

HB-2171-HD-1

Submitted on: 2/14/2022 2:27:17 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Koa Dobrowolsky	Individual	Support	No

Comments:

Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee:

I am Lanikoa Dobrowolsky, First Deputy of the Sheriff Division. Thank you for the opportunity to submit testimony in SUPPORT of HB2171.

I fully support HB2171 and believe that consolidating the State Law Enforcement services under a single agency is long overdue. The consolidation will allow for streamlined command and control, increased accountability, consistent recruitment, training standardization, consistent operational procedures, and single agency policy oversight that will soon meet CALEA accreditation. Consolidation will also allow for ease in prosecution of criminal cases and the ability to deliver tailored manpower packages to the neighbor islands to assist in emergencies or critical incidents at the request of those county leaders. The creation of this agency will allow the State of Hawaii to have the ability to build out a state policing function in a manner that best serves its people and the needs of the State.

Over the past 30 years, the Hawaii State Legislature has ordered many studies and audits to address the deficiencies and inefficiencies of the Department of Public Safety. Every study conducted, leaned towards the conclusion that the current structure is cumbersome and difficult to manage at an executive level. Previous legislative proposals have recommended splitting the agency and consolidating state law enforcement functions under one department. Further, the legislative mandate to pursue CALEA accreditation and the great efforts of the **current** PSD administration to fulfill that mandate suggests that a single state LE agency that is CALEA accredited would be the best option and would serve the people in a manner that contemporary trends demand.

The problems plaguing law enforcement across the State reveals that consistently, agencies are suffering from shortages of qualified staff. Recruitment to fill vacancies is difficult, time

consuming, and slow, often taking one year or longer. The merging of State Law Enforcement provides the ability to focus manpower towards problem areas and may afford co-response to calls for assistance with county police to help lighten the heavy burden placed upon them.

I would also like to take a moment to express my support for the creation of the Department of Corrections and Rehabilitation. The proposed organizational chart creating a deputy director of Rehabilitation suggests a focused effort on rehabilitating the inmate population. I believe that this effort has the possibility of lowering recidivism which may reduce law enforcement intervention in the future, save costs associated with continuing incarceration, and increase the safety of our residents and visitors alike.

I humbly request your support towards SB3139 and I'm optimistic and excited to see the great possibilities that this bill will afford the people of Hawaii.

Respectfully Submitted,

Lanikoa Dobrowolsky, First Deputy

State of Hawaii, Sheriff Division

FBINA256

Lanikoa.k.dobrowolsky@hawaii.gov

HB-2171-HD-1

Submitted on: 2/14/2022 2:31:04 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Brandon Kadekawa	Hawaii Sheriffs Department	Support	No

Comments:

Chair Nakashima and Vice Chair Matayoshi,

I fully support HB2171 and believe consolidating State Law Enforcement and creating an LE agency will significantly improve the recruitment, training, operations, and command and control of State Law Enforcement resources and personnel.

Mahalo

TESTIMONY ON HOUSE BILL 2171, HD1
RELATING TO PUBLIC SAFETY

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
Representative Mark M. Nakashima, Chair
Representative Scot Z. Matayoshi, Vice-Chair

Wednesday, February 16, 2022; 2:00 PM
Via videoconference
State Capitol, Conference Room 325

Representative Nakashima, Representative Matayoshi and Members of the Committee:

I would like to take this opportunity to request for your **strong support** of HB 2171, HD1, which would establish a Department of Law Enforcement to consolidate and administer criminal law enforcement and investigations functions of the State.

The consolidation of law enforcement responsibilities into a single state department would centralize state law enforcement functions to increase public safety, improve decision making, promote accountability, streamline communication, decrease costs, reduce duplication of efforts, provide uniform training and standards, and promote uniform standards of law enforcement services.

The State Auditor's, June 2010, Report #10-06, "Audit of the Department of Public Safety, Sheriff Division" stated, "In 1987, prior to the formation of the Department of Public Safety, the Legislature created the Department of Corrections by removing correctional services from the Department of Social Services and Housing (DSSH). The Legislature determined that the state corrections program had grown too large and complex to remain under the umbrella of DSSH and that in order to "properly address the magnitude of the problems within the state corrections system, a separate department that can provide the focus and continuous attention the system desperately needs is essential." During that time, the Legislature initially sought to transfer the Office of the Sheriff, Capitol Security, and state law enforcement officers from the Department of the Attorney General into the new department of Corrections.

Concerns arose over the potential conflict between the new department's responsibility for corrections. It was argued that the transfer of law enforcement functions into the Department of Corrections was undesirable. Accordingly, state law enforcement functions were not included in the new department, and the legislation was amended to remove state law enforcement officers from the bill. Nevertheless, two years later, the Legislature passed Act 211, SLH 1989, which made a single department, the Department of Public Safety, responsible for both vital functions of the preservation of public safety – law enforcement and corrections.

Act 83, SLH 2003, required the director of the Department of Public Safety to conduct a study to determine the feasibility of dividing the Department of Public Safety into a Department of Corrections and a Department of Law Enforcement. According to a 2005 Department of Public Safety report to the Legislature by Interim Director Richard Bissen, this created a situation in which the department “must attempt to establish resource priorities for each function without adversely impacting the other.” According to the previous Director of Public Safety, Clayton Frank, it is a challenge to manage both correctional and law enforcement in the same department since there is no direct correlation between the two functions

More importantly, the separation of the law enforcement and corrections functions would allow the reestablished Department of Corrections and Rehabilitation to, as intended by the 1987 Legislature, “properly address the magnitude of the problems within the state corrections system.” The issues relating to corrections, such as persistent overcrowding, offender treatment programs, inmate management, development of alternatives to incarceration, health care, and facility maintenance, are exceedingly complex and require the full focus of a director”.

Thank you for this opportunity to testify on this important matter.

Lieutenant Robin Nagamine
Sheriff Division

HB-2171-HD-1

Submitted on: 2/14/2022 3:02:03 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jeffrey Cabanting-Rafael	Individual	Support	No

Comments:

As an employee of the Department of Public Safety who has been employed as both an Adult Corrections Officer from 2017-2019 before moving to my current position as a Deputy Sheriff II with the State Sheriff's Hilo Section (2019-Present), I have seen first hand the hurdles set before the department of public safety. I believe the separation of the law enforcement arms of the current department of public safety will allow a more concise goal for each department. Due to the nature of Hawaii's Correction Officers not having a law enforcement commission (i.e. corrections officers are not designated as law enforcement officers by definition), the scope of work for corrections officers are limited to the confines of a correctional facility. In comparison State Sheriffs, attorney general investigators, and Narcotics Enforcements Agents are arms of active investigative work with arrest powers.

I feel that the current department has done it's best to maintain a steady presence and equal handed form of policies to make the best of the circumstances, but for the future safety of Hawaii I believe a Department of Law Enforcement is vital for the State Government to establish a law enforcement entity that will have a clear mission to uphold laws on unincorporated state lands, incorporated state lands, state facilities and become a true supplement and partner to our county level counterparts.

It will also (in my opinion) allow each newly established department to focus in on "scope of work" written policies on the administrative side preventing convulated policies that act as a "cover all" policy for multiple arms of a department that do not have the same goal. The separation will also create an effective training focus for both departments in the correctional and rehabilitation realm and law enforcement realm. This in turn will make achieving accreditation for both sides easier, make recruitment and training more effective, and boost training opportunities for new and veteran employees expand on their base of knowledge.

I humbly ask the house to look at the opportunity to expand the state's abilities to effectively respond to our incarcerated population, and to increase the abilities of state law enforcement in responding to community needs and effectively deterring crimes.

Mahalo,

Deputy Sheriff II Jeffrey Cabanting-Rafael

HB-2171-HD-1

Submitted on: 2/14/2022 3:15:21 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Tory Guillermo	State of Hawaii - Sheriff Division	Support	No

Comments:

I fully support HB2171 and believe consolidating State Law Enforcement and creating an LE agency will significantly improve the recruitment, training, operations, and command and control of State Law Enforcement resources and personnel. Please support the creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation under CALEA.

HB-2171-HD-1

Submitted on: 2/14/2022 3:18:44 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kacie Kamoku	State of Hawaii Sheriff Division	Support	No

Comments:

I fully support HB2171 and believe consolidating State Law Enforcement and creating an LE agency will significantly improve the recruitment, training, operations, and command and control of State Law Enforcement resources and personnel.

Please support the creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation under CALEA.

HB-2171-HD-1

Submitted on: 2/14/2022 5:20:55 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Robert	Individual	Support	No

Comments:

Aloha Chair Mr. Mark Nakashima, Vice chair Mr. Scot Matayoshi and Respected members of the House of Representatives Judiciary and Hawaiian Affairs committee,

My name is Robert Umiamaka I am a deputy sheriff and I'm in 100 percent support of Bill HB 2171 and companion bill SB 3139 for the purposes of consolidating the State of Hawaii Law enforcement. The state of Hawaii currently has law enforcement agency's under different departments which in turn makes things complicated and frustrating for the people of Hawaii. Under bill HB 2171 the process of consolidating makes things easier by streamlining one command and training regimen. There will be no conflicting jurisdictions, procedures, regulations and staffing as it would all fall under the same roof (like California). A example of this could be construed as standardized and systematic. This process also could alleviate the pressure put on the county police departments that are currently in a staffing crisis. This bill has the greatest potential towards putting more personal on protecting our people, property and vital natural resources. By being under one department it would be much easier to acquire federal grants and securing national accreditation's.

