



**WRITTEN TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
THIRTIETH LEGISLATURE, 2020**

---

**ON THE FOLLOWING MEASURE:**

S.B. NO. 2849, S.D. 1, RELATING TO LAW ENFORCEMENT.

**BEFORE THE:**

SENATE COMMITTEE ON WAYS AND MEANS

**DATE:** Friday, February 28, 2020

**TIME:** 11:05 a.m.

**LOCATION:** State Capitol, Room 211

**TESTIFIER(S):** **WRITTEN TESTIMONY ONLY.**

(For more information, contact Lance Goto,  
Deputy Attorney General, at 586-1160)

---

Chair Dela Cruz and Members of the Committee:

The Department of the Attorney General (the Department) supports this bill, which is part of the Administration package for 2020.

The purpose of this bill is to clarify the Law Enforcement Standards Board (the Board) membership requirements, to enable the Board to research the impact of standards, certification, and training requirements on existing legal requirements, to establish new deadlines for the completion of the Board's responsibilities, and to provide the necessary funds and resources for the Board's mission.

This bill includes the recommendations of the Board, as set out in its Report on the Law Enforcement Standards Board, submitted to the Thirtieth State Legislature, Regular Session of 2020, and its Resolution Requesting More Time and Resources to Finalize Training Standards and Certification of Law Enforcement Officers by the Law Enforcement Standards Board, attached to its report.

The Legislature, by Act 220, Session Laws of Hawaii 2018, established chapter 139, Hawaii Revised Statutes (HRS), to create the Law Enforcement Standards Board for the certification of law enforcement officers, including county police officers, state public safety officers, and employees with police powers at the Departments of Transportation, Land and Natural Resources, the Attorney General, and Taxation. The Board was established within the Department for administrative purposes. The Board

members include the Attorney General, the Director of Public Safety, the Director of Transportation, the Chairperson of the Board of Land and Natural Resources, the Director of Taxation, the chiefs of police of the four counties, two law enforcement officers, and four members of the public. The Board Chair is Kauai County Police Chief Todd Raybuck, and the Vice Chair is Maui County Police Chief Tivoli Faaumu. The Act provided "that the law enforcement standards board established under this Act shall finalize its standards and certification process by July 1, 2019." With limited time and resources, the Board has not been able to complete its substantial duties.

The Board is responsible for establishing minimum standards for employment as a law enforcement officer and certifying persons qualified as law enforcement officers. It is also responsible for establishing minimum criminal justice curriculum requirements for basic, specialized, and in-service courses and programs for the training of law enforcement officers. It must consult and cooperate with the counties, state agencies, other governmental agencies, universities and colleges, and other institutions, concerning the development of law enforcement officer training schools and programs. The board is also responsible for regulating and enforcing the certification requirements of law enforcement officers.

This bill will allow the Board to have five law enforcement members, instead of two, thereby expanding the perspective of the Board. It will also allow ex-officio members to use designees, and thereby increase the Board's operational flexibility.

Collective bargaining and employment laws and rules dictate various aspects of a law enforcement officer's career from start to finish. Explicitly authorizing the board to study and evaluate these laws, rules, and agreements will allow the Board to establish standards, certifications, and training requirements in a purposeful and intentional manner.

A proper study and evaluation takes time and resources; therefore, provisions of the new chapter established by Act 220 relating to training and certification requirements for law enforcement officers (sections -6 and -7 in section 2 of Act 220 or sections 139-6 and 139-7, HRS) should take effect on July 1, 2023, and an increased amount should be appropriated to fund dedicated staff.

The Department respectfully requests that this measure be passed.

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

**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**

**Before the Senate Committee on  
WAYS & MEANS**

**Friday, February 28, 2020  
11:05 AM  
State Capitol, Conference Room 211**

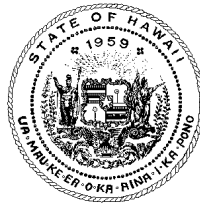
**In consideration of  
SENATE BILL 2849, Senate Draft 1  
RELATING TO LAW ENFORCEMENT STANDARDS BOARD**

Senate Bill 2849, Senate Draft 1 clarifies membership and certain powers and duties of the Law Enforcement Standards Board, establishes new deadlines for the completion of board responsibilities, and provides appropriate funds and resources to enable the board to accomplish its mission. **The Department of Land and Natural Resources (Department) supports this measure provided that its passage does not replace or adversely impact priorities indicated in the Executive Supplemental Budget request.**

The Law Enforcement Standards Board (“the Board”) is responsible for establishing minimum standards for employment as a law enforcement officer and certifying persons qualified as law enforcement officers. Ensuring consistency in law enforcement is a critical function of the Board and overall public safety is enhanced by providing it appropriate funding and resources to carry out its mission.

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

**Maria C. Cook**  
Deputy Director  
Administration

**Shari L. Kimoto**  
Deputy Director  
Corrections

**Renee R. Sonobe Hong**  
Deputy Director  
Law Enforcement

No. \_\_\_\_\_

TESTIMONY ON SENATE BILL 2849, SENATE DRAFT 1  
RELATING TO THE LAW ENFORCEMENT STANDARDS BOARD.

by  
Nolan P. Espinda, Director

Senate Committee on Ways and Means  
Senator Donovan M. Dela Cruz, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair

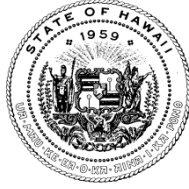
Friday, February 28, 2020; 11:05 a.m.  
State Capitol, Conference Room 211

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

The Department of Public Safety (PSD) supports Senate Bill (SB) 2849, Senate Draft (SD) 1 which clarifies membership and certain powers and duties of the Law Enforcement Standards Board, establishes new deadlines for the completion of board responsibilities, and provides appropriate funds and resources to enable the board to accomplish its mission.

