

Charlotte A. Carter-Yamauchi
Director

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LEGISLATIVE REFERENCE BUREAU
State of Hawaii
State Capitol, Room 446
415 S. Beretania Street
Honolulu, Hawaii 96813

Written Comments

SB2909, SD2, HD1
RELATING TO LAW ENFORCEMENT

Charlotte A. Carter-Yamauchi, Director
Legislative Reference Bureau

Presented to the House Committee on Finance

Wednesday, March 28, 2018, 4:00 p.m.
Conference Room 308

Chair Luke and Members of the Committee:

Good afternoon Chair Luke and members of the Committee, my name is Charlotte Carter-Yamauchi and I am the Director of the Legislative Reference Bureau. Thank you for providing the opportunity to submit written testimony on Senate Bill No. 2909, S.D. 2, H.D. 1, Relating to Law Enforcement.

The purpose of this measure is to require the Legislative Reference Bureau to conduct a study that examines consolidating the law enforcement activities and responsibilities of various state divisions and agencies under a single, centralized state enforcement division or agency.

Specifically, the measure requires the Bureau to examine the following areas related to consolidation:

- (1) Start-up and other costs;
- (2) Cost-savings;
- (3) Regulatory efficiencies;
- (4) Structure of consolidation; and

- (5) Operational, administrative, financial, personnel, legal, and other issues associated with consolidation.

The measure also requires the Bureau to seek input from the Department of the Attorney General; Department of Land and Natural Resources Division of Conservation and Resources Enforcement; Department of Public Safety Narcotics Enforcement Division; and Department of Transportation Harbors Division, and submit its report and any proposed legislation to the Legislature no later than twenty days before the convening of the 2019 Regular Session.

The Bureau takes no position on this measure, but submits the following comments for your consideration.

As a general matter, the Bureau sees no obstacle to conducting such a study if it were provided with a sufficient amount of funds and time to do so. However, given the number of different entities that would need to be assessed and evaluated, the approximate six-month timeframe provided to the Bureau to deliver the report is far too short. In addition to each agency having unique enforcement responsibilities, each law enforcement agency also has multiple physical locations across the State. All would need to be identified and evaluated separately to determine their relevance, role, and cost in the context of a reorganized law enforcement administrative structure. Considerable attention would also need to be paid to crafting recommendations for implementing any proposed organizational changes.

Furthermore, as the Committee is well aware, the law enforcement challenges faced by Hawaii have grown significantly in a post 9/11 environment, the heightened probability of active shooter scenarios, the spreading opioid epidemic, and increasing pressure from invasive species. All these issues would need to be included in a study of a law enforcement agency reorganization and in consideration of how the restructured law enforcement agency would coordinate efforts to implement the diverse and wide-ranging policies related to these issues.

The Bureau would also point out that, given the breadth and diversity of issues to be examined, individual agency expertise would be able to present a more thorough and developed analysis in a shorter timeframe in comparison to the Bureau conducting its own organic research. To this end, the Bureau believes that the information on operational, administrative, financial, personnel, legal, and other issues associated with consolidation should be directly provided to the Bureau by each affected agency by a specified date, rather than requiring the Bureau to conduct the research to accumulate the information.

In summary, if the Committee decides to recommend passage of this measure, the Bureau requests that at least two years be provided to conduct the study envisioned under this measure, and that each affected law enforcement agency provide to the Bureau, by no

later than July 1, 2019, information on operational, administrative, financial, personnel, legal, and other issues associated with consolidation.

For your convenience, we have attached a proposed draft of the measure that effectuates the recommendations contained in this testimony.

If the measure is amended to address the concerns noted above, the Bureau believes that the services requested under this measure are manageable and that the Bureau will be able to provide the services in the time allotted.

Thank you again for your consideration.

Attachment

A BILL FOR AN ACT

RELATING TO LAW ENFORCEMENT.

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

1 SECTION 1. (a) The legislative reference bureau shall
2 conduct a study that examines consolidating the law enforcement
3 activities and responsibilities of various state divisions and
4 agencies under a single, centralized state enforcement division
5 or agency.