I thank you so much for your time and patience. I humbly ask for your support in HB 2171
Mahalo Nui Loa
Robert Umiamaka



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTY-FIRST LEGISLATURE, 2022**

ON THE FOLLOWING MEASURE:

H.B. NO. 2171, H.D. 1, RELATING TO PUBLIC SAFETY.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

DATE: Wednesday, February 16, 2022 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 325, Via Videoconference

TESTIFIER(S): Holly T. Shikada, Attorney General, or
Craig Y. Iha, Deputy Attorney General

Chair Nakashima and Members of the Committee:

The Department of the Attorney General supports this bill.

This bill separates the Department of Public Safety (DPS) into two discrete departments by establishing a new Department of Law Enforcement (DLE) to administer criminal law enforcement and investigations functions of the State, effective upon approval; and reestablishing DPS as an independent Department of Corrections and Rehabilitation (DCR) to administer the corrections, rehabilitation, and reentry of the inmate population, effective January 1, 2023. The bill transfers the law enforcement functions of DPS to DLE effective January 1, 2023. The bill also transfers the non-statutorily mandated investigative functions of the Department of the Attorney General's Investigations Division, the law enforcement functions of the Department of Transportation-Harbors, and the Office of Homeland Security from the Department of Defense to DLE, effective July 1, 2023. The bill further makes appropriations to DLE and DCR to carry out the purposes of the bill, and for the departments to become operational.

The bill also establishes a statewide law enforcement training center within DLE that will train all department of law enforcement officers in accordance with minimum certification standards to be set by the Law Enforcement Standards Board established in chapter 139, Hawaii Revised Statutes. Training center facilities will also be available to other law enforcement agencies upon request.

This bill improves the State's ability to meet the needs of inmates and pretrial detainees by consolidating corrections and rehabilitation functions into a single, dedicated department. In this manner the bill promotes the efficient use of resources in administering correctional programs and administering and maintaining public and private correctional services, without the need to split the department's focus with law enforcement responsibilities. It also allows for a greater focus on rehabilitation initiatives by creating a position for one deputy director that will solely oversee the rehabilitation services and programs of the DCR.

This bill enhances state law enforcement services by establishing a single chain of command for law enforcement responsibilities within a single state department. This will improve decision making, promote accountability, streamline communication, decrease costs, reduce duplication of efforts, provide uniform training and standards, and promote uniform standards of law enforcement services.

Thank you for the opportunity to testify in support of this bill.

HB-2171-HD-1

Submitted on: 2/15/2022 8:12:21 AM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Darryl Ng	Sherrif Division	Support	No

Comments:

To chair Mark Nakashima and vice chair Scot Matayoshi, currently I am a deputy sheriff with over 30 years of service with the Department of Public Safety. My first 15 years as an adult Correctional Officer and the last 20 years with the Sheriff Division. I strongly encourage both of you to please support HB 2171. It makes perfect sense to separate from Corrections and consolidate Law Enforcement into its own Department. This bill is long overdue and will ultimately benefit the people of Hawaii by providing better services.

HB-2171-HD-1

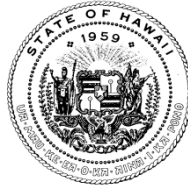
Submitted on: 2/15/2022 8:12:24 AM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jonathan Balberdi	State Of Hawaii Sheriff Division	Support	No

Comments:

I agree and support HB2171 HD1, for the betterment of the community, Government and all Law Enforcement. Mahalo



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
ROSS M. HIGASHI
EDUARDO P. MANGLALLAN
PATRICK H. MCCAIN
EDWIN H. SNIFFEN

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

February 16, 2022
2:00 p.m.
State Capitol, Teleconference

H.B. 2171
RELATING TO Public Safety

House Committee on Judiciary & Hawaiian Affairs

The Department of Transportation is in **support** of H.B. 2171, which would enhance state law enforcement and correction services by separating the Department of Public Safety into two departments. One being a new Department of Law Enforcement with a mission to consolidate and administer criminal law enforcement and investigation functions of the State and reestablish the Public Safety Department as an independent Department of Corrections and Rehabilitation with a single mission to administer the corrections and rehabilitation.

By establishing two separate departments it would allow both to more clearly focus on their respective missions. Hawaii is the only state in the country that does not have a centralized law enforcement agency. By combining Sheriff's Department Deputies, Harbor Police, Division of Conservation Officers and others into one unit we could standardize job requirements and training as well as more quickly and effectively respond to incidents. With such broad and critical responsibilities and public scrutiny increased, it is more important than ever to provide the deputies and officers who serve in them the resources, adequate training, and leadership to address the many challenges they may face.

Thank you for the opportunity to provide testimony.

OFFICE OF INFORMATION PRACTICES

STATE OF HAWAII
NO. 1 CAPITOL DISTRICT BUILDING
250 SOUTH HOTEL STREET, SUITE 107
HONOLULU, HAWAII 96813
TELEPHONE: 808-586-1400 FAX: 808-586-1412
EMAIL: oip@hawaii.gov

To: House Committee on Judiciary & Hawaiian Affairs

From: Cheryl Kakazu Park, Director

Date: February 16, 2022, 2:00 p.m.
State Capitol, Conference Room 325 and Via Videoconference

Re: Testimony on H.B. No. 2171, H.D. 1
Relating to Public Safety

Thank you for the opportunity to submit testimony on this bill, which would establish a Department of Law Enforcement to administer the criminal law enforcement and investigations functions of the State and would reestablish the Department of Public Safety as an independent Department of Corrections and Rehabilitation to administer the corrections, rehabilitation, and reentry of the inmate population. The Office of Information Practices (OIP) takes no position on the substance of this bill, but offers comments on the reporting requirement set out in proposed section 353-G, HRS, at bill pages 42-43.

This provision would require the Director of Corrections and Rehabilitation to report to the Governor and Legislature on the death of any inmate and the on-site death or injury of any correctional facility employee. Proposed section 353-G(d) gives the Director “the discretion to withhold disclosure of the decedent’s name or any information protected from disclosure by state or federal laws.” OIP notes that section 92F-12(a)(4), HRS, requires public disclosure of “directory information concerning an individual’s presence at any correctional facility,” including the names and locations of incarcerated individuals,

notwithstanding any provision to the contrary. Thus, the name of an inmate who died in custody would be public information in the same way as an inmate's departure from a facility for other reasons. Similarly, a government employee's first and last dates of employment are mandated to be public under section 92F-12(a)(14), and the correlation between last date of employment and the reported death of an employee at the facility on that date would effectively make the name public. OIP further notes that the list in proposed subsection (b) of information requires "the decedent's name" to be included in the report, in direct contradiction to proposed subsection (d) which gives the Director "the discretion to withhold" that same information. As written, this provision is **internally inconsistent** and, by referring to the name of the decedent in the same clause as information protected by state or federal law, **creates confusion** about whether a decedent's name withheld from a report is still publicly disclosable upon request. OIP recognizes that even if the public has the ability to find out a decedent's name through a UIPA request, including the name in the report itself may be important in some instances but unnecessary in others. **Thus, the provision is inconsistent internally and with existing law, and it should be amended if its intent is to effectively give the Director the ability to choose to include or omit this information from the report.**

To fix this inconsistency, OIP recommends that the name of the decedent be removed from the list of information required to be reported, and subsection (d) be amended to allow the director to disclose the name of the decedent or other additional information provided that the director shall not disclose information protected from disclosure by law. Specifically, OIP recommends the following changes:

- **On page 42 line 21, delete the current item “(1) The name of the decedent,” leaving a list of only six mandatory items instead of the current seven; and**
- **On page 43, replace subsection (d) with the following:**
 - **“(d) The director may disclose the decedent’s name or other information not specified in subsection (b), provided that the director shall not disclose information protected from disclosure by state or federal law.”**

Thank you for considering OIP’s testimony.



JADE T. BUTAY
DIRECTOR

Deputy Directors
ROSS M. HIGASHI
EDUARDO P. MANGLALLAN
PATRICK H. MCCAIN
EDWIN H. SNIFFEN

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

February 16, 2022
2:00 p.m.
State Capitol, Teleconference

**H.B. 2171 HD1
RELATING TO Public Safety**

House Committee on Judiciary & Hawaiian Affairs

The Department of Transportation is in **support** of H.B. 2171, H.D. 1, which would enhance state law enforcement and correction services by separating the Department of Public Safety into two departments. One being a new Department of Law Enforcement with a mission to consolidate and administer criminal law enforcement and investigation functions of the State and reestablish the Public Safety Department as an independent Department of Corrections and Rehabilitation with a single mission to administer the corrections and rehabilitation.

By establishing two separate departments it would allow both to more clearly focus on their respective missions. Hawaii is the only state in the country that does not have a centralized law enforcement agency. By combining Sheriff's Department Deputies, Harbor Police, Division of Conservation Officers and others into one unit we could standardize job requirements and training as well as more quickly and effectively respond to incidents. With such broad and critical responsibilities and public scrutiny increased, it is more important than ever to provide the deputies and officers who serve in them the resources, adequate training, and leadership to address the many challenges they may face.

Thank you for the opportunity to provide testimony.

