

HB 2071

**RELATING TO
LAW ENFORCEMENT**

A BILL FOR AN ACT

RELATING TO LAW ENFORCEMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that it is the role of
2 the State to oversee and regulate those professions and
3 occupations that have a significant impact on society. The
4 Hawaii Revised Statutes regulate private security guards. Law
5 enforcement is another area in which the State should do more to
6 provide statewide standards and uniformity.

7 The legislature further finds that the State and counties
8 grant to police, sheriffs, and other law enforcement officers
9 immense powers, such as the authority to search, arrest, and use
10 deadly force. Hawaii is the only state in the country without
11 any state-level regulation of police. Regulation is left to the
12 counties. Hawaii is only one of a handful of states that does
13 not establish minimum standards required to be a police officer
14 and does not have any procedure for revoking a police officer's
15 certification for serious misconduct.

16 The legislature further finds that the consequences of a
17 lack of statewide oversight of police are a matter of serious



1 public concern. Several recent incidents have highlighted a
2 need for greater oversight. For example, a former Honolulu
3 police officer was recently sentenced to prison for using
4 unreasonable force to violate the civil rights of two men. In
5 another incident, a Honolulu police sergeant was caught on video
6 engaged in a violent physical fight in public with the police
7 sergeant's girlfriend. In yet another example, the former chief
8 of police of the city and county of Honolulu faces federal
9 prosecution for alleged criminal violations. Numerous local
10 media stories have reported on the Honolulu police commission's
11 lack of power to implement meaningful disciplinary actions for
12 its police officers.

13 The legislature further finds that the State must enact a
14 law that certifies law enforcement officers to ensure the
15 highest standards of professionalism, the uniformity of
16 standards, and accountability throughout our islands.

17 The purpose of this Act is to establish a law enforcement
18 standards board for the certification of county police officers,
19 state public safety officers, and employees of the departments
20 of transportation and land and natural resources with police
21 powers.



1 SECTION 2. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 "CHAPTER

5 LAW ENFORCEMENT STANDARDS

6 § -1 Definitions. As used in this chapter, unless the
7 context clearly indicates otherwise:

8 "Board" means the law enforcement standards board.

9 "Law enforcement officer" means:

- 10 (1) A police officer employed by a county police
11 department;
- 12 (2) A public safety officer employed by the department of
13 public safety; or
- 14 (3) An employee of the department of transportation or the
15 department of land and natural resources who is
16 conferred by law with general police powers.

17 § -2 Law enforcement standards board; establishment.

18 (a) There is established the law enforcement standards board
19 within the department of the attorney general for administrative
20 purposes only. The purpose of the board shall be to provide
21 programs and standards for training and certification of law



1 enforcement officers. The law enforcement standards board shall
2 consist of the following voting members: eight ex officio
3 individuals, two law enforcement officers, and four members of
4 the public.

5 (1) The ex officio members of the board shall consist of
6 the:

7 (A) Attorney general;

8 (B) Director of public safety;

9 (C) Director of transportation;

10 (D) Chairperson of the board of land and natural
11 resources; and

12 (E) Chiefs of police of the four counties;

13 (2) The law enforcement officers shall each have at least
14 ten years of experience as a law enforcement officer
15 and shall be appointed by the governor; and

16 (3) The members of the public shall consist of one member
17 of the public from each of the four counties and be
18 appointed by the governor. At least two of the four
19 members of the public holding a position on the board
20 at any given time shall:



- 1 (A) Possess a master's or doctorate degree related to
- 2 criminal justice;
- 3 (B) Possess a law degree and have experience:
- 4 (i) Practicing in Hawaii as a deputy attorney
- 5 general, a deputy prosecutor, deputy public
- 6 defender, or private criminal defense
- 7 attorney; or
- 8 (ii) Litigating constitutional law issues in
- 9 Hawaii;
- 10 (C) Be a recognized expert in the field of criminal
- 11 justice, policing, or security; or
- 12 (D) Have work experience in a law enforcement
- 13 capacity; provided that experience in a county
- 14 police department shall not itself be sufficient
- 15 to qualify under this paragraph.