6 (b) The study shall examine the following areas related to
7 consolidation:

8 (1) Start-up and other costs;

9 (2) Cost-savings;

10 (3) Regulatory efficiencies;

11 (4) Structure of consolidation; and

12 (5) Operational, administrative, financial, personnel,
13 legal, and other issues associated with consolidation.

14 (c) The department of the attorney general; department of
15 land and natural resources division of conservation and

16 resources enforcement; department of public safety narcotics

17 enforcement division; and department of transportation harbors



1 division, shall each provide the legislative reference bureau
2 with:

- 3 (1) A complete list and description of its respective
4 enforcement responsibilities, including a list of all
5 laws that are within its enforcement jurisdiction;
- 6 (2) Law enforcement certification requirements and costs
7 associated with certification and training;
- 8 (3) A report of the law enforcement agency's annual
9 operating and capital budgets for the past five fiscal
10 years, including:
 - 11 (A) Personnel counts, job descriptions, and employee
12 assignments, by county;
 - 13 (B) The means of financing for each program; and
 - 14 (C) Whether any of the means of financing mechanisms
15 would be jeopardized due to restrictions on the
16 use of funds by the federal government, if the
17 law enforcement agency's functions were
18 transferred to another department;
- 19 (4) An organizational chart of the law enforcement
20 agency's law enforcement functions;



1 (5) A complete list and description of the law enforcement
2 agency's physical locations across the State, which
3 shall include information on any costs associated with
4 the leasing or rental of real property; and

5 (6) A description of the law enforcement agency's unique
6 enforcement needs and challenges, including the
7 challenges it has experienced or foresees when
8 interacting with other law enforcement agencies and a
9 description of how it has addressed, or
10 recommendations on how to address, these needs or
11 challenges in meeting its law enforcement mandate.

12 (d) To facilitate the conduct and completion of the study,
13 the department of the attorney general; department of land and
14 natural resources division of conservation and resources
15 enforcement; department of public safety narcotics enforcement
16 division; and department of transportation harbors division,
17 shall provide the information enumerated in subsection (c), and
18 any other information that the legislative reference bureau may
19 require, to the legislative reference bureau by no later than
20 July 1, 2019. The information provided pursuant to this



1 subsection shall be in a format acceptable to the legislative
2 reference bureau.

3 (e) The legislative reference bureau shall submit a report
4 of its findings and recommendations, including any proposed
5 legislation, to the legislature no later than twenty days before
6 the convening of the regular session of 2020.

7 SECTION 2. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$ or so much
9 thereof as may be necessary for fiscal year 2018-2019 for the
10 purposes of this Act.

11 The sum appropriated shall be expended by the legislative
12 reference bureau for the purposes of this Act.

13 SECTION 3. The legislative reference bureau may contract
14 the services of a consultant with the funds appropriated in
15 section 2 of this Act. The contracting of services under this
16 Act shall be exempt from chapter 103D, Hawaii Revised Statutes.

17 SECTION 4. This Act shall take effect on January 1, 2050.



S.B. NO. 2909
S.D. 2
H.D. 2
PROPOSED

Report Title:

Law Enforcement; Study; Legislative Reference Bureau;
Appropriation

Description:

Requires the Legislative Reference Bureau to conduct a study that examines consolidating the law enforcement activities and responsibilities of various state divisions and agencies under a single, centralized state enforcement division or agency. Appropriates funds. Takes effect on 1/1/2050. (SB2909 HD1)

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





**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-NINTH LEGISLATURE, 2018**

ON THE FOLLOWING MEASURE:

S.B. No. 2909, S.D. 2, H.D. 1, RELATING TO LAW ENFORCEMENT.

BEFORE THE:

COMMITTEE ON FINANCE

DATE: Wednesday, March 28, 2018 **TIME:** 4:00 p.m.