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
HAWAII PAROLING AUTHORITY
1177 Alakea Street, First Floor
Honolulu, Hawaii 96813

EDMUND "FRED" HYUN
CHAIR

GENE DEMELLO, JR.
CLAYTON H. W. HEE
MILTON H. KOTSUBO
CAROL K. MATAYOSHI
MEMBERS

KEVIN S. REGO
ACTING ADMINISTRATOR

No. _____

**TESTIMONY ON HOUSE BILL 2171, HD1
RELATING TO PUBLIC SAFETY**

by
Edmund "Fred" Hyun, Chairman
Hawaii Paroling Authority

House Committee on Judiciary & Hawaiian Affairs
Rep. Mark M. Nakashima, Chair
Rep. Scot Z. Matayoshi, Vice Chair

Wednesday, February 16, 2022 – 2:00 p.m.
Via Videoconference

My name is Edmund "Fred" Hyun, Chairman of the Hawaii Paroling Authority, and I am in strong support of HB 2171, HD1, to establish a new department of law enforcement that will consolidate and administer criminal law enforcement and investigation functions of various state departments.

Briefly, my moolelo (history) dates back to the days of Corrections as a division of Department of Social Services (now DSSH) to the Department of Corrections as well as the Sheriff's as part of the Judiciary to the eventual consolidation and incorporation of both under the "newly created" Department of Public Safety.

In August of 2020, following the retirement submission of then Director Espinda, Governor Ige assigned me to serve as the Special Master to assess the department's situation, assist in transition planning and submit recommendations to the Governor for his consideration. In addition to serving as the Special Master through the month of December 2020, I served as Acting Public Safety Director in October and November.

One of the most glaring observations and concerns during my short tenure was the broad span of control vested in the Director's office with conflicting missions resulting in my short and long term recommendations. Of note submitting a bill to law to establish a State Law Enforcement Agency with all state entities under one administration and to re-establish a Department of Corrections to focus on custody and care of inmates. Hawaii is one of four states where Corrections, Law Enforcement and Regulatory services are combined under one department and the ONLY state with a combined function of jails, prisons, law enforcement and narcotics enforcement.

The benefits of establishing a State Law Enforcement Department are as follows:

- Central Administration
- Permanent training academy adhering to the most current professional standards and equipment
- Improved communications and response to perceived or real threats locally and/or nationally
- Promoting efficient use of resources focused on law enforcement.
- Improved decision making
- Reduce duplication of efforts between departments
- Promote uniform standards of law enforcement services
- CORRECTIONS – immediate benefits to population and rehabilitation
- Contributing vested member of State Law Enforcement Coalition as well as assisting/partnering with agencies/departments on the city/county/state/federal levels

Thank you for the opportunity to present testimony in support of this important measure.

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF DEFENSE
OFFICE OF THE ADJUTANT GENERAL
3949 DIAMOND HEAD ROAD
HONOLULU, HAWAII 96816-4495

KENNETH S. HARA
MAJOR GENERAL
ADJUTANT GENERAL

STEPHEN F. LOGAN
BRIGADIER GENERAL
DEPUTY ADJUTANT GENERAL

TESTIMONY ON HOUSE BILL 2171
A BILL RELATED TO PUBLIC SAFETY

PRESENTATION TO THE
COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

BY

FRANK J. PACE
ADMINISTRATOR
HAWAII OFFICE OF HOMELAND SECURITY

February 16, 2022

Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee on Judiciary and Hawaiian Affairs.

I am Frank Pace, Administrator for the Hawaii Office of Homeland Security. Thank you for the opportunity to submit testimony in **SUPPORT** of HB 2171.

The Office of Homeland Security supports HB 2171, which aims to establish an independent and new Department of Law Enforcement. The proposed department's objectives include having the Office of Homeland Security (OHS), which currently falls under the State Department of Defense, transfer to the Department of Law Enforcement.

The mission and capabilities of OHS are aligned with and would enhance, the Department of Law Enforcement's focus to consolidate and administer the criminal law enforcement and investigations of the state. The Office of Homeland Security leads the state's effort to provide resources, actionable intelligence, and multi-agency coordination in a timely manner to prevent, mitigate, and respond to emergent threats to our residents and critical infrastructure.

OHS facilitates intelligence sharing between local, state, and federal agencies, the public and private sectors through the Hawaii State Fusion Center (HSFC). The HSFC is a well-established entity that is structured to empower front-line law enforcement, fire service, emergency management, public health, and other partners to understand local implications of national intelligence, thus enabling local officials to better protect their communities.

The Plans and Operations Branch coordinates several statewide programs that include implementation of the state homeland security strategy, critical infrastructure protection, cybersecurity resiliency, and elections security. These efforts have always aligned with state law enforcement objectives. Bringing these programs under the Department of Law Enforcement would further enhance initiatives focused on protecting the State of Hawaii.

Additionally, OHS also leads multi-agency efforts related to preventing targeted violence, coordinating interoperable public safety communications, and managing homeland security grants for the state. As with the HSFC and the Plans and Operations Branch, leveraging these capabilities with the proposed Department of Law Enforcement will greatly enhance its effectiveness.

The proposed Department of Law Enforcement is a logical and necessary step to meet the increasingly complex security challenges faced by the law enforcement community within the State of Hawaii.

Thank you for allowing me to testify in **SUPPORT** of House Bill 2171.

Frank Pace, Administrator: frank.j.pace@hawaii.gov, 808-369-3570

DAVID Y. IGE
GOVERNOR



KENNETH S. HARA
MAJOR GENERAL
ADJUTANT GENERAL

STEPHEN F. LOGAN
BRIGADIER GENERAL
DEPUTY ADJUTANT GENERAL

STATE OF HAWAII
DEPARTMENT OF DEFENSE
OFFICE OF THE ADJUTANT GENERAL
3949 DIAMOND HEAD ROAD
HONOLULU, HAWAII 96816-4495

TESTIMONY ON HOUSE BILL 2171 HD1
A BILL RELATED TO PUBLIC SAFETY

PRESENTATION TO THE
COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
BY

MAJOR GENERAL KENNETH S. HARA
ADJUTANT GENERAL
DIRECTOR OF THE HAWAII EMERGENCY MANAGEMENT AGENCY
AND HOMELAND SECURITY ADVISOR

February 16, 2022

Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee on Judiciary and Hawaiian Affairs.

I am MG Kenneth S. Hara, Adjutant General, Director of Emergency Management, and Homeland Security Advisor. Thank you for the opportunity to submit testimony in **SUPPORT** of HB 2171 HD1.

The proposal of HB 2171 HD1, aims to establish an independent and new Department of Law Enforcement. This objective includes having the Office of Homeland Security (OHS), currently under the State Department of Defense, transfer to the Department of Law Enforcement.

The Office of Homeland Security is uniquely suited to support the Department of Law Enforcement's stated focus to consolidate and administer the criminal law enforcement and investigations of the state. The Office of Homeland Security leads the state's effort to provide resources, and relevant actionable intelligence in a timely manner to prevent, mitigate, and respond to emergent threats to our residents and critical infrastructure.

OHS facilitates intelligence sharing between local, state, and federal agencies, the public and private sectors through the Hawaii State Fusion Center (HSFC). The HSFC is a well-established entity that is structured to empower front-line law enforcement, fire service, emergency management, public health, and other partners to understand local implications of national intelligence, thus enabling local officials to better protect their communities.

Additionally, OHS also leads multi-agency efforts related to preventing targeted violence, enhancing cyber security, coordinating interoperable public safety communications, and

managing homeland security grants for the state. Leveraging these capabilities with the proposed Department of Law Enforcement will greatly enhance its effectiveness. A State Department of Law Enforcement is a logical and necessary step to improve efficiency and to meet increasingly complex security challenges faced by the law enforcement community.

Thank you for allowing me to testify.

MG Kenneth S. Hara: kenneth.s.hara@hawaii.gov, 808-672-1211

Frank Pace, Administrator: frank.j.pace@hawaii.gov, 808-369-3570

HB-2171-HD-1

Submitted on: 2/15/2022 1:32:46 PM

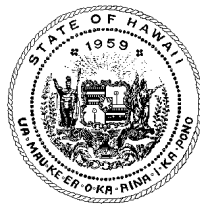
Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Warren Haney	Sheriff	Support	No

Comments:

I fully support HB2171 and believe consolidating State Law Enforcement and creating an LE agency will significantly improve the recruitment, training, operations, and command and control of State Law Enforcement resources and personnel.

Please support the creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation under CALEA.



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
1177 Alakea Street, 6th Floor
Honolulu, Hawaii 96813

MAX N. OTANI
DIRECTOR

Maria C. Cook
Deputy Director
Administration

Tommy Johnson
Deputy Director
Corrections

Jordan Lowe
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON HOUSE BILL 2171, HOUSE DRAFT 1
RELATING TO PUBLIC SAFETY.

By
Max N. Otani, Director

House Committee on Judiciary and Hawaiian Affairs

Representative Mark M. Nakashima, Chair
Representative Scot Z. Matayoshi, Vice Chair

Wednesday, February 16, 2022; 2:00 p.m.
State Capitol Conference Room 325, Via Videoconference

Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee:

The Department of Public Safety (PSD) strongly supports House Bill (HB) 2171, House Draft (HD) 1, which establishes a State Department of Law Enforcement to consolidate and administer criminal law enforcement and investigative functions into a single unified statewide department. The measure also reestablishes the Department of Public Safety as an independent Department of Corrections and Rehabilitation to administer the corrections, rehabilitation, and reentry of the inmate population.

Currently, the Corrections Division and the Law Enforcement Division of PSD have distinctly different and unique core missions. They operate independently of each other, with different functions, goals, and objectives. Differences in the respective officers' selection process and training are significant. Selection of senior management is also problematic due to the limited pool of managers with expertise in both Corrections and Law Enforcement.