16 (b) The law enforcement officers and the members of the
 17 public on the board shall receive no salary for their duties as
 18 members of the board, but shall be entitled to reimbursement for
 19 expenses, including travel expenses, necessary for the
 20 performance of their duties as board members.

21 § -3 Powers and duties of the board. The board shall:



- 1 (1) Adopt rules in accordance with chapter 91 to implement
2 this chapter;
- 3 (2) Establish minimum standards for employment as a law
4 enforcement officer and to certify persons to be
5 qualified as law enforcement officers;
- 6 (3) Establish criteria and standards in which a person who
7 has been denied certification, whose certification has
8 been revoked by the board, or whose certification has
9 lapsed may reapply for certification;
- 10 (4) Establish minimum criminal justice curriculum
11 requirements for basic, specialized, and in-service
12 courses and programs for schools operated by or for
13 the State or a county for the specific purpose of
14 training law enforcement officers;
- 15 (5) Consult and cooperate with the counties, agencies of
16 the State, other governmental agencies, universities,
17 colleges, and other institutions concerning the
18 development of law enforcement officer training
19 schools and programs of criminal justice instruction;



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- 1 (6) Employ, subject to chapter 76, an administrator and
2 other persons necessary to carry out its duties under
3 this chapter;
- 4 (7) Investigate when there is reason to believe that a law
5 enforcement officer does not meet the minimum
6 standards for employment, and in so doing, may:
 - 7 (A) Subpoena persons, books, records, or documents;
 - 8 (B) Require answers in writing under oath to
9 questions asked by the board; and
 - 10 (C) Take or cause to be taken depositions as needed
11 in investigations, hearings, and other
12 proceedings,
13 related to the investigation;
- 14 (8) Establish and require participation in continuing
15 education programs for law enforcement officers;
- 16 (9) Have the authority to charge and collect fees for
17 applications for certification as a law enforcement
18 officer; and
- 19 (10) Establish procedures and criteria for the revocation
20 of certification issued by the board.



1 § -4 Law enforcement standards board special fund;
2 established. There is established in the state treasury the law
3 enforcement standards board special fund. The revenues of the
4 special fund shall consist of appropriations made by the
5 legislature, fees charged by the board, grants, gifts, and
6 interest on moneys deposited in the special fund. The special
7 fund shall be used to defray the expenses of the board.

8 § -5 Training programs. The board shall establish and
9 maintain law enforcement training programs through agencies and
10 institutions deemed appropriate by the board for applications
11 for certification.

12 § -6 Standards; certification. (a) No person may be
13 appointed as a law enforcement officer unless the person:

14 (1) Has satisfactorily completed a basic program of law
15 enforcement training approved by the board; and

16 (2) Possesses other qualifications as prescribed by the
17 board for the employment of law enforcement officers,
18 including minimum age, education, physical and mental
19 standards, citizenship, good conduct, moral character,
20 and experience.



1 (b) The board shall issue a certification to an applicant
2 who meets the requirements of subsection (a) or who has
3 satisfactorily completed a program or course of instruction in
4 another jurisdiction that the board deems to be equivalent in
5 content and quality to the requirements of subsection (a).

6 (c) The board may deny or revoke the certification of an
7 applicant or law enforcement officer who fails to meet or
8 maintain the standards required under subsection (a).

9 § -7 **Employment of law enforcement officers.** (a) No
10 person shall be appointed or employed as a law enforcement
11 officer by any county police department, the department of
12 public safety, the department of transportation, or the
13 department of land and natural resources, unless the person
14 possesses a valid certification issued by the board pursuant to
15 section -7(b).