LOCATION: State Capitol, Room 308

TESTIFIER(S): Russell A. Suzuki, Acting Attorney General, or
Jeffrey A. Keating, Deputy Attorney General

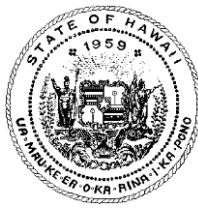
Chair Luke and Members of the Committee:

The Department of the Attorney General ("Department") supports the revised bill that directs the Legislative Reference Bureau ("LRB") to conduct a study examining consolidating the law enforcement activities and responsibilities of various state divisions and agencies under a single, centralized state enforcement division or agency.

We would like to thank the Committees for listening to the concerns of our Department, the Department of Public Safety, Department of Land and Natural Resources, and the Department of Transportation, in ordering this further assessment.

Based upon the above, we support the bill in its current form and look forward to providing our input to the LRB.

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 2909, SENATE DRAFT 2, HOUSE DRAFT 1
RELATING TO LAW ENFORCEMENT

By

Nolan P. Espinda, Director
Department of Public Safety

House Committee on Finance
Representative Sylvia Luke, Chair
Representative Ty J.K. Cullen, Vice Chair

Wednesday, March 28, 2018; 4:00 p.m.
State Capitol, Conference Room 308

Chair Luke, Vice Chair Cullen, and Members of the Committee:

The Department of Public Safety (PSD) **supports the intent**, but offers comment on Senate Bill (SB) 2909, Senate Draft (SD) 2, House Draft (HD) 1, which would require the Legislative Reference Bureau to conduct a study that examines the consolidation of the law enforcement activities and responsibilities of various state divisions and agencies under a single, centralized state enforcement division or agency. The measure would also provide funds to do so.

PSD appreciates that the Legislature is willing to conduct a study to evaluate the consolidation of state law enforcement, including but not limited to operational, financial, personnel, and legal issues, and the many and varied federal, state, and county statutes, rules, and regulations affecting each individual agency. While there is definitely a core of minimum qualifications and training which should be common to all law enforcement, each agency is also unique to its own function and mission.

Thank you for the opportunity to present this 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
FINANCE**

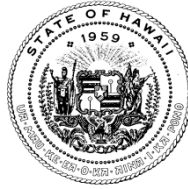
**Wednesday, March 28, 2018
4:00 PM
State Capitol, Conference Room 308**

**In consideration of
SENATE BILL 2909, SENATE DRAFT 2, HOUSE DRAFT 1
RELATING TO LAW ENFORCEMENT**

Senate Bill 2909, Senate Draft 2, House Draft 1 proposes to require the Legislative Reference Bureau to conduct a study that examines consolidating the law enforcement activities and responsibilities of various state divisions and agencies under a single, centralized state law enforcement division or agency. **The Department of Land and Natural Resources (Department) offers the following comments and concern.**

The Department appreciates the Legislature's interest in studying the feasibility of consolidating the State's law enforcement functions under a single, centralized agency. The study may provide information on efficiencies with procurement, training, and other services that may be combined among agencies. However, the critical importance of maintaining separate management within the respective departments to the unique nature of each department's function, authority, and mission must be considered and preserved.

Thank you for the opportunity to comment on this measure.



Testimony for:
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

March 28, 2018
4:00 pm
State Capitol, Room 308

S. B. NO. 2909 SD 2, HD 1
RELATING TO LAW ENFORCEMENT

House Committee on Finance

The Department of Transportation (DOT) has no objections to the current form of S.B. No. 2909 SD 2, HD1 Relating to Law Enforcement.

S.B. No. 2909 SD 2, HD1 requires the Legislative Reference Bureau to conduct a study that examines consolidating the law enforcement activities and responsibilities of various state divisions and agencies under a single, centralized state enforcement division or agency.

The DOT is responsible for Hawaii's airports, harbors and highways. Each of our airports are regulated by the U.S. Department of Homeland Security, Transportation Security Administration (TSA) and required to develop and comply with an Airport Security Plan (ASP), which contains Security Sensitive Information as defined by federal law (49 C.F.R. Part 1520). The ASP requires law enforcement and security personnel to be assigned to secured and non-secured areas of the airport to prevent breaches and introduction of explosive devices and prohibited items into these areas. Any breach to these secured areas requires the immediate evacuation of all passengers, employees, airlines personnel, concessionaires and tenants to protect lives and property. This will result in the delay of flights both departures and arrivals until the areas are inspected and deemed by the TSA to be safe for the movement of people and commerce.