Establishment of the two (2) separate entities would enable the Department of Corrections and Rehabilitation to more effectively focus on the safety and well-being of the inmates sentenced to its custody and care and better prepare inmates for successful reentry and reintegration back into the community.

Establishment of the Department of Law Enforcement will consolidate current PSD law enforcement divisions, such as, the Sheriffs Division, Narcotics Enforcement Division, and the Internal Affairs Office. It would also include the Department of Transportation Harbor Police, non-federally mandated investigators from the Department of Attorney General Investigation Division, and the Office of Homeland Security into the new, centralized law enforcement department.

The benefits of establishing the Department of Law Enforcement include, but are not limited to the following:

1. Enhanced investigative services with the addition of criminal investigators from the AG Investigation Division.
2. Enhanced exchange of intelligence from the consolidation of the Office of Homeland Security into the Department of Law Enforcement. Includes the establishment of an Intelligence Enforcement Unit to investigate and validate foreign and domestic threats against the State of Hawaii, to include the Daniel K. Inouye International Airport.
3. The Department of Law Enforcement includes another layer of management of its law enforcement assets with the addition of Captain and Lieutenant positions for better accountability and reduction of liability.
4. The consolidation of Harbor Police is a force multiplier for incidents at the harbors and airports. It further offers additional career advancement opportunities and pathways for harbor police officers to promote and transfer to other specialty assignments.
5. A single unified statewide law enforcement command structure streamlines communication, promotes accountability, operational flexibility, and resource management.
6. The establishment of a law enforcement specific training program will ensure that the highest standards of training will be adhered to, which would substantially reduce liability to the State.

SB 3139 further appropriates funds for the establishment of the Department of Law Enforcement and Department of Corrections and Rehabilitation.

The Department of Public Safety supports the amendments proposed in HD 1, incorporating language clarifying the distinction between county and state law enforcement, specifically as regards the establishment of the state law enforcement training center. PSD asserts that the intent of the state law enforcement training center would be to train all State Department of Law Enforcement personnel and respectfully urges the Committee on Judiciary and Hawaiian Affairs to pass HB 2171, HD 1.

Thank you for the opportunity to present this testimony.

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
ON
HOUSE BILL NO. 2171, H.D. 1

February 16, 2022
2:00 p.m.
Room 325 and Videoconference

RELATING TO PUBLIC SAFETY

The Department of Budget and Finance (B&F) offers comments on House Bill (H.B.) No. 2171, H.D. 1.

H.B. No. 2171, H.D. 1, does the following: 1) establish a new Department of Law Enforcement (DLE) to consolidate and administer criminal law enforcement and investigations functions of the Department of Transportation (DOT), certain investigations functions of the Department of the Attorney General (AG), functions of the Office of Homeland Security (OHS), and current law enforcement and investigations functions of the Department of Public Safety (PSD); 2) rename PSD as the Department of Corrections and Rehabilitation (DCR), which will administer the corrections, rehabilitation, reentry, and related functions currently assigned to PSD; 3) establish a training center within DLE to provide all State and county law enforcement entities the highest level of core and continuing education and training; 4) appropriate \$4,121,309 in general funds to DLE for FY 23 to establish and fill 70.00 new, permanent full-time equivalent (FTE) positions and for other operating expenditures; and 5) appropriate \$280,782 in general funds to DCR for FY 23 to establish and fill 8.00 new, permanent

FTE positions. This bill intends to reorganize the State's law enforcement structure to effectively carry out law enforcement operations for the State and to allow the efficient use of resources in administering correctional programs and administering and maintaining public and private correctional services. However, the bill does not intend to impair or diminish the longstanding authority and responsibility of county police departments to enforce laws on State lands within their respective counties.

B&F defers to PSD, DOT, AG, and OHS on the potential operational impacts of this measure to their respective agencies. Additionally, B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The federal American Rescue Plan (ARP) Act also requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and

- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

LATE

HB-2171-HD-1

Submitted on: 2/16/2022 11:12:56 AM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Myron Widrig	State of Hawaii Sheriff Department	Support	No

Comments:

I fully support HB2171 and SB3139. I strongly believe that consolidating Law Enforcement, and the creation of a Law Enforcement Agency will benefit all involved.

Our current situation under The Department of Public Safety reminds me of our bargaining unit (14) with HGEA. For the first seven years unit 14 was comprised of State of Hawaii Law Enforcement Officers and State and County Ocean/Water safety Officers. Although we are all considered First Responders, there wasn't much in common regarding the job duties of a Law Enforcement Officer, and that of an Ocean/Water Safety Officer. This proved difficult and tiring during contract negotiations. I have first hand knowledge of this, as I have been the Unit 14 Kauai Chair since the inception of unit 14. In January of 2021 Ocean/Water Safety Officers obtained their own bargaining unit (15). HGEA'S website states the following, "The separation will allow for bargaining and negotiations on items specific to Ocean and Water Safety Officers.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 768-7400 • FAX: (808) 768-7515

STEVEN S. ALM
PROSECUTING ATTORNEY

THOMAS J. BRADY
FIRST DEPUTY
PROSECUTING ATTORNEY



THE HONORABLE MARK M. NAKASHIMA, CHAIR
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS
Thirty-first State Legislature
Regular Session of 2022
State of Hawai'i

February 16, 2022

RE: H.B. 2171, H.D. 1; RELATING TO PUBLIC SAFETY.

Chair Nakashima, Vice-Chair Matayoshi and members of the House Committee on Judiciary and Hawaiian Affairs, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”) submits the following testimony, in support of H.B. 2171, H.D. 1, with the understanding that the “legislature does not intend to impair or diminish the longstanding authority and responsibility of county police departments to enforce the laws of the state” (page 5, lines 3-5).

The purpose of H.B. 2171, H.D. 1 is to divide the current Department of Public Safety into two separate departments: Department of Law Enforcement, and Department of Corrections and Rehabilitation. Because the general goals and functions of law enforcement are different and distinct from that of corrections and rehabilitation, having two separate departments to serve these functions would allow each department to be more effective and more highly specialized in their respective areas. In particular, having a dedicated department for state law enforcement officers would provide state officers with uniform training, and allow the department to respond with increased flexibility.

The Department appreciates the adopted amendments to H.B. 2171, H.D. 1 made by the House Committee on Corrections, Military, and Veterans, which will ensure clarity that the police departments are able to maintain their current level of authority and jurisdiction. Additionally, it will help to distinguish between state law enforcement officers, who are under the authority and direction of the proposed Department of Law Enforcement, and county law enforcement officers.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu supports the passage of H.B. 2171, H.D. 1. Thank you for the opportunity to testify on this matter.



**HOUSE OF REPRESENTATIVES
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2022**

Committee on Judiciary and Hawaiian Affairs
Representative Mark M. Nakashima, Chair
Representative Scot Z. Matayoshi, Vice Chair

Wednesday, February 16, 2022, 2:00PM
Conference Room 325 and via Videoconference

Re: Testimony with Comments of HB271 HD1 - RELATING TO PUBLIC SAFETY

Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee:

The United Public Workers, AFSCME Local 646, AFL-CIO (“UPW”) is the exclusive bargaining representative for approximately 14,000 public employees, which includes blue collar, non-supervisory employees in Bargaining Unit 1 and institutional, health, and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. The UPW also represents 1,500 members in the private sector.

UPW **provides the following comments on** HB2171 HD1, which establishes a Department of Law Enforcement to consolidate and administer criminal law enforcement and investigations functions of the State effective upon approval and reestablishes the Department of Public Safety as an independent Department of Corrections and Rehabilitation to administer the corrections, rehabilitation, and reentry of the inmate population effective January 1, 2023. This bill would also transfer other law enforcement functions to the Department of Law Enforcement from other currently established departments effective on July 1, 2023.

As the exclusive negotiating representative of Bargaining Unit 10, which includes correctional workers, we are monitoring this proposal. It is our hope that any type of proposal or reorganization of the Department of Public Safety will not have a negative impact on our correctional workers. With the creation of any new programs or departments, we hope that the necessary funding is in place before any such transition occurs to ensure the least amount of interruption to the impacted departments, and that funds will not be redirected from other programs that may already support some of the proposals contained within SB3139.

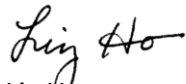
**UNITED PUBLIC WORKERS
AFSCME Local 646, AFL-CIO**



We respectfully ask that if this proposal does become law, that the new Director of the Department of Corrections and Rehabilitation is able to prioritize the issue relating to a number of vacant positions within our correctional facilities and work to fill these much-needed positions swiftly. Additionally, we also hope that there will be continued dialogue regarding the status of such transitions and that the Administration will allow UPW and other impacted exclusive negotiating representatives the opportunity to provide input during the proposed transition.

Thank you for the opportunity to provide testimony.

Sincerely,

A handwritten signature in black ink, appearing to read "Liz Ho". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Liz Ho
Administrator



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

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

The Thirty-First Legislature, State of Hawaii
House of Representatives
Committee on Judiciary & Hawaiian Affairs

Testimony by
Hawaii Government Employees Association

February 16, 2022

H.B. 2171, H.D. 1 – RELATING TO PUBLIC SAFETY

The Hawaii Government Employees Association, AFSCME Local 152, AFL- CIO conceptually supports the intent of H.B. 2171, H.D. 1, which in part establishes a Department of Law Enforcement to consolidate and administer criminal law enforcement and investigations functions of the State. This measure transfers the law enforcement functions of the Department of Public Safety and the Department of Transportation to the Department of Law Enforcement and the non-statutorily mandated functions of the Investigations Division of the Department of the Attorney General, and the Office of Homeland Security to the Department of Law Enforcement.