16 (b) This section shall not apply to a person employed on a
17 probationary basis, except that employment on a probationary
18 basis may not exceed the period authorized for probationary
19 employment as determined by the board.

20 § -8 **Revocation or denial of certification.** (a) The
21 board shall adopt rules, pursuant to chapter 91, that establish



1 criteria for the denial, suspension, or revocation of a law
2 enforcement officer's certification, including upon a finding by
3 the board that the law enforcement officer:

4 (1) Knowingly falsified or omitted material information on
5 the law enforcement officer's application for training
6 or certification to the board;

7 (2) Has been convicted at any time of a felony offense
8 under the laws of this State or has been convicted of
9 a federal or out-of-state offense comparable to a
10 felony under the laws of this State; provided that if
11 a law enforcement officer was convicted of a felony
12 before being employed as a law enforcement officer,
13 and the circumstances of the prior felony conviction
14 were fully disclosed to the employer of the law
15 enforcement officer before being hired, the board may
16 revoke certification only with the agreement of the
17 employing law enforcement agency;

18 (3) Interfered with an investigation or action for denial
19 or revocation of certification by:

20 (A) Knowingly making a materially false statement to
21 the board; or



1 (B) In any matter under investigation by or otherwise
 2 before the board, tampering with evidence or
 3 tampering with or intimidating any witness; or

4 (4) Taken other prohibited action as established by the
 5 board, by rule.

6 (b) The board may investigate whether a law enforcement
 7 officer no longer meets the standards for certification under
 8 section -7(a).

9 (c) Any proceeding to revoke a certification shall be
 10 conducted by the board in accordance with chapter 91.

11 § -9 Annual report. No later than twenty days prior to
 12 the convening of each regular session, the board shall submit a
 13 report to the legislature that includes:

- 14 (1) A description of the activities of the board;
- 15 (2) An accounting of the expenditures from the law
 16 enforcement standards board special fund in the
 17 previous fiscal year and the remaining balance of the
 18 fund; and

19 (3) Recommended legislation, if any.

20 SECTION 3. There is appropriated out of the general
 21 revenues of the State of Hawaii the sum of \$ or so much



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1 thereof as may be necessary for fiscal year 2018-2019 for
2 deposit into the law enforcement standards board special fund.

3 SECTION 4. There is appropriated out of the law
4 enforcement standards board special fund the sum of \$ or
5 so much thereof as may be necessary for fiscal year 2018-2019
6 for the purposes of this Act.

7 The sum appropriated shall be expended by the department of
8 the attorney general for the purposes of this Act.

9 SECTION 5. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 6. This Act shall take effect on July 1, 2018;
13 provided that the prohibition against the employment of
14 noncertificated law enforcement officers established under
15 section -7 in section 2 of this Act shall take effect on
16 July 1, 2019.

17

INTRODUCED BY: _____



JAN 19 2018



H.B. NO. 2071

Report Title:

Law Enforcement Standards Board; Police; Special Fund;
Regulation; Appropriation

Description:

Establishes a law enforcement standards board for the certification of county police officers, state public safety officers, and employees of the departments of transportation and land and natural resources with police powers. Establishes the law enforcement standards board special fund. Appropriates funds.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.



HB 2071

TESTIMONY

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

ROBERT K. MASUDA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committee on
LABOR AND PUBLIC EMPLOYMENT**

**Thursday, February 1, 2018
9:00 AM
State Capitol, Conference Room 309**

**In consideration of
HOUSE BILL 2071
RELATING TO LAW ENFORCEMENT**

House Bill 2071 proposes to establish a law enforcement standards board for the certification of county police officers, state public safety officers and employees of the Department of Transportation and Department of Land and Natural Resources (Department) with police powers. **The Department of Land and Natural Resources (Department) supports this bill, provided that its passage does not replace or adversely impact priorities indicated in the Executive Supplemental Budget request.**

The Department believes that collaboration amongst law enforcement agencies and the other proposed members of this board to create standards pertaining to training and certification of law enforcement officers is a positive step. The Department supports consistency of training and other standards to be employed as a law enforcement officer in Hawaii.