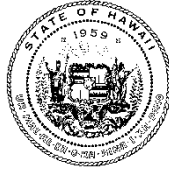
Each of our harbor ports are also regulated by the U.S. Coast Guard (USCG) and required to develop and comply with a Facility Security Plan ("FSP"), which contains Security Sensitive Information. Each FSP has similar requirements to provide for law enforcement and security services to ensure our harbor ports are safe and secure.

To comply with the ASPs and FSPs, the Director has been authorized under Hawaii Revised Statutes, respectively, Section 261-17 for Airports and Section 266-24 for Harbors to commission trained personnel with law enforcement and security powers specific to the designated facility and its premises.

This study will allow the DOT to explain their unique mandated compliance requirements for its airports and harbors.

Thank you for the opportunity to provide testimony.

DAVID Y. IGE
GOVERNOR



SARAH ALLEN
ADMINISTRATOR
MARA SMITH
ASSISTANT ADMINISTRATOR

**STATE OF HAWAII
STATE PROCUREMENT OFFICE**

P.O. Box 119
Honolulu, Hawaii 96810-0119
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Twitter: [@hawaiispo](https://twitter.com/hawaiispo)

**TESTIMONY
OF
SARAH ALLEN, ADMINISTRATOR
STATE PROCUREMENT OFFICE**

**TO THE HOUSE COMMITTEE
ON
FINANCE**

March 28, 2018 4:00 PM

**SENATE BILL 2909, SD2, HD1
RELATING TO LAW ENFORCEMENT**

Chair Luke, Vice-Chair Cullen, and members of the committee, thank you for the opportunity to submit testimony on Senate Bill 2909 SD2, HD1. The State Procurement Office (SPO) supports the intent of the bill and has concerns with the following language:

Page 2, Section 3, lines 16-17 state:

“The contracting of services under this Act shall be exempt from chapter 103D, Hawaii Revised Statutes.”

The SPO respectfully requests this line be deleted. Contracts for consultant services to study the feasibility of consolidating law enforcement activities and responsibilities of various state divisions should be accomplished through a best value request for proposals (RFP) inside of the Procurement Code, where desired attributes and competencies can be defined in weighted evaluation criteria and minimum standards required. Best value is defined as the outcome of any procurement that ensures customer needs are met in the most effective, timely, and economical manner. Finding the best value, then, should be the ultimate goal of every procurement. Further, full and open competition assists the state in price analysis and ensures transparency. Should the services not be procured, the agency should conduct in-depth cost analysis for negotiation purposes and to ensure the total price paid using tax-payers' monies are fair and reasonable.

The Hawaii Public Procurement Code (code) is the single source of public procurement policy to be applied equally and uniformly, while providing fairness, open competition, a level playing field, government disclosure and transparency in the procurement and contracting process vital to good government.

Public procurement's primary objective is to provide everyone equal opportunity to compete for government contracts, to prevent favoritism, collusion, or fraud in awarding of contracts. To legislate that any one entity should be exempt from compliance with both HRS chapter 103D and 103F conveys a sense of disproportionate equality in the law's application.

Exemptions to the code mean that all procurements made with taxpayer monies will not have the same oversight, accountability and transparency requirements mandated by those procurements processes provided in the code. It means that there is no requirement for due diligence, proper planning or consideration of protections for the state in contract terms and conditions, nor are there any set requirements to conduct cost and price analysis and market research or post-award contract management. As such, Agencies can choose whether to compete any procurement or go directly to one contractor. As a result, leveraging economies of scale and cost savings efficiencies found in the consistent application of the procurement code are lost. It also means Agencies are not required to adhere to the code's procurement integrity laws.

