

**SB-2047-SD-1**

Submitted on: 2/27/2018 11:41:52 AM

Testimony for WAM on 2/28/2018 11:00:00 AM



Submitted By	Organization	Testifier Position	Present at Hearing
kelli keawe	Individual	Support	Yes

Comments:

Dear Chair Dela Cruz, Vice-Chair Keith-Agaran and Members of the Committee,

I strongly **support SB2047** and welcome a thorough audit within the Department of Public Safety, included Hawaii Paroling Authority, (attach to Public Safety).

The Director and his appointed Administrators of the Department has a sworn duty, to uphold justice and public safety, on behalf of our citizens, community and taxpayers. We all should welcome the audit/auditor or an outside independent auditor to move forward. Only an auditor will be able to identify the discrepancies, any mismanagement and/or important issues, training where we are terribly lacking within the department and to be able to suggest and/or take the necessary corrective actions, fiscal responsibility with taxpayers dollars, ensure inmates basic human rights and civil liberties (e.g. medical, medication and mental healthcare, etc.) to uphold the mission statement; professionalism, integrity and fairness.

As a HGEA Steward, I received multiple complaints and concerns by government employees; the members. Inappropriately (mishandling) of their complaints, raise concerns and violate employees civil rights, through the Department Civil Rights Compliance Office (CRCO) and Internal Affairs (IA), to the integrity of employees job classification, minimal to no experience "promotions", out of control spending, qualification of staffing within our parole offices and correctional facilities; including but not limited to the medical unit, conflict of interest, favoritism, positions held by unqualified employees and/or supervisors, abuse of position, use of non-legal names, and some employees holding multiple positions within the Department of Public Safety.

I'm also a victim, I don't believe the amount requested would cover the audit, This bill is necessary. (unable to submit, attachments at this time)

Ms. Kelli Keawe



**LATE**

Committee: Senate Committee on Ways and Means  
Hearing Date/Time: Wednesday February 28, 2018, 11:00 a.m.  
Place: Conference Room 211  
Re: Testimony of the ACLU of Hawai'i in **Support** of S.B. 2047  
Relating to Public Safety

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Committee Members:


The American Civil Liberties Union of Hawai'i ("**ACLU of Hawai'i**") writes in **support** of S.B. 2047, which requires the legislative auditor to conduct a performance audit of certain offices and programs within the Department of Public Safety.

In 2017, the ACLU of Hawai'i filed a complaint with the Department of Justice relating to the inhumane treatment of both prisoners and pre-trial detainees in Hawai'i's jails and prisons. All of the issues raised in the complaint stem from the crisis of overcrowding we have in our correctional facilities, which we believe in some cases rises to the level of cruel and unusual punishment of inmates and the denial of substantive due process rights to pre-trial detainees.

The information the auditor will provide if this bill passes will help shine a light on these deficiencies and better enable us to solve the constitutional and practical problems they present. Additionally, by providing the cost per inmate of incarceration, policymakers and the public will be able to make more informed decisions about how much over-incarceration truly costs and how less expensive and more effective alternatives to incarceration will better serve the public as a whole.

The ACLU of Hawai'i supports S.B. 2047 and asks that your committee pass it without amendments.

Thank you for the opportunity to testify.

Sincerely,  
  
Mateo Caballero  
Legal Director  
ACLU of Hawai'i

*The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving Hawai'i for 50 years.*

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**LATE**

**SB-2047-SD-1**

Submitted on: 2/28/2018 10:36:30 AM

Testimony for WAM on 2/28/2018 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Patrick "Rick" De Costa	Individual	Oppose	No

Comments:

TESTIMONY ON SENATE BILL 2047 RELATING TO PUBLIC SAFETY

By: Patrick "Rick" De Costa

Wednesday, February 28, 2018, 11:00 a.m.

Chair Dela Cruz, Vice-Chair Keith-Agaran, and Committee Members:

I offer testimony in opposition to Senate Bill 2047 in its current form solely as an individual and not as an official representative of the Department of Public Safety (PSD), where I am employed as a Civil Rights Specialist in the Civil Rights Compliance Office (CRCO).

My stated opposition concerns only the groundless inclusion of CRCO in the bill and I offer no opinion on the remainder of the bill.

Since CRCO handles employee—not inmate—equal employment opportunity and related matters, only the first two items in the proposed audit would apply to our office: "Hiring, staffing, and supervisory policies and practices..." and "Handling and disposition of internal complaints made and lawsuits filed by...employees."

All current employees of CRCO were thoroughly screened for their qualifications by the State Department of Human Resources Development—not PSD. We were all hired "off the street" without any PSD experience or familial or personal connections to PSD.

All internal complainants have the right to file their complaint either separately, concurrently, or post-investigation with the appropriate independent public bodies regulating equal employment opportunity matters: the Hawaii Civil Rights Commission (HCRC), and the federal Equal Employment Opportunity Commission (EEOC). Complainants are reminded of this right including in the written notification they receive at the conclusion of the investigation. HCRC and EEOC act in effect as appellate bodies reviewing any CRCO investigative findings with which a complainant disagrees.

At no time during my three-and-a-half-year tenure in CRCO has either HCRC or EEOC determined that a CRCO investigation was improperly handled, or that CRCO had improperly found an internal complaint to be unsubstantiated. HCRC and EEOC have approved all of our findings submitted to them and therefore taken no legal action against CRCO or PSD, despite the fact that they need only “reasonable cause” (a lower standard of proof than even the “preponderance of the evidence” needed in a civil trial) to proceed.

Thus, the inclusion of CRCO in SB 2047 is both groundless and duplicative of DHRD, HCRC and EEOC efforts, and therefore a needless waste of taxpayer money.

Thank you for your consideration of my testimony.