Thank you for the opportunity to testify on this measure.



Testimony by:
JADE T. BUTAY
INTERIM DIRECTOR

Deputy Directors
ROY CATALANI
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO:

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 1, 2018
9:00 a.m.
State Capitol, Room 309

HOUSE BILL 2071
RELATING TO LAW ENFORCEMENT

House Committee on Labor and Public Employment

The Department of Transportation (DOT) **supports** House Bill 2071, Relating to Law Enforcement.

The purpose of House Bill No. 2071 is to establish a law enforcement standards board for the certification of county police officers, safety public officers, and employees of the department of transportation and land and natural resources with police powers.

The DOT recognizes that currently the law enforcement profession is faced with many complex situations, integrity challenges, and a multitude of new criminal elements (i.e., insider threat, active shooters, terrorism, etc.) and techniques (diversion of law enforcement response teams to determine response time and methods). To address these new developments many law enforcement agencies rely on outdated standards and certification processes, policies and procedures, rules and regulations and recruitment and training standards. Many law enforcement agencies do not have consistent standards and certifiable processes, which are essential to minimize vicarious liability to the State of Hawaii.

To this end, the DOT acknowledges that "best practices" for law enforcement occupation requires the development and establishment of comprehensive entry level minimal qualification standards along with congruent certifiable screening of applicant's knowledge, skills and abilities, testing (physical fitness), evaluation (mental stability), background checks for previous work performance history, reference checks to determine if administrative misconducts were substantiated and criminal convictions (Lautenberg Amendment Federal Gun Ban on Misdemeanor Domestic Violence Convictions) of all qualified applicants for state law enforcement positions. Internal controls must also be developed to ensure fair and equitable application of these standards by the various agencies.

The DOT looks forward to being part of the proposed law enforcement working group and recommends that as one of our immediate responsibilities is to conduct research into the Commission on Accreditation for Law Enforcement Agencies (CALEA) program, as they have developed and established processes, bench marks, and standards specifically for national law enforcement agencies, which demonstrates that the law enforcement services provided to the public is enhanced and improved to meet societal expectations.

The DOT recommends that House Bill No. 2071 (page 2, line 18) be amended as follows:

The purpose of this Act is to establish a law enforcement standards board for the certification of ~~[county police officers,]~~ state public safety officers and employees of transportation, ~~[and]~~ land and natural resources, department of taxation and department of the attorney general with police powers.

Thank you for the opportunity to provide testimony.

TESTIMONY OF THE HAWAI`I POLICE DEPARTMENT

HOUSE BILL 2071

RELATING TO LAW ENFORCEMENT

BEFORE THE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

DATE : Friday, February 1, 2018
TIME : 9:00 A.M.
PLACE : Conference Room 309
State Capitol
415 South Beretania Street

PERSON TESTIFYING:

Police Chief Paul K. Ferreira
Hawai`i Police Department
County of Hawai`i

(Written Testimony Only)

Harry Kim
Mayor



Paul K. Ferreira
Police Chief

Kenneth Bugado Jr.
Deputy Police Chief

County of Hawai'i

POLICE DEPARTMENT

349 Kapi'olani Street • Hilo, Hawai'i 96720-3998
(808) 935-3311 • Fax (808) 961-2389

January 30, 2018

Representative Aaron Ling Johanson
Chairperson and Committee Members
Committee On Labor & Public Employment
415 South Beretania Street, Room 309
Honolulu, Hawai'i 96813

RE: HOUSE BILL 2071, RELATING TO LAW ENFORCEMENT

Dear Representative Johanson:

The Hawai'i Police Department opposes House Bill 2071, with its purpose being to establish a law enforcement standards board for the certification of county police officers, state public safety officers, and employees of the departments of transportation and land and natural resources with police powers.