We originally sought the introduction of the concept to consolidate law enforcement under the Attorney General during the 2018 Legislative Session via H.B. 2203 and S.B. 2909. While we understood then, and continue to recognize, that this is a significant policy shift from the existing departmental structures, we fully believe it is long overdue and most appropriate to initiate this necessary conversation on how state law enforcement can best serve the public. Centralization of our state law enforcement will ensure consistency in training and uniformity with policies and 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, please note that the details likely require negotiations and/or consultation in accordance with Chapter 89, Hawaii Revised Statutes.

Thank you for the opportunity to testify in support of the establishment of the Department of Law Enforcement.

Respectfully submitted,

Randy Perreira
Executive Director



STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS

" A Police Organization for Police Officers Only "
Founded 1971

February 15, 2022

ONLINE/FAX: 808-586-6684; 808-586-8474

The Honorable Mark M. Nakashima
Chair
The Honorable Scot Z. Matayoshi
Vice-Chair
House Committee on Judiciary & Hawaiian Affairs
Hawaii State Capitol, Rooms 331, 432
415 South Beretania Street
Honolulu, HI 96813

Re: **HB2171 HD1-Relating to Public Safety**

Dear Chair Nakashima, Vice-Chair Matayoshi, and Honorable Committee members:

I serve as the President of the State of Hawaii Organization of Police Officers ("SHOPO") and write to you on behalf of our Union in **conditional support** of HB2171 HD1, subject to further amendments. This bill seeks to consolidate various State law enforcement agencies while purportedly maintaining and preserving the existing duties, responsibilities, and jurisdictions between the State agencies and the county police departments.

We take no position on the consolidation and reorganization of the various State departments and agencies (Department of the Attorney General, Office of Homeland Security, Department of Public Safety, Department of Health, etc.) as it relates to financial and budget considerations and the creation of the Department of Law Enforcement. The objectives of consolidation for the purpose of achieving financial efficiency and economies of scale at the state level is something we give deference to the State authorities. However, what is of serious concern to our police officers and Union members is the negative impact the proposed State reorganization may have on the duties, responsibilities, and jurisdiction of our county police officers.

Our initial concern with HB2171 was that it expanded the State's law enforcement jurisdiction beyond protecting and securing the State's courthouses and dignitary protection for State government officials, which are distinct and separate duties and responsibilities that are not performed by our county police officers. HB2171 gives the Sheriffs the authority to conduct "law enforcement operations and investigations throughout the State," however, the bill is silent and continues to be silent as to what that means or what that will entail. At the same time, the bill states that it is not intended to "impair or diminish" our county officers' responsibilities. What all of this means, how it should be interpreted, and how it will be applied is unclear and requires additional clarification.

Main Office & Honolulu Chapter Office
1717 Hoe Street
Honolulu, Hawaii 96819-3125
Tel: (808) 847-4676 "84 SHOPO"
www.shopohawaii.org Fax: (808) 841-4818

Hawaii Chapter Office
688 Kinoole Street, Room 220B
Hilo, Hawaii 96720-3877
Tel: (808) 934-8405
Fax: (808) 934-8210

Kauai Chapter Office
3176 Oihana Street, Suite 104, Lihue
Mailing Add: P. O. Box 1708
Lihue, Hawaii 96766-5708
Tel: (808) 246-8911

Maui Chapter Office
1887 Wili Pa Loop, Suite 2
Wailuku, Hawaii 96793-1253
Tel: (808) 242-6129
Fax: (808) 242-9519

The Honorable Mark M. Nakashima, Chair
The Honorable Scot Z. Matayoshi, Vice-Chair
House Committee on Judiciary & Hawaiian Affairs
February 15, 2022
Re: HB2171 HD1-Relating to Public Safety
Page 2

Therefore, we respectfully request that an appropriate and clarifying amendment be made on page 29, lines 12-16, and page 30, lines 4-7, to ensure that our county police officers will be able to continue carrying out and performing their same duties and responsibilities within their respective county jurisdictions unimpeded, without any diminishment or restriction, and without being displaced. A suggestion is that page 30, lines 4-7, be amended to read as follows: “This section does not relieve nor will it diminish county police officers of any authority or responsibility to enforce laws or to maintain public safety on state lands and in state buildings or in their respective counties.”

This jurisdictional concern is very important to our officers and therefore clarifying language will help avoid any future misunderstandings should this bill become law. Specifically, we want to ensure that the law enforcement operations and investigations performed by our county police officers on each island are not affected by this bill. For example, the reported crimes we are currently responsible to respond to and investigate will remain the same and under the jurisdiction of our county police officers, we will continue to patrol the same geographical community areas that we currently patrol and where we respond to calls, and we will continue to be responsible for the same traffic enforcement and investigations that are presently performed by our solo bike units and traffic divisions. Where there exists current overlap in jurisdictions, we will continue to work collaboratively with our brother and sister State law enforcement officers as we have done in the past and will continue to do in the future.

The original bill also proposed a “statewide law enforcement training center” intended to provide “education” and “training” to not only state law enforcement officers but also to our county police officers. The amendments in HB271 HD1 clarify that the training center is intended for the officers of the newly created Department of Law Enforcement as opposed to being a mandatory training center for our county officers who have their own respective training academies that are accredited by the Commission on Accreditation for Law Enforcement Agencies (“CALEA”).¹ This amendment was truly welcomed and appreciated by our county officers who are highly trained, experienced, and investigate a broad range of crimes as set forth in the Hawaii penal code. Our officers are held to the highest professional standards and are investigated and held accountable for the slightest deviations or infractions. The policies and training of each county police department share much in common, but there are also many special provisions and training aspects tailored to each island’s unique demands and diverse communities. Thus, a state training center and the requirement of a “certification” by the law enforcement standards board for county police officers is in our view unrealistic, will involve duplicative training, unduly financially burdensome, and certainly cannot be a one size fits all because each island and their respective Police Chiefs have their own divergent community compositions, needs, and resources.

¹ CALEA is nationally known as the gold standard benchmark in law enforcement and its accreditation seals are internationally recognized as the “Marks of Professional Excellence” for public safety agencies.

The Honorable Mark M. Nakashima, Chair
The Honorable Scot Z. Matayoshi, Vice-Chair
House Committee on Judiciary & Hawaiian Affairs
February 15, 2022
Re: HB2171 HD1-Relating to Public Safety
Page 3

You may recall that two Honolulu police officers were recently involved in the shooting of a suspect who charged at them wielding a knife. I am sure you are also aware of the depleted ranks we are facing and the severe shortage of officers who are willing to join our departments to protect and serve our communities. The Maui Police Chief recently testified before the Maui County Council that his department was in the midst of a staffing crisis with a vacancy level that exceeded 25%. Chief John Pelletier provided the sobering analogy of “taking a sprinter and saying, ‘Hey, go run this race but we’re going to take your leg off.’” In other words, we do not have a sufficient number of police officers patrolling our neighborhoods and protecting our citizens which without question places the public’s safety in jeopardy. Chief Pelletier’s candid and honest statements should have sounded an alarm in our community that our police departments are at a critical juncture and creating yet another layer of training bureaucracy will only exacerbate our present recruitment and retention crisis. I hope you will take our concerns to heart because we take great pride and consider it an honor to protect and serve our island communities and will continue to perform our duties to the best of our abilities. However, please understand that based on our experience, additional mandatory training or certifications will do nothing to alleviate but will only worsen an already dire situation.

We thank you for allowing us to be heard and to share our concerns on this very important issue and express how this bill could unintentionally and negatively affect and impact our county police officers.

Respectfully submitted,

ROBERT “BOBBY” CAVACO
SHOPO President

HB-2171-HD-1

Submitted on: 2/14/2022 2:36:29 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
tony frascarelli	Individual	Oppose	No

Comments:

Opposed as not currently needed. Funds required to establish the agency and its concurrent training center could be better spent elsewhere.

HB-2171-HD-1

Submitted on: 2/14/2022 2:45:14 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Cory Nojima	Individual	Support	No

Comments:

Aloha no Committee:

I am ***STRONG SUPPORT*** of HB2171/SB3139. The separation of the Law Enforcement and Corrections to stand alone state agencies is long overdue. The functions of both divisions are completely different and would be more effective separated. As a thirteen (13) year employee of the Sheriff Division I feel it would be more functional to separate us.

The consolidation of the various agencies will create a stronger foundation for the State of Hawai'i Law Enforcement functions, which will ultimately be an asset to all of us.

I humbly ask that you make a pono choice and vote in ***SUPPORT*** of HB2171/SB3139..

Mahalo piha,

Cory Nojima

HB-2171-HD-1

Submitted on: 2/14/2022 2:48:34 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ryan Kamealoha	Individual	Support	No

Comments:

I fully support HB2171 and the creation of a State Department of Law Enforcement. The consolidation of State law enforcement agencies into one department will streamline operations, standardize training and provide accountability under one command structure.

Please support this Bill.

Sincerely,

Ryan Kamealoha

HB-2171-HD-1

Submitted on: 2/14/2022 2:50:31 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Maria	Individual	Support	No

Comments:

I fully support HB2171 and believe consolidating State Law Enforcement and creating an LE agency will significantly improve the recruitment, training, operations, and command and control of State Law Enforcement resources and personnel.

HB-2171-HD-1

Submitted on: 2/14/2022 2:50:39 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Rocky Ayala	Individual	Support	No

Comments:

Thank you for the opportunity to submit my testimony. I have been with the Department of Public Safety, Sheriff Division for 29 1/2 years and have witnessed the department grow in a lot of ways. However, there is much to be done. I am pleased with the current administration to have taken us this far towards the separation of law enforcement and corrections as both should be departments. Please support the creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation under CALEA.

HB-2171-HD-1

Submitted on: 2/14/2022 2:53:28 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Michele Muramoto	Individual	Support	No

Comments:

I fully support HB2171 and believe consolidating State Law Enforcement and creating a law enforcement agency will significantly improve the recruitment, training, operations, and command and control of State Law Enforcement resources and personnel.

HB-2171-HD-1

Submitted on: 2/14/2022 2:54:03 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Bryan Marciel	Individual	Support	No

Comments:

Aloha Honorable Chairman Nakashima, Vice Chairman Matayoshi and Committee Members,

I want to express my full support for HB 2171. I am, and have been a deputy sheriff for 24 years. This bill will finally solidify state law enforcement and streamline all of the processes involved, from recruitment, to training, personnel services, daily operations and special operations to create the foundation to provide the the citizens of and visitors to Hawaii a safer community in which to live, play, grow and strive. With the recent statement issued by SHOPO, the counties police union, of not being able to field the necessary numbers of police officers, thus jeopardizing the public's safety. We as state law enforcement, want to be in a position to help our brothers and sisters in blue across the state to ensure that together we can provide a safer community that our Keiki, Kapuna and everyone else deserve.

Mahalo,

Bryan Marciel

HB-2171-HD-1

Submitted on: 2/14/2022 2:57:29 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Carl Rice	Individual	Support	No

Comments:

Please support the creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation under CALEA.

HB-2171-HD-1

Submitted on: 2/14/2022 2:59:04 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Craig Okano	Individual	Support	No

Comments:

Sir/Ma'am,

I am in full support of HB2171 for several reasons but many of have already been mentioned and I will spare you the burden of redundant reading. However, my main issue pertaining to this bill is the separation of Corrections and Law Enforcement. To the best of my knowledge, the State of Hawaii is the only state in the union which still has a combined Corrections and Law Enforcement division under a single department. This concept is not only a hindrance but an absolute detriment to both entities. The basic philosophy of each division is absolutely diverse at its core. In 2018, the State of Virginia realized such a distinction, and made amendments to their State's statues. Amendments to 6VAC20-20. Rules Relating to Compulsory Minimum Training Standards for Law-Enforcement Officers and 6VAC20-100. Rules Relating to Compulsory Minimum Training Standards for Correctional Officers of the Department of Corrections, Division of Adult Institutions. Basically, these amendments clearly defined the roles, training, responsibilities, qualifications and more importantly the true definition of a Corrections officer and a Law Enforcement officer for the State of Virginia. This amendment also clearly defines the necessity to separate Corrections and Law Enforcement and to ensure that all the training and qualifications for both Corrections and Law Enforcement officers are standardized and equal throughout the State of Virginia. In closing, I truly believe that HB2171 is long overdue and is vital to the safety and security for the State of Hawaii.

HB-2171-HD-1

Submitted on: 2/14/2022 3:02:57 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Edward Trevino	Individual	Support	No

Comments:

I wholeheartedly support this bill. This bill will make the law enforcement a better and given the right tools would definitely help the people of Hawaii. his bill will strengthen the already strong cohesiveness of the division and its people within it.

Thank You

Edward Trevino

HB-2171-HD-1

Submitted on: 2/14/2022 3:10:50 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
D SASIL	Individual	Support	No

Comments:

I fully support this bill. A unified state law enforcement department ensures the training of its officers, several agency operational budgets, and enforcement of Hawaii's laws are consolidated and executed under one strategy. This will result in an improved operational efficiency in a time of rising costs and inflation. I hope this will pass and signed into law this legislative period. Thank you for hearing my testimony.

HB-2171-HD-1

Submitted on: 2/14/2022 3:30:16 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kawai Gibson	Individual	Support	No

Comments:

I fully support HB2171.

The consolidation of State Law Enforcement, and the creation of a Law Enforcement Agency will significantly improve all aspects of State Law Enforcement: recruitment, training, operations and management of personnel.

Please support the creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation under CALEA.

Thank you!

HB-2171-HD-1

Submitted on: 2/14/2022 3:38:15 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Calvin Chaves	Individual	Support	No

Comments:

I fully support HB2171 and believe consolidating State Law Enforcement and creating an LE agency will significantly improve the recruitment, training, operations, and command and control of State Law Enforcement resources and personnel.

HB-2171-HD-1

Submitted on: 2/14/2022 3:45:40 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Tanny Cazimero	Individual	Support	No

Comments:

This bill provides the public with a clearer understanding of the unique functions of these two institutions and allows our community to be better served by an agency focused in law enforcement services.

HB-2171-HD-1

Submitted on: 2/14/2022 3:51:39 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Chon Peters	Individual	Support	No

Comments:

Dear Chair - Representative Mark Nakashima and Vice Chair -Representative Scot Matayoshi,

First and foremost I wanted to thank you for your service to our communities.

I full heartedly support this bill HB 2171. I believe it's not only beneficial for our state when It comes to positive constructive change, but this bill will give all state laws enforcement agencies the well needed support when it comes to enforcing the laws. This bill also has the opportunity to bring more jobs to our state and help keep our locals home instead of seeking employment abroad.

Mahalo for your Kokua

Aloha

HB-2171-HD-1

Submitted on: 2/14/2022 4:00:48 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Michael V DeCenzo	Individual	Support	No

Comments:

I am in full support of this bill. Creating these two departments, will give each department the ability to better serve the public as they will be able to focus more on their respective functions.

HB-2171-HD-1

Submitted on: 2/14/2022 4:21:43 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Greg Mayo	Individual	Support	No

Comments:

I fully support HB2171 Consolidation of State Law Enforcement will benefit command and control of State Law Enforcement resources and personnel. I am very passionate about my job and my duties. I believe this Bill will greatly benefit recruitment, training and retention. Thank you for your time.

Gregory Mayo- Deputy Sheriff II, Special Operations section, K9 explosive Handler.

HB-2171-HD-1

Submitted on: 2/14/2022 4:28:46 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Christopher S H Lee	Individual	Support	No

Comments:

Chair Representative Mark Nakashima, Vice Chair Representative Scot Matayoshi,

I support SB3139 the establishment of a Dept of Law Enforcement. This bill would streamline the activities of State Law Enforcement, create a cohesive and standardized process for the training of existing and future State law enforcement officers and provide a more centralized object for enforcement action oversight. A singlar Dept of Law Enforcement entity would also make it easier for the public to discern the functions, services and enforcement actions of that lone entity.

Please support this bill into law.

HB-2171-HD-1

Submitted on: 2/14/2022 5:57:27 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Erich Mitamura	Individual	Support	No

Comments:

Dear House committee members,

I am writing in support of HB2171 as it relates to the creation of the Department of Law Enforcement. I believe the creation of this department will not only help the state government streamline law enforcement efforts within the state but coordinate resources within once separate agencies. This is a vital component in helping the people of Hawaii with a more complete state law enforcement element that did not previously exist.

Your support of this bill will ensure sole accountability and responsibilities for state law enforcement fall within a single department.

Respectfully,

Erich Mitamura

HB-2171-HD-1

Submitted on: 2/14/2022 6:07:38 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Avery Gomes	Individual	Support	No

Comments:

I support separating the Department of Public Safety as Corrections and Rehabilitation for the Correctional objectives and, Department of Law Enforcement to focus on Law Enforcement objectives.

Hawaii is far behind the national standards in both areas of Correctional Institutions and its State Law Enforcement. The passing of this bill will start us headed in the right direction.

“Corrections and Rehabilitation” benefits as a single focused part of the criminal justice system;

- Able to provide Correctional and Rehabilitation services to Hawaii’s communities which is Post Arrest and Post Charged for a crime.
- Separates the post effects an individual who has been arrested for a crime deals with and allows rehabilitation to begin knowing “Corrections and Rehabilitation” is separate from Law Enforcement and is not only throwing them behind bars but, is willing to help them deal with their issues.
- Allows the Directors office to better gather, maintain and strategize based on data regarding their efforts in progressing the Departments initiatives and reaching goals.

These are just a few examples of the obvious positive effects of having a section in Government who strictly focuses on the housing and rehabilitation of Hawaii’s offender population.

In the long run, budget will be spared in the hopes that providing a more consistent way of dealing with our offenders will lessen the chance of recidivism and promote a more positive impact on the families directly involved with the offender, especially the youth.

“Department of Law Enforcement”

Hawaii’s communities have been long overdue for a united Law Enforcement Agency. As we have all seen through the years, the County Police on each island have been basically Managing/Policing every aspect of our State with very little help by other Departments within Hawaii.

In recent times, we see how society is changing and our Enforcement falls short.

We have seen government corruption gone too far for too long due to the lack of Multi-Agency Diversity as the County Police will Investigate all cases including those which may be seen as a conflict of interest.

The creation of a State “Department of Law Enforcement” will bring Inter-Agency Diversity to our communities which will create a Check and Balance effect allowing the people of Hawaii to maintain trust in our communities Law Enforcement.

This separate Department will allow its leaders to collaborate with other agencies gathering important data to help work together for the safety and security of Hawaii’s communities.