The National Association of State Procurement Officials state: "Businesses suffer when there is inconsistency in procurement laws and regulations. Complex, arcane procurement rules of numerous jurisdictions discourage competition by raising the costs to businesses to understand and comply with these different rules. Higher costs are recovered through the prices offered by a smaller pool of competitors, resulting in unnecessarily inflated costs to state and local governments."

When public bodies, are removed from the state's procurement code it results in the harm described above. As these entities create their own procurement rules, businesses are forced to track their various practices. Moreover, a public body often can no longer achieve the benefits of aggregation by using another public body's contract because different state laws and regulations may apply to the various public bodies making compliance more difficult.

Each year new procurement laws are applied to state agencies causing state agency contracts to become more complex and costly, while other public bodies, such as agencies with strong legislative influence, are exempted. Relieving some public bodies from some laws by exempting or excluding them from compliance with a common set of legal requirements creates an imbalance wherein the competitive environment becomes different among the various jurisdictions and the entire procurement process becomes less efficient and costlier for the state and vendors.

Thank you.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Twenty-Ninth Legislature, State of Hawaii
House of Representatives
Committee on Finance

Testimony by
Hawaii Government Employees Association

March 28, 2018

S.B. 2909, S.D.2, H.D. 1 – RELATING TO LAW ENFORCEMENT

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of S.B. 2909, S.D. 2, H.D. 1 which requires the Legislative Reference Bureau to conduct a study that examines consolidating state law enforcement activities and responsibilities under a single, centralized state enforcement division or agency.

While we understand that the original intent of S.B. 2909 represented a significant policy shift from the existing departmental structures, we fully believe the discussion that ensued throughout this legislative session was long overdue and most appropriate to initiate an important conversation on how state law enforcement can best serve the public. We continue to believe that centralization of our state law enforcement functions will ensure consistency in training and uniformity with policies & procedures, as well as create potential opportunities for cross-training and advanced career development. In addition, we anticipate a centralized state law enforcement division will lead to streamlined statewide communications and increased coordinated efforts. However, we fully recognize that a policy change of this magnitude brings logistical questions and considerations, therefore we strongly support the H.D. 1 of S.B. 2909 which requires the Legislative Reference Bureau to conduct a study and examine the feasibility of consolidating state law enforcement functions.

The current department-specific, and oftentimes division-specific, structure is fractured, inconsistent, and cumbersome. We must do more to create a structured environment where our dedicated law enforcement officers can thrive – and that rightly begins with a thorough examination of a centralized agency.

Thank you for the opportunity to testify in strong support of S.B. 2909, S.D. 2, H.D. 1.

Respectfully submitted,

Randy Perreira
Executive Director

SB-2909-HD-1

Submitted on: 3/27/2018 3:53:03 PM

Testimony for FIN on 3/28/2018 4:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i	Support	No

Comments:

Testimony on SB 2909, SD2,HD1 Relating to Law Enforcement

COMMITTEE ON FINANCE
Rep. Silvia Luke, Chair
Rep. Ty J.K. Cullen, Vice Chair

DATE: Wednesday, March 28, 2018

TIME: 4:00 pm

PLACE: Conference Room 308

State Capitol

415 South Beretania Street

I strongly support this bill which would require the Legislative Reference Bureau to conduct a study that examines consolidating the law enforcement activities and responsibilities of various state divisions and agencies under a single, centralized state enforcement division or agency.

I recommend that the bill be amended to include the Department of Public Safety's Sheriff Division in those entities that the Legislative Reference Bureau shall seek input from. The Sheriff Division is the largest law enforcement division in the state.

Thank you for the opportunity to testify.

Robin Nagamine

SB-2909-HD-1

Submitted on: 3/27/2018 7:46:20 AM

Testimony for FIN on 3/28/2018 4:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mark M. Hanohano	Individual	Support	No

Comments:

Aloha nui,

I have had the privilege of participating in this honorable profession for over three decades at the state and federal levels and in this time have recognized a need for better organization in the form of reorganization of state law enforcement.

State law enforcement, in its current state, lacks structure, which mitigates stature, creating scattered focus, resulting in poor performance.

State law enforcement must come together as a collective and sincerely commit to cause, with cause being effective and efficient law enforcement services that promotes a sense of confidence and comfort in the various communities state law enforcement is responsible for (e.g.the judiciary, transportation services, conservation and resources compliance). The aforementioned being the primary functions; however, not restricting requests for assistance from other state agencies, causing multiple missions, which supports my position of the single entity approach. An approach that will be clear, consistent, organized, and complete - a true professional police service provider supporting state interests.

Mahalo piha,

Mark M. "Dutch" Hanohano

(United States Marshal for the District of Hawaii 2003-2010)

SB-2909-HD-1

Submitted on: 3/27/2018 1:34:53 PM

Testimony for FIN on 3/28/2018 4:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
John DeJesus	Individual	Support	No

Comments:

Aloha,

I strongly support this bill which would allow the various State of Hawaii Law Enforcement Departments and its officers to transfer under the State of Hawaii Department of the Attorney General. Having all State Law Enforcement Officers under one Department will create positive uniformity, high officer morale, communications, training/cross-training and career advancement. With this bill, State Law Enforcement could strive for national accreditation which will benefit the State of Hawaii.

Thank you for this opportunity to provide testimony.

John DeJesus

LATE



Aloha Chair Luke, Vice Chair Cullen, members of the House Finance Committee,

On behalf of the 653 registered members of the Young Progressives Demanding Action – Hawai‘i, I would like to express **opposition** SB2909 SD2 HD1. We have now sent opposition in to seven different committees including this one outlining, very simply, why combining these particular law-enforcement divisions would be logistically problematic and—almost certainly—financially costly. While we are pleased that the bill no longer proposes the immediate consolidation of the agencies in question, and instead offers only a study into the feasibility of such a consolidation, we nevertheless believe that our research into the matter is sound and such a study would be a waste of time.

If a study must be conducted, its scope should be broadened to examine other possible ways to reduce costs without directly consolidating these agencies. Suggestions of other, creative ways to save money in law enforcement budgeting are presented at the end of our testimony. We also think that the study should include guidance from stakeholders outside of the departments themselves, including and especially community members affected by these agencies' jurisdictions and advocates liaising between these communities and the agencies.

Our testimony on previous versions of this bill expressed that consolidation of law enforcement agencies is not always a cost-reducing move, and that consolidation of these proposed agencies in particular would be particularly problematic. Based on our analysis of studies of other law-enforcement consolidations shows that a consolidation of the Department of Land and Natural Resources, Division of Conservation and Resources Enforcement (DOCARE); the Department of Public Safety state law enforcement officers and the narcotics enforcement division; and the Department of Transportation harbors division to a newly created enforcement division of the Office of the Attorney General would be difficult to properly execute, could have unintended consequences, and would be unlikely to save money.

Why This Consolidation Is Problematic

Those pushing for the consolidation of law-enforcement agencies typically cite budget shortfalls as the best reason for combining resources to form a consolidated force. But this austerity argument doesn't pass muster.

Take Louisville, Kentucky: Beginning with a referendum in 2000, city administrators began moving toward consolidation, and on January 6, 2003 city police merged with the unincorporated areas of Jefferson County. After reassigning the responsibilities and reassessing needs, the number of patrol divisions was reduced from 10 to eight, and the number of beats fell from 51 to 44. Additionally, key management positions in the new department were taken from officers and given to newly hired civilian employees. Despite this, the merger was a budgetary disaster. The city's former police chief estimated that consolidation cost an extra \$85 million. New communication equipment cost nearly \$70 million and allowances for new healthcare plans and other benefits ended up costing another \$10 million. Hardly a windfall.

The upfront costs of these types of consolidations are usually prohibitive: The one-time cost of new branding, new uniforms, new vehicles, new training manuals, etc. could pay for an expansion of the existing enforcement agencies this bill proposes to consolidate.

Consolidation works best when based on the community's character, composition, size, geographic location, and existing programs. Consolidation efforts must consider disaster planning, emergency preparedness, public demand, local control, efficiency and effectiveness, and anticipated public safety issues. Our government must evaluate its ability to pay for services, potential stressors of the system, and the community's history of natural disasters.

