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OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY WESLEY K. MACHIDA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND
MILITARY AFFAIRS
ON
SENATE BILL NO. 1293

February 14, 2017
2:00 p.m.
Room 229

RELATING TO PUBLIC SAFETY

Senate Bill No. 1293 establishes the Special Operations K9 Unit Special Fund and deposits \$7,000,000 in general funds in FY 18 and FY 19 into the fund. The bill also appropriates the same amount out of the special fund in both fiscal years to support explosive, narcotics, and currency detection efforts by federal, State, and county law enforcement agencies by funding within the Department of Public Safety's 30.00 full time equivalent (FTE) permanent canine handler positions and 30 deputy canines on Oahu, 10.00 FTE permanent canine handler positions and ten deputy canines on Hawaii Island, 6.00 FTE permanent canine handler positions and 6 deputy canines on Maui, and 4.00 FTE permanent canine handler positions and 4 deputy canines on Kauai.

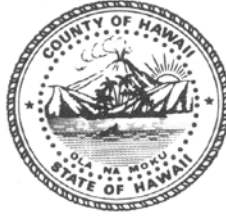
The Department of Budget and Finance does not take any position on the sheriff canine handlers staffing; however, as a matter of general policy, the department does not support the creation of any special fund which does not meet the requirements of Section 37-52.3, HRS. Special funds should: 1) serve a need as demonstrated by the

purpose, scope of work and an explanation why the program cannot be implemented successfully under the general fund appropriation process; 2) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries or a clear link between the program and the sources of revenue; 3) provide an appropriate means of financing for the program or activity; and 4) demonstrate the capacity to be financially self-sustaining. In regards to Senate Bill No. 1293, it appears that as the fund has no revenue source other than general fund appropriations, it would not be self-sustaining and is more appropriately implemented under the general fund appropriation process.

Thank you for your consideration of our comments.

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TESTIMONY IN SUPPORT OF SENATE BILL 1293

A BILL FOR AN ACT RELATING TO PUBLIC SAFETY

COMMITTEE ON PUBLIC SAFETY,
INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Sen. Clarence K. Nishihara, Chair

Sen. Glenn Wakai, Vice Chair

Tuesday, February 10, 2017, 8:30 AM
State Capitol, Conference Room 016

Honorable Chair Nishihara, Honorable Vice Chair Wakai, and Members of the Committee on Public Safety, Intergovernmental, and Military Affairs, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in support of Senate Bill No. 1293.

This measure establishes the special operations K-9 unit special fund. Appropriates money to the fund for deputy canines and full-time equivalent (FTE) permanent canine handler positions within the department of public safety.

All of the illegal drugs that are available on the mainland can also be found in the Hawaiian Islands, with crystal methamphetamine (ICE), marijuana, cocaine, crack cocaine, heroin, and predatory drugs being the leading threats in the state. The majority of illegal narcotics are brought into the State by aircraft passengers (couriers) by way of commercial passenger airlines, accompanying baggage, air mail, freight, shipping companies and the US postal service. The primary modes of transportation to the State are: commercial and private air transportation, federal and private postal & courier services, military air transportation, commercial and private marine transportation (passengers, freight, containers).

The State of Hawai'i Special Tactics K-9 interdiction Task Force in coordination with various agencies will focus primarily on Hawaii's five major airports for drug intelligence, interdiction and enforcement. With the passage of this legislation, funding for the program will increase from a current team of five (5) canines and handlers (exclusively on the island of Oahu) to fifty (50) canines and handlers with teams dispatched throughout the State's five major airports (Hilo, Kona, Kahului, Honolulu and Lihue).

The K-9 teams will focus on identifying illegal drug couriers or packages as well as money laundering and asset forfeiture. These canines will be specially trained for exclusively identifying illegal drugs and cash.

Along with the ability to detect explosives, these K-9 units will effectively aid in the abatement of the public health crises that illegal narcotics currently pose to our State. For the foregoing reasons, the Hawai'i County Office of the Prosecuting Attorney supports the passage of Senate Bill No. 1293. Thank you for the opportunity to testify on this matter.