PSD supports the proposed amendments in Section 2, which will expand the experience and perspective of the Board while increasing its operational flexibility. Further, in Section 3, allowing the board to consider relevant studies and conduct its own study will allow the Board to establish standards, certifications, and training requirements in a meaningful and effective manner.

Thank you for the opportunity to testify on this measure.



**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  
HONOLULU, HAWAII 96813-5097

February 28, 2020  
11:05 a.m.  
State Capitol, Room 211

**S.B. 2849, S.D. 1**  
**RELATING TO LAW ENFORCEMENT STANDARDS BOARD.**

Senate Committee on Ways and Means

---

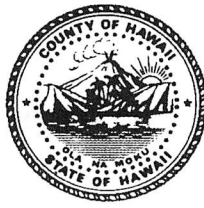
The Department of Transportation (DOT) **supports** this Administration bill which clarifies membership and certain powers and duties of the Law Enforcement Standards Board (LESB), establishes new deadlines for the completion of board responsibilities, and provides appropriate funds and resources to enable the board to accomplish its mission to restore public confidence in law enforcement and improve public safety.

The DOT believes that allowing ex-officio members to designate subject matter experts would enhance the LESB in its evaluation of collective bargaining laws, rules, and agreements in the development of standards, certifications and training requirements for law enforcement officers.

The DOT also seeks the requested appropriation to the LESB in order to execute its responsibilities to pursue accreditation of a comprehensive uniform set of written directives to meet administrative and operational goals with clear direction to law enforcement personnel.

Thank you for the opportunity to provide testimony.

Harry Kim  
Mayor



Paul K. Ferreira  
Police Chief

Kenneth Bugado Jr.  
Deputy Police Chief

## County of Hawai'i

### POLICE DEPARTMENT

349 Kapi'olani Street • Hilo, Hawai'i 96720-3998  
(808) 935-3311 • Fax (808) 961-2389

February 26, 2020

Senator Donovan M. Dela Cruz  
Chairperson and Committee Members  
Committee On Ways and Means  
415 South Beretania Street, Room 229  
Honolulu, Hawai'i 96813

*RE: SENATE BILL 2849, SD1, RELATING TO LAW ENFORCEMENT STANDARDS BOARD*

Dear Senator Dela Cruz:

The Hawai'i Police Department supports Senate Bill 2849, SD1, with its purpose to clarify membership and certain powers and duties of the Law Enforcement Standards Board, as well as to establish new deadlines for the completion of board responsibilities, and provides appropriate funds and resources to enable the board to accomplish its mission.

Our department is aware our training standard standards will be subject to the Board's oversight and as such wants to see that the Board has sufficient time to conduct needed research into the issues attendant to Law Enforcement training. We are also cognizant of the need to ensure members of the Board will also have sufficient resources in order to accomplish the Board's objectives.

We further believe it is imperative that the Board is able to effectively do its job to ensure that all Law Enforcement entities in our state are highly professional and well-trained.

It is for these reasons, we urge this committee to approve this legislation.

Thank you for allowing the Hawai'i Police Department to provide comments relating to Senate Bill 2849, SD1.

Sincerely,

PAUL K. FERREIRA  
POLICE CHIEF



DEREK S. K. KAWAKAMI  
Mayor

MICHAEL A. DAHLIG  
Managing Director

# POLICE DEPARTMENT COUNTY OF KAUAI

3990 KAANA STREET, SUITE 200  
LIHUE, HAWAII 96766-1268  
TELEPHONE (808) 241-1600  
FAX (808) 241-1604  
[www.kauai.gov/police](http://www.kauai.gov/police)



TODD G. RAYBUCK  
Chief of Police

Testimony of Todd G. Raybuck  
Chief of Police  
Kaua'i Police Department

Before the  
Senate Committee on Ways and Means  
February 28, 2020; 11:05 am  
Conference Room 211

In consideration of  
Senate Bill 2849 SD1  
Law Enforcement Standards Board

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

The Kaua'i Police Department (KPD) **supports** Senate Bill 2849 SD1, which clarifies membership and certain powers and duties of the Law Enforcement Standards Board and establishes new deadlines for the completion of board responsibilities and appropriates funds to enable the board to accomplish its mission.

The Bill allows the Attorney General, Director of Public Safety and the Chiefs of Police of the four counties to have a designee attend in their place. This is vital as each executive level position has oversight of a public safety organization and has numerous duties and responsibilities. Their attendance at times could be difficult because of the breadth of each position's responsibilities. This could possibly hinder board business if one or more are unable to attend.

Removal of the language under Section 2(3)(D), "provided that the experience in a county police department shall not itself be sufficient to qualify under this paragraph," allows for a broader pool of members with actual experience within one of the county law enforcement agencies.



Extending the date to which the Act will take effect will give the members of the Board a reasonable time to conduct its business and ensure that the Boards rules, standards, criteria, curriculum and procedures are well thought out and thoroughly planned and implemented.

Appropriate funding of the Board is imperative for its success and the completion of its mission. Hiring of an Administrator and the appropriate staff to implement the standards and curriculum established by the Board is central to achieving that success.

For these reasons the Kauai Police Department **supports** Senate Bill 2849 SD1.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Todd G. Raybuck". The signature is stylized with a large, looped "R" and a long horizontal stroke at the end.

Todd G. Raybuck  
Chief of Police  
Kaua'i Police Department





**SB-2849-SD-1**

Submitted on: 2/26/2020 11:10:11 AM

Testimony for WAM on 2/28/2020 11:05:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rayne	Individual	Oppose	No

Comments: