

DAVID Y. IGE
GOVERNOR

DOUGLAS S. CHIN
LIEUTENANT GOVERNOR



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STATE OF HAWAII
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To: The Honorable Brian T. Taniguchi, Chair
and Members of the Senate Committee on Judiciary

Date: Thursday, March 1, 2018
Time: 10:00 A.M.
Place: Conference Room 016, State Capitol

From: Linda Chu Takayama, Director
Department of Taxation

Re: S.B. 2427, S.D. 1, Relating to Law Enforcement

The Department of Taxation (Department) offers the following comments on S.B. 2427, S.D. 1, for the Committee's consideration.

S.B. 2427, S.D. 1, requires the Governor to appoint a law enforcement working group to recommend state-wide recruitment, hiring, and training standards for law enforcement officers who carry firearms and badges and who have arrest authority. The bill requires the Department's Compliance Division to be represented on the working group. S.B. 2427, S.D. 1, also prohibits a law enforcement officer who has been terminated for misconduct from being hired by another law enforcement agency.

The Department defers to other agencies regarding the prohibition on hiring law enforcement officers terminated for misconduct. Regarding the proposed working group, the Department is able and willing to participate in the working group.

Thank you for the opportunity to provide comments.

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 Senate Committee on
JUDICIARY**

**Thursday, March 1, 2018
10:00 AM
State Capitol, Conference Room 016**

**In consideration of
SENATE BILL 2427, SENATE DRAFT 1
RELATING TO LAW ENFORCEMENT**

Senate Bill 2427, Senate Draft 1 proposes to create a temporary law enforcement working group to make recommendations to the Legislature on establishing professional recruitment, hiring, and training standards for all state law enforcement officers. **The Department of Land and Natural Resources (Department) supports this measure that seeks to improve efficiency in hiring of law enforcement personnel within state government.**

The Department believes that collaboration amongst law enforcement agencies to create standards pertaining to recruitment, hiring and training is a positive step.

The Department defers to the Department of Public Safety as to the feasibility of establishing this proposed working group within the Department of Public Safety.

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

NOLAN P. ESPINDA
DIRECTOR

Cathy Ross
Deputy Director
Administration

Jodie F. Maesaka-Hirata
Deputy Director
Corrections

Renee R. Sonobe Hong
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 2427, SENATE DRAFT 1
RELATING TO LAW ENFORCEMENT

by

Nolan P. Espinda, Director
Department of Public Safety

Senate Committee on Judiciary
Senator Brian T. Taniguchi, Chair
Senator Karl Rhoads, Vice Chair

Thursday, March 1, 2018; 1:00 p.m.
State Capitol, Conference Room 016

Chair Taniguchi, Vice Chair Rhoads, and Members of the Committee:

The Department of Public Safety (PSD) **supports the intent** of Senate Bill (SB) 2427, Senate Draft (SD) 1, which would: 1) create a temporary law enforcement working group to make recommendations to the legislature on recruitment, hiring, and training standards for all law enforcement officers; 2) prohibit law enforcement officers who have been terminated for misconduct by a state or county department, agency, or office, in the capacity of law enforcement, from being hired by another state or county law enforcement department or agency; and 3) mandate that the Department of the Attorney General maintain such a list of all law enforcement officers terminated or forced to resign for such misconduct. PSD offers the following comments.

Any list of law enforcement officers terminated or forced to resign should consider the situation in which a law enforcement officer is reinstated through the collective bargaining or legal process.

Testimony on SB 2427, SD1
Senate Committee on Judiciary
March 1, 2018
Page 2

PSD is further aware that there is a separate measure proposing to consolidate State law enforcement agencies under the Department of the Attorney General, which our department recommended be deferred. Under SB 2427, SD1, It may be more appropriate for this working group to be attached to the Department of the Attorney General, which would be responsible for maintaining the list of terminated law enforcement officers.

Thank you for the opportunity to present this testimony.

SB-2427-SD-1

Submitted on: 2/27/2018 9:18:20 PM

Testimony for JDC on 3/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Polk	Individual	Support	No

Comments:

I am in strong support of SB2427 to standardize training for all law enforcement officers throughout the state and prohibit the hiring of any officer dismissed for cause by any other state agency.

Times have changed and Hawaii has not changed with them by requiring higher standards of our law enforcement personnel.

Please pass SB2427.