There is an endless amount of information I could provide in support of this Bill but, I hope this short testimony had an impact on a decision for positive change in Hawaii.

As with any newly developed government services, there will be a lot of work to get this started. However, our community deserves progression out of our government and those of us who signed up to serve the people are willing to make it happen.

Mahalo!

HB-2171-HD-1

Submitted on: 2/14/2022 6:15:52 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Rollin J Canon	Individual	Support	No

Comments:

To :Representative Mark Nakashima - CHAIR

Representative Scot Matayoshi - VICE CHAIR

I fully support HB2171 and believe consolidating State Law Enforcement and creating an LE agency will significantly improve the recruitment, training, operations, command, and control of State Law Enforcement resources and personnel. I believe this bill will greatly improve communications within this single law enforcement entity.

HB-2171-HD-1

Submitted on: 2/14/2022 6:29:22 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Deven English	Individual	Support	No

Comments:

I fully support HB2171 and believe consolidating State Law Enforcement and creating an LE agency will significantly improve the recruitment, training, operations, and command and control of State Law Enforcement resources and personnel.

Please support the creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation under CALEA.

HB-2171-HD-1

Submitted on: 2/14/2022 6:34:00 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Maria English	Individual	Support	No

Comments:

I fully support HB2171 and believe consolidating State Law Enforcement and creating an LE agency will significantly improve the recruitment, training, operations, and command and control of State Law Enforcement resources and personnel.

Please support the creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation under CALEA.

Thank you

HB-2171-HD-1

Submitted on: 2/14/2022 7:36:47 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Sean Neilson	Individual	Support	No

Comments:

Please support the creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation under CALEA.

HB-2171-HD-1

Submitted on: 2/14/2022 9:56:41 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
David Ray	Individual	Support	No

Comments:

I fully support HB2171. This Bill of consolidating State Law Enforcement and the creation of a Law Enforcement agency will surely and significantly improve on recruitment, training (recruit and in-service), operations, and command and control of State Law Enforcement resources and personnel. I ask for your support in the creation of the Department of Law Enforcement and the consolidation of all State Law Enforcement Officers under this new Department. Consolidating our State Law Enforcement Officers would allow for effective management, accountability, standardization, and accreditation under Commission on Accreditation for Law Enforcement Agencies (CALEA).

V/R

David J. Ray

Duputy Sheriff

HB-2171-HD-1

Submitted on: 2/15/2022 12:27:32 AM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
John Mallari	Individual	Support	No

Comments:

I fully support HB2171 and believe consolidating State Law Enforcement and creating an LE agency will significantly improve the recruitment, training, operations, and command and control of State Law Enforcement resources and personnel

HB-2171-HD-1

Submitted on: 2/15/2022 4:09:04 AM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Charles Among Jr	Individual	Support	No

Comments:

Chair Nakashima, Vice Chair Matayoshi and Committee members,

I fully support HB2171 and believe consolidating state law enforcement and creating a Department of Law Enforcement will significantly improve operations, recruitment / retention, consistency and standardization in training, uniformity with policies and procedures and command and control of state law enforcement resources and personnel. Finally, consolidation will also create potential opportunities for cross training and advanced career development.

As an employee of the Department of Public Safety for almost 28 years, I know there are many complexities and dynamics in both the Corrections and Sheriff Divisions, not one more important than the other. Both divisions have unique and distinct missions to the people for whom they serve, and both deserve separate departments to maximize their capabilities.

I humbly ask for your support of HB2171. Thank you for letting me testify in this important matter.

Charles Among Jr.

HB-2171-HD-1

Submitted on: 2/15/2022 6:35:23 AM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ululani Makue	Individual	Support	No

Comments:

Aloha kākou,

I fully support HB2171 and believe that consolidating State Law Enforcement services and creating a single LE agency, entitled the Department of Law Enforcement, will significantly improve the recruitment, training, and command and control of State Law Enforcement resources and personnel.

Moreover, the separate creation of a department for Corrections and Rehabilitation can begin to address the social issues of recidivism and reintegration among our incarcerated population and provide necessary resources to address them in an efficient manner as an autonomous organization altogether.

Mahalo,

Ululani Māku'e

MEASURE TITLE: HB 2171, HD1, RELATING TO PUBLIC SAFETY

HEARING DATE: WEDNESDAY, FEBRUARY 16, 2022

TIME: 2:00 P.M.

To Chair Nakashima, Vice Chair Matayoshi and committee members,

I would like to submit testimony in Support of HB 2171, HD1, Relating to Public Safety.

It is said that one cannot serve two masters and I believe we can agree that both divisions of Public Safety, the Law Enforcement Division and the Corrections Division are each very important and of great significance to the State.

To be able to maintain excellent service to the State and our communities for which we are responsible to protect, serve, work alongside, and help. But also, to help rehabilitate, re-introduce into society and aid in becoming productive, healthy neighbors and family members. These are two great tasks need to be organized separately to be done well.

Sincerely,

Sue Ellen Bader

HB-2171-HD-1

Submitted on: 2/15/2022 8:12:22 AM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kanamu	Individual	Support	No

Comments:

Aloha All,

I **support** HB2171 and ask that you do as well.

Mahalo

HB-2171-HD-1

Submitted on: 2/15/2022 8:14:35 AM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ryan Machado	Individual	Support	No

Comments:

Aloha, I strongly support this bill. I feel it just makes sense for the State of Hawaii and it's citizens. A streamlined approach by combining these entities would cut the red tape and promote a higher level of accountability. This transparency and accountability is what the people of Hawaii deserve and the dedicated hard working law enforcement personnel call and crave for. Like anything else, I anticipate that there will be opposition and detractors to this bill. As I highly value their right to an opinion and position, I sincerely ask that you hear their position but think critically into the true motivation behind the opposition. I do not envy any of you as the job to do what is right for the people of Hawaii is not an easy one. I trust you will make the best decision. Mahalo for your time.

Written Testimony of Daniel Hanagami for State Law Enforcement Department bills:
HB2171

I am offering this testimony as a private citizen. I feel very strongly that enactment of this legislation would bring harm to public employees and the community. It would be detrimental to state law enforcement by making it costlier and less effective, therefore, I am in opposition of this bill for the following reasons:

1. The proposed legislation offers lofty goals without real substance to achieve those goals. The bill does not include the county police departments as a major consulting entity and establishes the Public Safety Department as the driving force behind this bill. The Public Safety Department lacks certification, experience and expertise. The planning of the law enforcement department should have better leaders to pursue this effort.
2. Reorganization in itself serves no purpose unless it adds value. This reorganization would create layers of bureaucracy, executive sinecures and generate millions of dollars in unproductive costs without providing a roadmap for improvements in services or safety for the public. This waste would be perpetuated in future budget cycles, a costly illusion with no benefit to the public.
3. The proposed reorganization of state law enforcement is justified by goals, but the proposed reorganization does nothing to achieve these goals.
4. State law enforcement functions together as the State Law Enforcement Coalition (SLEC) in response to the full spectrum of natural disasters, events, civil disturbances and threats to public safety. The SLEC Unified Command provides coordinated leadership and functions as a whole organization to carry out the missions tasked to state law enforcement. The SLEC Unified Command coordinates the actions, personnel and resources of the member agencies whenever a situation requires interagency coordination or exceeds the resources of a single agency. The SLEC framework provides the best of both worlds, coordinated efforts drawing on all state law enforcement while keeping member agencies intact and able to focus superior expertise in their functional areas.
 - a. SLEC has functioned effectively as a formal entity since 2003. SLEC was established by formal agreement by Major General Robert G. F. Lee in his capacity as Adjutant General of the Hawaii National Guard and Director of Civil Defense, Attorney General Mark Bennett, Peter Young as Chair of the Board of Land and Natural Resources, Rodney Haraga as Director of Transportation, and James Propotnick as Acting Director of Public Safety.
 - b. SLEC has functioned effectively since its establishment through numerous challenges facing the state through the present and the SLEC response to the COVID-19 Pandemic.

Written Testimony of Daniel Hanagami for State Law Enforcement Department bills:
HB2171

- c. SLEC is more effective as a coordinator of state law enforcement than the proposed organization and engages more resources.
 - d. All of the member law enforcement agencies of SLEC have evolved over time to perform necessary, sometimes specialized functions, and their unity in SLEC has enabled state law enforcement to function as a whole in response to all emergencies and situations. The SLEC Unified Command functions under the standards of the National Incident Management System and is organized in an Incident Command System structure. SLEC is even stronger based on the solid commitments, mutual respect and commitment to public safety of its leaders and members.
5. The proposed organization would consolidate a significant portion of state law enforcement. It would exclude significant portions of state law enforcement that would become fragmented, special purpose niche offices serving as single-purpose entities unavailable to overall public safety. State government already has many special-purpose investigators and limited-scope law enforcement personnel scattered among state agencies. This legislation would create more of these specialized fragments.
- a. For example, as part of a larger whole Investigations Division, a unit of investigators assigned to “certain investigations functions of the department of the attorney general,” also participate in quarantine compliance enforcement to protect the community and prevent deaths, but as an isolated fragment unit, they would stay in their lane and not be available to serve the greater needs of the community.
 - b. There is, in fact, value to dedicating specialists to accomplish specialized functions, but when these investigators are left behind and not included in the new law enforcement department, they will effectively be no longer integrated in operations or be available for other services.
 - c. Creating more specialists outside the framework of the new department would decrease the number of personnel available for state law enforcement as a whole. Experience has shown that these isolated, specialized investigators can be dedicated, productive individuals, such as investigators in the Child Support Enforcement Agency, but they are not available to SLEC and would not function as part of this new department.
 - d. For example, the Investigations Division of the Department of the Attorney General performs many important specialized functions such as investigating sex offenders, and functions as a cohesive whole adding to the specialized investigators when executing search warrants, managing crime scenes or being

mobilized to support operations such as peacekeeping at Maunakea or performing pandemic response.