Regarding the specific agencies mentioned in the study: If the goal is to optimize resources by increasing crime prevention presence at no additional cost, few opportunities exist. The statutory missions and the caseloads of the various law enforcement agencies involved in this proposal are dissimilar, their jurisdictions are spread across the state, and not in close geographic proximity to one another. The typical advantages of consolidation: reduced administrative costs—a single management, centralized training coordination and planning, and a single communication center; the ability to broaden coverage by redeploying administrative staffing to law enforcement tasks; and the ability to modify workloads—more mutual support by officers having concurrent jurisdiction—do not exist.

For any consolidation to be successful there must be careful proactive planning. There must also be buy-in from all affected parties that such consolidation will result in improved security and professionalism by the law enforcement personnel. If these kinds of benefits are not achieved, then there is a strong likelihood that the effort will fail.

When consolidating agencies with specialized case types, there is also a risk that the donor agencies will receive less attention or coverage of their subject matter investigations. Their cases will simply be more in the general queue of cases within the Attorney General's office. In reviewing research about law enforcement agency consolidation, especially as it applies to consolidating specialized law enforcement, there would need to be very clear and detailed analysis of caseloads, processes, external and internal contacts, resources, data sources, jurisdictional issues and statutory issues, as well as what end result would be achieved that would warrant such a move.

The proposed agency consolidations will not make a significant change in how law enforcement is performed in this state. The agencies will still require similar small unit/paramilitary structures to

ensure proper command and adherence to strict standards, and this will limit the overall savings. The same case types will still require coverage, and the color of one's uniform or shape of the badge will not change that required coverage. There may be new costs that arise as salary structures may have to be aligned, and vehicles, weapons and communication devices are standardized. Thus, the disruption might be more than the value.

Other Ways To Save

Major savings in the coming years will not come by consolidating agencies. What is more urgent is to examine how consolidation of law enforcement support services can improve the state's allocation of finite resources to achieve the broadest goals. It is in the areas of capital and technology that all law enforcement agencies share a common need, and the state stands to gain the most benefit through improved operations and optimized cost.

Every day, data is pulled from law enforcement areas such as court systems, jail records, prison records, driving records, sex offender records, among others; future data sources could include wildlife records and handgun ownership records. A pilot system could provide multiple law enforcement agencies both image and text information so that, as law enforcement officers conduct investigations and/or are actively involved in an immediate law enforcement activity, they will have complete information about individuals from all data sources that might have a bearing on the case.

Such a project could involve a wide range of agencies in the design. This is just one example of a possible initiative where the potential is great for addressing a common problem through consolidated action, while the results can be much more cost-effective than if each agency tried to address it individually.

Many of the law enforcement agencies, in addition to their recertification training, offer specialized courses that may have applicability across agency lines. Financial crimes, drug diversion, environmental crimes, and gang awareness, are just a few of the kinds of specialized training that could be helpful to others, but at the present time, there is no systematic way to share information about courses in which others might wish to participate. Designating one agency to be the keeper of such a shared service could be beneficial.

If the state does not have term contracts for law enforcement equipment, such as weapons, personal protective gear and holsters, yet the data shows that the majority of agencies are using a small number of brands, with varying costs, then—without dictating types of weapons and related gear—the state could perform a valuable function by surveying both state and local law enforcement agencies to gather their annual buying requirements and time frames, and issuing solicitations on their behalf. This kind of leveraging could save money at both the state and local level, and would support agencies' current choices in a positive manner.

As previously noted, the efforts to bring together the state law enforcement partners, technologies and experts to assess the needs, develop a comprehensive strategy, and work jointly to carry it out appears to be a good model that holds promise.

Mahalo,

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Social Justice Action Committee Chair

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LATE

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Testimony for FIN on 3/28/2018 4:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Patrick Lee	Individual	Support	No

Comments:

I support this measure because it makes sense. Each agency (DOT, PSD, DLNR) may have their own area of responsibilities, however, they all have one important function which is to keep the public safe. Law enforcement doesn't belong with Corrections. They are two different disciplines.