Our concern is geared toward the view that this extra layer of Bureaucratic oversight is contrary to the notion of Home Rule. Additionally, the premise of comparing past enacted legislation involving the need for training and standards for Security Guards to the need for same regarding County Law Enforcement Agencies is quite a stretch. The mandatory training of security guards as set forth by §463-10.5 of the Hawaii Revised Statutes as amended requires an initial 8-hour course and 4 hours annually thereafter.

First of all, the Hawai'i Police Department and the other three County Police Departments are nationally recognized fully accredited Law Enforcement Agencies (LEA) through the Commission on Accreditation for Law Enforcement Agencies (CALEA®). In order for any agency to gain this accreditation, they must conform to prescribed standards with appropriate policies and procedural adherence and provide for proof of adherence during on-site assessments conducted by CALEA.

These standards cover all aspects of training, to include but are not limited to entry level recruit training, reserve officer training and specialized training in the area of weapons and tactics used by Special Response Teams and Crisis Negotiators; use of force training that include annual reviews of the use of force by the agency to identify needs and recommendations for training equipment and to identify future needs for remedial and specialized training. There are also annual audits and reviews of evidence and property storage, inspections of funding and control funds, annual reviews of agency needs based on quarterly/annual/triennial reports on issues concerning liability, workload assessments and managing of all resources.

Representative Aaron Ling Johanson

RE: HOUSE BILL 2071, RELATING TO LAW ENFORCEMENT

Page 2

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Additional mandates include reviews of all aspects of criminal report writing; evidence collection and preservation; latent fingerprinting and forensic identity of crime scene evidence; collection, preservation and identification of Crime Lab evidence; and evidence specialists and training concerning DNA evidence and identification. Annual trainings are required for use of force, hazard plans, critical incidents, ethics, bias-based profiling and law updates. Furthermore, standards require annual reviews of policies and procedures that reinforce and improve crime prevention, community involvement, and strengthen agency mission and vision statements in an effort to decrease risk and liability.

To ensure conformance, the Hawaii Police Department undergoes an independent onsite assessment by the CALEA every four years and a web based assessment during the other three years in which proof of compliance to applicable standards must be shown. Each year the Police Chief submits a yearly assessment report that is used in evaluating the agency's commitment to accreditation and to identify future assessment review issues. Having an independent assessment places a high value on the accreditation for the agency as it opens the doors for independent scrutiny. No other commission places such a microscopic evaluation on a law enforcement agency. Being an accredited agency is the difference between professionalism and claiming to be professional.

In 2015, the Hawai`i Police Department's classroom training for newly hired sworn personnel consisted of 999 hours. For comparative purposes, the Los Angeles Police Department's (LAPD) Police Officer Standards Training (POST) consists of 920 hours; the Los Angeles County Sheriff's Department (LASD) POST classroom training consists of 856 hours; the state of Washington's POST training set forth by the Washington State Criminal Justice Training Commission (Washington State CJTC) consists of 720 classroom hours.

The Hawai`i Police Department's training also calls for approximately 672 hours of "On The Job" training (OJT) in which newly hired sworn officers are paired up with experienced officers and are evaluated during this period and must pass the OJT portion of the training prior to being allowed to work in the field alone as fully commissioned Police Officers.

The act of revoking an officer's certification in Hawai`i is actually stronger than in some other states as once an officer is fired from a County law enforcement agency, that officer no longer has police authority in the entire state. Furthermore, the Hawai`i Police Department does not accept direct transfers from other State Law Enforcement Agencies. Officers who are currently serving in another State and who desire employment with our department are required to undergo our entire Recruit Training process. It should be noted that we do lose officers to other States and that many of these officers do not have to re-start the training process from scratch in many of the other States as our Training and attendant records are widely accepted by other jurisdictions.

