

DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
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SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
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 Committees on
PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS
and
WATER AND LAND
and
TRANSPORTATION**

**Tuesday, February 11, 2020
2:30 PM
State Capitol, Conference Room 229**

**In consideration of
SENATE BILL 2514
RELATING TO LAW ENFORCEMENT SERVICES**

Senate Bill 2514 proposes to establish a Department of Law Enforcement Services to consolidate the law enforcement functions, including security and service of process duties of the Department of Land and Natural Resources (Department), Department of Public Safety and Department of Transportation. **The Department opposes this measure.**

The Department notes the 2019 Legislative Reference Bureau's (LRB) report entitled "Joining Forces? Potential Consolidation of State Law Enforcement Duties in Hawaii" directed the Bureau to conduct a study examining the consolidation of law enforcement activities and responsibilities that are currently divided among various state divisions and agencies. The Bureau's study concluded that it was unclear whether a consolidation would be desirable or beneficial. The study suggests detailed discussions with the affected agencies should take place to identify all potential issues concerning consolidation such as costs, additional labor, employment and personnel issues. The Department believes these discussions need to take place before any potential consolidation to understand the impact to the public and avoid disruption of law enforcement services.

Given the diversity of the responsibilities of the agencies identified for consolidation in this measure, the Department is concerned that consolidation may dilute the primary natural resources law enforcement mission of the Department's Division of Conservation and Resources

Enforcement (DOCARE) and may result in displaced priorities. Natural resources law enforcement activities are unique and specialized, and it is necessary that natural resources law enforcement activities remain closely affiliated with the Department to ensure focus on the Department's mandated priorities. The Department is also concerned that this measure will cause the loss of its enforcement arm and the capability to directly enforce rules and regulations that are critical to environmental protection.

Lastly, the Department notes that current language in this measure may impact other management functions of the Department including the provision of lifeguard services on state beaches, as well as the management of aquatic life, wildlife, conservation lands, land use laws and other statutory departmental functions. These functions are carried out by long established programs within the Department. As such, the Department believes that the transfer of these functions to the proposed Department of Law Enforcement Services may have a significant and potentially detrimental impact on the overall ability of the Department to manage and protect Hawaii's natural, cultural, historical and recreational resources. It may also directly impact other non-law enforcement related employees of the Department who may be affected by the transfer of these functions to the proposed Department of Law Enforcement Services.

For the reasons mentioned above, the Department respectfully opposes this measure.

Thank you for the opportunity to testify on this measure.

SB-2514

Submitted on: 2/8/2020 8:27:19 AM

Testimony for PSM on 2/11/2020 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl B.	Individual	Oppose	No

Comments:

While in theory, this seems to make sense in a broad sense. Putting people together makes it even more challenging to figure out who is responsible. There will be a lot of gray areas with overlap and who controls it. This will make it more difficult for citizens to navigate the system as well. This appears to come from recent first amendment protection events throughout the islands. It is not a good idea.

SB-2514

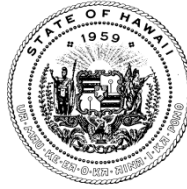
Submitted on: 2/9/2020 10:34:00 PM

Testimony for PSM on 2/11/2020 2:30:00 PM

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

Comments:

I support this measure. I hope you would consider expanding to all state facilities, including the University of Hawaii, and Ag lands.



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
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February 11, 2020
2:30 p.m.
State Capitol, Room 229

S.B. 2514
RELATING TO LAW ENFORCEMENT SERVICES.

Senate Committee(s) on Public Safety, Intergovernmental & Military Affairs,
and Water & Land and Transportation

The Department of Transportation (DOT) offers **comments** to establishing a Department of Law Enforcement Services to consolidate the law enforcement functions, including security and service of process duties, of the Department of Land and Natural Resources, Department of Public Safety, and Department of Transportation.

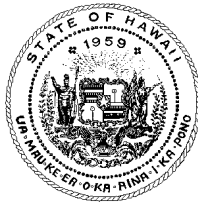
While the DOT appreciates establishing training standards to ensure uniformity in training and re-call training of State Law Enforcement Officers, we hope that your committee(s) consider(s) favorable appropriations to State agencies to pursue accreditation of a comprehensive uniform set of written directives to meet administrative and operational goals with clear direction to personnel.

DOT's Harbors Division (DOTH) is responsible for providing law enforcement services at Hawaii's commercial harbors pursuant to Hawaii Revised Statute 266-24. Currently, the Harbors Enforcement Officer's (HEO) activities and responsibilities is limited to DOTH jurisdiction over all commercial harbors and roadsteads, and all commercial harbor and waterfront improvements belonging to or controlled by the State. In addition, the DOTH is responsible for compliance with security requirements mandated by the U.S. Coast Guard in 33 CFR 105 overseeing security requirements of the facility security plans. HEO also enforce an environmental consent decree relating to its tenants and users for unpermitted illicit discharges into the storm water system. Failure to adopt these duties would result in the DOTH being issued civil penalties and/or criminal penalties.

The DOT defers to the Department of Public Safety whose officers by Memorandum of Understanding are administratively attached to the DOT Airports Division.

Thank you for the opportunity to provide testimony.

DAVID Y. IGE
GOVERNOR



NOLAN P. ESPINDA
DIRECTOR

Maria C. Cook
Deputy Director
Administration

Shari L. Kimoto
Deputy Director
Corrections

Renee R. Sonobe Hong
Deputy Director
Law Enforcement

STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

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

No. _____

TESTIMONY ON SENATE BILL 2514
RELATING TO LAW ENFORCEMENT SERVICES.

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

Senate Committee on Water and Land
Senator Kaiali'i Kahele, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Senate Committee on Transportation
Senator Lorraine R. Inouye, Chair
Senator Breene Harimoto, Vice Chair

Tuesday, February 11, 2020; 2:30 p.m.
State Capitol, Conference Room 229

Chairs Nishihara, Kahele, and Inouye; Vice Chairs Wakai, Keith-Agaran, and Harimoto;
and Members of the Committees:

The Department of Public Safety (PSD) offers comments on Senate Bill (SB) 2514, which proposes to establish a Department of Law Enforcement Services to consolidate the law enforcement functions, including security and service of process duties, of the Department of Land and Natural Resources, Department of Public Safety, and Department of Transportation.

PSD appreciates the intent that all state law enforcement agencies be consolidated under one department, separate from corrections operations. Consistent with the spirit and intent of the HCR 85, corrections operations may fall under a

Testimony on SB 2514
Senate Committee on Public Safety,
Intergovernmental, and Military Affairs
Senate Committee on Water and Land
Senate Committee on Transportation
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designated Department of Corrections Rehabilitation or under the auspices of an existing department. Given the infrastructure that would be needed for human resources, fiscal, information technology, training, collective bargaining agreement provisions, among other concerns, sufficient time should be provided for the creation and/or transfer of such important public services.

Thank you for the opportunity testify on this measure.