SB-2427-SD-1

Submitted on: 2/28/2018 3:01:48 AM

Testimony for JDC on 3/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for OCC Legislative Priorities Committee, Democratic Party of Hawai'i	Support	No

Comments:

**PRESENTATION OF THE
OAHU COUNTY COMMITTEE ON LEGISLATIVE PRIORITIES
DEMOCRATIC PARTY OF HAWAI'I
TO THE COMMITTEE ON JUDICIARY
THE SENATE
TWENTY-NINTH LEGISLATURE
REGULAR SESSION OF 2018
Thursday, March 1, 2018
10:00 A.M.
Hawaii State Capitol, Conference Room 016**

RE: Testimony in Support of **SB2427 SD1**, RELATING TO LAW ENFORCEMENT

To the Honorable Brian T. Taniguchi, Chair; the Honorable Karl Rhoads, Vice-Chair, and Members of the Committee on Judiciary:

Good morning, my name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") Legislative Priorities Committee of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on Senate Bill No. **2427 SD1**, relating to Law Enforcement; Working Group; Misconduct; and Termination.

The OCC Legislative Priorities Committee is in favor of Senate Bill No. **2427 SD1** and support its passage.

Senate Bill No. **2427SD1** is in alignment with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it creates a temporary law enforcement working group to make recommendations to the legislature on establishing professional recruitment, hiring, and training standards for all state law enforcement officers who carry firearms and badges and who have arrest authority and prohibits a law enforcement officer who has been terminated for misconduct by a state or county department, agency, or office in the capacity of law enforcement from being hired by another state or county law enforcement department, agency, or office.

Specifically, the DPH Platform states, "We believe in a government that will adequately, efficiently, courteously, openly, ethically and fairly administer to the needs of the people. (Platform of the DPH, P. 5, Lines 245-246 (2016)).

We believe that all families should have an equal opportunity to build their assets and become self-sufficient; and we support a strong safety net of programs that will afford them the opportunity to do so. We must protect our children, our future, from violence and neglect and provide them with a safe and healthy environment in which to grow and thrive. (Platform of the DPH, P. 4, Lines 184-187(2016)).

Given that Senate Bill No. **2427 SD1** creates a temporary law enforcement working group to make recommendations to the legislature on establishing professional recruitment, hiring, and training standards for all state law enforcement officers who carry firearms and badges and who have arrest authority and prohibits a law enforcement officer who has been terminated for misconduct by a state or county department, agency, or office in the capacity of law enforcement from being hired by another state or county law enforcement department, agency, or office, it is the position of the OCC Legislative Committee to support this measure.

Thank you very much for your kind consideration.

Sincerely yours,

/s/ Melodie Aduja

Melodie Aduja, Chair, OCC Legislative Priorities Committee

Email: legislativepriorities@gmail.com, Tel.: (808) 258-8889



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

March 1, 2018
10:00 a.m.
State Capitol, Room 016

S.B. 2427, S.D. 1
RELATING TO LAW ENFORCEMENT

Senate Committee on Judiciary

The Department of Transportation (DOT) **supports** S.B. 2427, S.D. 1, Relating to Law Enforcement and requests an amendment providing that DOT be represented by single representative (rather than two representatives as currently provided in this bill).

The DOT agrees with the bill's purpose to create a governor-appointed "law enforcement working group to recommend professional recruitment, hiring, and training standards for all state law enforcement officers who carry firearms and badges and who have arrest authority" and to "prohibit a law enforcement officer who has been terminated for misconduct by a state or county department, agency, or office in the capacity of law enforcement from being hired by another state or county law enforcement department, agency, or office." 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), and background checks for previous work performance history, administrative findings of misconduct and criminal convictions.

The DOT respectfully requests that page 4, lines 4, 5, 6, and 7, be amended to limit DOT to a single representative as follows:

~~"(3) A representative of the harbors division of the department of transportation;~~

~~"(4) A representative of the airports division of the department of transportation;"~~

This designation of single representatives from the DOT is particularly appropriate under the Special Project approved on July 14, 2017 by Governor Ige, pursuant to Hawaii Revised Statutes, Section 76-11.6, which authorized a five (5) year Special Project to establish an Office of Security and Law Enforcement reporting to the Director of DOT. This DOT office will, among other things, improve security and law enforcement under a single program entity.

Thank you for the opportunity to provide testimony.