This bill seemingly fails to take into account that all Law Enforcement Agencies in the state are under constant monitoring for conforming to modern methods of policing, whether it is through review in criminal courts and/or through civil court filings. Further, the fact that all four County Police Departments have already sought and gained voluntary national accreditation seemingly ensures we are following applicable standards based on sound policies.

Representative Aaron Ling Johanson

RE: HOUSE BILL 2071, RELATING TO LAW ENFORCEMENT

Page 2

January 30, 2018

It is for these reasons we urge this committee **not to approve this legislation.**

Thank you for allowing the Hawai`i Police Department to provide comments relating to House Bill 2071.

Sincerely,

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

PAUL K. FERREIRA
POLICE CHIEF

HB-2071

Submitted on: 1/31/2018 9:26:14 AM

Testimony for LAB on 2/1/2018 9:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|--------------------------|---------------------------|---------------------------|
| Darnella Villanueva | Hawaii Police Department | Oppose | No |

Comments:

Submitted on behalf of Hawaii Police Department Police Chief Paul K. Ferreira

HB-2071

Submitted on: 1/31/2018 11:49:48 AM

Testimony for LAB on 2/1/2018 9:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|------------------------|---------------------------|---------------------------|
| Victor K. Ramos | Maui Police Department | Oppose | No |

Comments:

HB-2071

Submitted on: 1/30/2018 7:24:38 PM

Testimony for LAB on 2/1/2018 9:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Alan Urasaki | | Support | No |

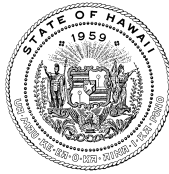
Comments:

In support.

HB 2071

**LATE
TESTIMONY**

DAVID Y. IGE
GOVERNOR



LAUREL A. JOHNSTON
ACTING DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

**STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE**

P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY

TESTIMONY BY LAUREL A. JOHNSTON
ACTING DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT
ON
HOUSE BILL NO. 2071

**February 1, 2018
9:00 a.m.
Room 309**

LATE

RELATING TO LAW ENFORCEMENT

House Bill No. 2071 establishes a Law Enforcement Standards Board (LESB) for certification of law enforcement officers, the LESB Special Fund to defray the expenses of the LESB, appropriates an unspecified amount of general funds for FY 19 to be deposited into the LESB Special Fund, and an unspecified special fund appropriation.

While the Department of Budget and Finance takes no position on the State certification of law enforcement officers, 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 House Bill No. 2071, the special fund does not meet the criteria of Section 37-52.3, HRS.

Thank you for your consideration of our comments.

DAVID Y. IGE
GOVERNOR



NOLAN P. ESPINDA
DIRECTOR

Cathy Ross
Deputy Director
Administration

Jodie F. Maesaka-Hirata
Deputy Director
Corrections

Renee R. Sonobe Hong
Deputy Director
Law Enforcement

LATE

STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

No. _____

TESTIMONY ON HOUSE BILL 2071
RELATING TO LAW ENFORCEMENT

by

Nolan P. Espinda, Director
Department of Public Safety

House Committee on Labor and Public Employment
Representative Aaron Ling Johanson, Chair
Representative Daniel Holt, Vice Chair

Thursday, February 1, 2017; 9:00 a.m.
State Capitol, Conference Room 309

Chair Johanson, Vice Chair Holt, and Members of the Committee:

The Department of Public Safety (PSD) **supports the intent** of House Bill (HB) 2071, which would establish a law enforcement standards board for the certification of law enforcement officers and training, and further, create a law enforcement standards board special fund. PSD, however, offers comments of concern.

Sections 7 and 8, on pages 9 – 11, address revocation or suspension of certifications and investigations. The Department notes that any provisions of this proposed bill should not violate or be inconsistent with the law enforcement officers' collective bargaining agreement, which is BU 14 for deputy sheriffs and BU 13 for Narcotics Enforcement Investigators and Internal Affairs Investigators, under PSD.

Thank you for the opportunity to present this testimony.