



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

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

No. _____

TESTIMONY ON SENATE BILL 2427
RELATING TO LAW ENFORCEMENT

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 1, 2018; 1:35 p.m.
State Capitol, Conference Room 229

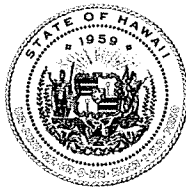
Chair Nishihara, Vice Chair Wakai, and Members of the Committee:

The Department of Public Safety (PSD) **supports the intent** of Senate Bill (SB) 2427, 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.

First, on page 3, line 18, the proposed working group should consist of "the Director of the Department of Public Safety or the Director's designee" rather than the State Sheriff. PSD's law enforcement officers include Deputy Sheriffs, Narcotics Enforcement Division Investigators, and Internal Affairs Office Investigators.

Second, any list of law enforcement officers terminated or forced to resign should consider the situation where a law enforcement officer is reinstated through the collective bargaining or legal process.

Thank you for the opportunity to present this testimony.



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
1:35 p.m.
State Capitol, Conference Room #229

S.B. 2427
RELATING TO LAW ENFORCEMENT

Senate Committee on Public Safety, Intergovernmental and Military Affairs

The Department of Transportation (DOT) **supports** Senate Bill No. 2427, Relating to Law Enforcement.

The intent of Senate Bill No. 2427 is to create cost savings, efficiencies in operations, and consistency in hiring of law enforcement personnel within state government, as well as to establish statewide standards and certification processes to improve law enforcement personnel.

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 is 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.

Thank you for the opportunity to provide testimony.

DAVID Y. IGE
GOVERNOR

SHAN S. TSUTSUI
LIEUTENANT GOVERNOR



LINDA CHU TAKAYAMA
DIRECTOR

DAMIEN A. ELEFANTE
DEPUTY DIRECTOR

**STATE OF HAWAII
DEPARTMENT OF TAXATION**

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To: The Honorable Clarence K. Nishihara, Chair
and Members of the Senate Committee on Public Safety, Intergovernmental, and
Military Affairs

Date: Thursday, February 1, 2018
Time: 1:35 P.M.
Place: Conference Room 229, State Capitol

From: Linda Chu Takayama, Director
Department of Taxation

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

The Department of Taxation (Department) offers the following comments on S.B. 2427 for the committee's consideration.

S.B. 2427 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 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**

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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
PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS**

**Thursday, February 1, 2018
1:35 PM
State Capitol, Conference Room 229**

**In consideration of
SENATE BILL 2427
RELATING TO LAW ENFORCEMENT**

Senate Bill 2427 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) offers comments on this measure.**

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 testify on this measure.

SB-2427

Submitted on: 1/29/2018 12:05:41 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

SB-2427

Submitted on: 1/29/2018 1:53:55 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Stephen Orikasa	Maui Police Department	Comments	No

Comments:

The concept of the working group is great, although there is no representation in the working group from County Police Departments. County Police departments are the main law enforcement day to day on the streets, and have provided training and certifications of their officers throughout the years. Often the County Police Departments are called upon to provide guidance and assistance to other government law enforcement agencies.

If created, the County Police Departments need to be involved as they currently have rigorous standards which are consistent among each other. All County Police Departments have received accreditation by the Commission on Accreditation for Law Enforcement Agencies (CALEA) and strive to maintain these high standards.

Over the years some of the County Police Departments have also provided training for new officers & deputies for the State of Hawaii Sheriffs and DLNR.

Another consideration to this is to implement a Police Officer Standardized Testing (POST) certification, which many of the states already use.

SB-2427

Submitted on: 1/30/2018 7:01:06 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

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

Comments:

In support of this bill.

Mahalo.