26, 2016 1:38 PM
To: JDLTestimony
Cc:
Subject: Submitted testimony for SB2755 on Mar 1, 2016 10:25AM

SB2755

Submitted on: 2/26/2016

Testimony for JDL/WAM on Mar 1, 2016 10:25AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Karin Nomura	Individual	Support	No

Comments: After years of police issues, finally started contacting agencies/etc. for assistance with dealing with these issues to no avail - instead told that it is within the duties/authority of a police officer to act in this manner - which included dispatchers refusing to send a police officer to being told to call 911 again if I want to file a police report. With even claims being dropped because of it. While I hope that the enforcement of camera's on police officers will help to alleviate some of the issues, having comments recorded would be appreciated as well, as what I'm told is "legal" and within the duties of a uniformed police officer to me seem criminal - and that's without the shouts from supposed 'recruiters' for the department that used to occur after midnight to the other items I've had occur. (Albeit never actually saw the older generation shouting this or any patrol cars, but still - after notifying the department a sudden increase in such disturbances did occur.)

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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Aloha my name is Lorentina Te'i and I am a criminal justice scholar. Due to the amending of SB2755's language, I oppose SB2755 because it does not create standards as understood in the police profession. SB2755 creates guidelines that are not enforceable. SB2755 also puts the same officials in charge that are responsible for the current need for oversight. Unless the word standards is replaced by a more accurate title (such as Guidance Committee) I oppose SB2755.

SB 2755

Due to the amending of SB 2755's Language, I must oppose this bill. This bill does not create standards as understood in the police profession. SB 2755 created guidelines that are not enforceable. In addition, SB 2755 as written also puts the same officials in charge that are responsible for the current need for oversight.

Unless the word standard is replaced by a more accurate title (such as guidance committee) I must oppose SB 2755.

I am not in support of proposing this bill (2755) not only for the better of our community but as well as a greater future for our upcoming younger generation.

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 26, 2016 5:51 PM
To: JDLTestimony
Cc:
Subject: *Submitted testimony for SB2755 on Mar 1, 2016 10:25AM*

SB2755

Submitted on: 2/26/2016

Testimony for JDL/WAM on Mar 1, 2016 10:25AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Davlantes	Individual	Support	No

Comments:

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SB No. 2755

Greetings my name is Paulo O.J Paulo. I am a criminal justice student. I have been studying the HPD system and criminal justice now for over three years.

Due to the amending of SB 2755's Language, I must oppose this bill. This bill does not create standards as understood in the police profession. SB 2755 creates guidelines that are not enforceable. In addition, SB 2755 (as written) also puts the same officials in charge that are responsible for the current need for oversight.

Unless the word standard is replaced by a more accurate title (such as guidance committee) I must oppose SB 2755.

SB2755

My name is Robert Ford. Due to the amending of SB2755's language, I must **OPPOSE** this bill. This bill does not create "standards" as understood in the Law Enforcement Profession. SB2755 creates "**GUIDELINES**" that **ARE NOT ENFORCABLE**. In addition, SB2755 (as written) also puts the **SAME OFFICIALS IN CHARGE** that are **RESPONSIBLE** for current need of oversight.

Unless the word "standards" be replaced by a **MORE ACCURRATE TITLE** (such as "**GUIDANCE COMMITTEE**"), I must oppose SB2755.

My name is Roy Lovell. I am a Criminal Justice academic at Remington College. Due to the amending of SB2755's language, I oppose SB2755 because it does not create standards as understood in the police profession. SB2755 creates guidelines that are not enforceable. SB2755 also puts the same officials in charge that are responsible for the current need for oversight. Unless the word standards is replaced by a more accurate title (like Guidance Committee) I oppose SB2755.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 29, 2016 3:16 PM
To: JDLTestimony
Cc:
Subject: *Submitted testimony for SB2755 on Mar 1, 2016 10:25AM*

SB2755

Submitted on: 2/29/2016

Testimony for JDL/WAM on Mar 1, 2016 10:25AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Teri Heede	Individual	Support	No

Comments:

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