The Judiciary, State of Hawai'i

**Testimony to the
Senate Committee on Public Safety, Intergovernmental and Military Affairs**

Senator Clarence K. Nishihara, Chair
Senator Glenn Wakai, Vice Chair

Tuesday, February 14, 2017, 2:00 p.m.
State Capitol, Conference Room 229

By

WRITTEN TESTIMONY ONLY

Rodney A. Maile
Administrative Director of the Courts

Bill No. and Title: Senate Bill No. 1293, Relating to Public Safety.

Purpose: Establishes the special operations K9 unit special fund. Appropriates money to the fund for deputy canines and full-time equivalent (FTE) permanent canine handler positions within the department of public safety.

Judiciary's Position:

The Judiciary supports this bill which would establish a special fund and an appropriation to said fund in order to expand the capacity of the Department of Public Safety's (PSD) special operations K9 unit.

Citing the steep increase of deaths from accidental drug overdose, half of which is attributable to illegal drugs, as a public health crisis, this bill will increase the special K9 unit to encompass the entire state. This unit, currently based only in Honolulu, consists of only five deputy canines with only 2 specializing in narcotics detection.

Additionally, we are in support of the bill's intent to expand this program statewide. The Department of Public Safety provides law enforcement and security for the Judiciary statewide.



Senate Bill No. 1293, Relating to Public Safety
Senate Committee on Public Safety, Intergovernmental and Military Affairs
Tuesday, February 14, 2017
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Having special operations K9 units on all the major islands, in every judicial circuit, will ensure greater protection from bomb threats to courthouses.

Thank you for the opportunity to testify on Senate Bill No. 1293.

DAVID Y. IGE
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TESTIMONY ON SENATE BILL 1293
RELATING TO PUBLIC SAFETY

By

Nolan P. Espinda, Director
Department of Public Safety

Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Senator Clarence K. Nishihara, Chair
Senator Glenn Wakai, Vice Chair

Thursday, February 14, 2017; 2:00 p.m.
State Capitol, Conference Room 229

Chair Nishihara, Vice Chair Wakai, and Members of the Committee:

The Department of Public Safety (PSD) **appreciates the intent** of Senate Bill (SB) 1293, which proposes to establish the special operations canine unit special fund and appropriates funds for fiscal years 2017 – 2018 and 2018 -2019 for fifty (50) permanent full-time deputy sheriff canine handler positions and fifty (50) canines across the State. PSD, however, offers the following concerns.

First, the proposed bill does not address the cross-jurisdictional issues of subsequent investigation and prosecution, if any, by the various federal, state, and county law enforcement agencies. While SB 1293 proposes that teams of deputy sheriffs and canines detect explosives, narcotics, and currency, PSD relies on other agencies for investigation, analysis, and referral for prosecution.

Second, while an appropriation of \$7,000,000 is very generous for fiscal year 2017 – 2018, and the same or so much thereof for fiscal year 2018 -2019, PSD estimates the cost at \$7,865,000.00 for 50 full-time deputy sheriffs, not including the differentials afforded by the collective bargaining agreement for canine handlers, explosive canines, and canine decoys conducting bite training. PSD notes that

these 50 full-time deputy sheriff positions must be created, recruited, and trained as regular deputy sheriffs, plus additional training as canine handlers in narcotics and bomb detection. It would not be reasonable to assume that these canine teams would be deployed in fiscal year 2017- 2018, as basic academy recruit training, not including canine handler training, requires six months of training.

Also, each canine must be purchased, and the estimated cost of one canine is roughly estimated at \$16,000.00. Further, each canine team must be equipped with a vehicle for transportation, and a sports utility vehicle is estimated at \$45,000.00 each. PSD would also have to secure kennels and training areas for each island, not to mention, dog food, cleaning supplies for the canine and the kennels, and veterinary costs. After the annual appropriation for the first two years, PSD would further request a budget line item as a funding stream to sustain these operations.

Finally, SB 1293 states that the use of detection canines at airports, harbors, and borders is commonplace across the nation and the world. Clearly, the State Department of Transportation and federal Transportation Security Administration, along with other federal, state, county law enforcement agencies, are law enforcement partners and stakeholders which would need to be consulted.

Thank you for the opportunity to present this testimony.