6. This legislation would cut the number of investigators available to large-scale crime scene investigations in half. The dismemberment of the Investigations Division would destroy the ability of state law enforcement to conduct complex white collar crime investigations, particularly government corruption and financial fraud. There is no other agency conducting this type of investigation at the state level and very limited county-level capabilities. Disbanding the Investigations Division and dismembering its ability to function as a whole will severely compromise accountability in state government and enable greater corruption by removing the only effective deterrent.
 - a. The prior Attorney General, the current Attorney General and its Special Assistant to the Attorney General planned dismemberment of its Investigations Division in this proposed bill, appears nothing more than a ploy to address its the labor issues and federal civil rights violation charge by crafting this bill that is designed to strip its Chief Special Investigator of his supervisory authority and exile him regardless of he being the top financial crimes investigator in the Department.
7. DOCARE (Division of Conservation and Resource Enforcement) is a significant partner in SLEC and state law enforcement. DOCARE is omitted from this reorganization legislation. DOCARE's omission contradicts the justification for this proposal and is a good example of why this consolidation is flawed. As their name implies, DOCARE and its officers perform specialized conservation and resource protection functions vital to the interests of the state and the people served by the state, while at the same time being vital and effective members of SLEC and state law enforcement as a whole. DOCARE exemplifies why SLEC works as a framework to coordinate state law enforcement while preserving the reasons its member agencies exist.
8. Harbor Enforcement Officers (HEO) have specialized skills, training and proficiencies associated with their work on seacraft and the intricacies of commercial harbors. A Harbor Enforcement Officer would not be interchangeable with a Deputy Sheriff or Investigator. The skill set of a HEO and the work they perform specialized and focused to best serve in commercial harbors.
9. This legislation frequently mentions the Department of Transportation but does not address the contract Law Enforcement Officers serving at the airports. These are armed airport police with full law enforcement authority. Whether the airport police should be contract or civil service employees is an issue for a different time, but this legislation does not bring the airport police into the proposed new department. This legislation

omits what is, in effect, the second largest state law enforcement agency in Hawaii, with staffing second only to the Sheriff Division.

10. State law enforcement essentially serves defined interests and priorities of state government. The existing agencies and their focused areas provide effective, cost-efficient services that optimize services and accountability in their areas of expertise. State law enforcement contributes services that are not performed by county police. State law enforcement is not, nor should it become, a duplication of functions and services best-served by the county police. The state and counties each have roles in the overall safety and protection of our community.
11. This legislation would not accomplish its stated goals.
 - a. Goal (1) State law enforcement already partners with the Joint Terrorism Task Force to protect the State from both domestic and foreign threats. This legislation would not change that.
 - b. Goal (2) This legislation and a new state law enforcement agency would not accomplish “eliminating the narcotics epidemic that plagues Hawaii’s communities through its commitment of investigators in the federal High Intensity Drug Trafficking Area (HIDTA) task forces”. Eliminating drug trafficking and the destruction of lives from methamphetamine and the other dangerous drugs is a very worthwhile goal to protect our communities and our children, but this legislation is not the means to accomplish it.
 - b1. The county police are a much better option to counter narcotics trafficking if they can be supported with more resources. Attempts to duplicate their services at the state level would drain resources that would be better used by county police.
 - b2. The Honolulu Police Department has a very strong partnership with HIDTA and is highly effective in investigations and drug trafficking countermeasures, but the scope of the problem exceeds their resources. A new state law enforcement agency is not the answer to this dilemma. The state would better serve this goal by contributing money to support more Honolulu Police Department personnel, Maui Police Department personnel, and more Kauai police personnel
 - b3. Should state law enforcement want to venture into this area, the state would need to significantly step-up commitment to community-based groups and programs to harden youth against social contributors and provide meaningful positive alternatives, improved the accessibility to

rehabilitation and treatment to community members needing services in this area. are needed. Our whole community needs to be mobilized to save our youth and the victims of addiction. Reorganizing state law enforcement is not the answer and would not accomplish anything meaningful.

- c. Goal (3) reorganizing state law enforcement is not needed to expand the narcotics canine program. State funding would be better used to support expanded canine services in the county police departments.
 - d. Goal (4) reducing gun violence and other violent criminal acts in island communities through participating in the federal Project Safe Neighborhoods program is an effective strategy. The county police are engaged at the community level and have direct involvement with communities through their roles as emergency first responders and their patrol officers. The county police have close ties with the neighborhoods they serve and have years of experience with community policing. The proposed state law enforcement department would add little or no value.
12. The county police are emergency first responders. Their patrol elements are 9-1-1 driven. All calls are serviced. Police Communications and dispatchers' function as a whole response engine with their field patrol personnel. This is the core of the county police departments. In general, state law enforcement agencies are not prepared to take on this responsibility. Only Harbor Police are actual emergency first-responders. In the 9-1-1 world, there is no such thing as "we're too busy" or "we don't have anyone available" and bouncing emergencies or calls for service to the police.
13. This proposed legislation states, "County police departments will continue to have full law enforcement authority and responsibility with respect to state parks, state buildings, state highways, Hawaiian home lands, and other state lands and facilities." It is clear this proposed legislation intends to leave responsibility for public safety emergency response and law enforcement patrol operations as the responsibility of the county police.
- a. Jurisdiction and limited resources are issues between county and state level law enforcement, and this legislation perpetuates an unfunded mandate for county police to provide law enforcement services in areas of state responsibility. This legislation perpetuates the issues and does nothing to change the situation.
14. This legislation raises issues of training and professional standards in state law enforcement. These are very important considerations. The establishment of a training center for state and county law enforcement as described would be of significant value

for law enforcement professionalism, standards, and the quality of services provided for the community. Combined with the work of the law enforcement standards board established in chapter 139, Hawaii would be well-served by this initiative. However, this legislation does not accomplish this and it would be many years and many millions of dollars in the future.

15. The reorganization of state law enforcement proposed in this legislation is not necessary to establish a training center and professional standards. In fact, placing this training center in a new state department would be detrimental. A much better model for accomplishing this would be a jointly managed and jointly operated training center in a cooperative agreement between the state and counties. Each would commit personnel and funding to the training center.
16. This legislation is, at best, neutral in meeting the goals and services Hawaii deserves. The reorganization of state law enforcement is not the way to meet the challenges and does not deliver any real value for the community.
17. This reorganization would not reduce costs. It would add significant costs and overhead. It would add more executives but would not add more personnel actually performing the work.
18. The proposed reorganization should produce something of clear, articulated value. The only concrete value proposed are the training center as an institution to promote professional standards and consistency in training.
19. The Department of Public Safety's current administration does not have the professional expertise, experience, or knowledge as an accredited law enforcement agency to lead this initiative in the creation of a new law enforcement department. One would get the impression after reading this bill that they are setting up positions so that certain members of their department and certain members of the Office of the Attorney will have jobs after their at-will administration term comes to an end. The Special Assistant to the Attorney General once commented that it is logical for the Department of Public Safety to take the lead in this new law enforcement department because they have the largest amount of law enforcement officers in a state agency. That is not a logical answer in my view.
20. I agree with reservations expressed in the written testimony provided by the Department of the Attorney General during the Thirty-First Legislature in response to House Bill No. 629 Relating to Law Enforcement. In this testimony, the OAG expressed, "There are myriad complex issues to discuss and consider in developing a structure and plan. For instance, the needs, capabilities, and responsibilities of each of the respective state law enforcement branches must be fully assessed before being consolidated under

a single department. At a minimum, issues of infrastructure, funding, jurisdiction, responsibilities, federal mandates, parity, training, CALEA (Commission on Accreditation for Law Enforcement Agencies), policies and procedures need to be considered. The issues of support staff and facilities also need to be addressed.”

- a. This current legislation does not resolve these aforementioned issues. This current legislation, in effect, asks for the creation of a whole new state department without a plan and without addressing these issues. Instead, this proposal offers a vague vision and wants to create new executive positions in the hope these issues can be resolved as they go along. They are asking for a blank check to pay for this vision. The legislature and the people of Hawaii are not being given details or the cost.
 - b. It is confusing at the least, based upon the prior standards that the Office of the Attorney General had requested, and without it in this current legislation, they now support it.
21. This reorganization will add costs without adding value. There are issues, but this is not the solution. There are better solutions. We need to improve policing in Hawaii holistically, with state and county law enforcement and our federal partners working together as a whole team for the benefit of our community.
22. The Department of the Attorney General claims to work collaboratively in this bill, yet the affected investigators in its Investigations Division wasn't given any opportunity to give input into this bill as it was being constructed. In fact, during a meeting of this new Law Enforcement Department, the First Deputy from the Department of Public Safety and the staff from the Office of the Attorney General stated to the investigators that it was inappropriate to show the drafted bill to them.
- a. This behavior, by restricting the Attorney General's investigator's participation is contrary to, and violates the spirit of Hawaii Revised Statutes **§89-1 Statement of findings and policy**, where public employees have been granted the right to share in the decision-making process affecting wages and working conditions, they have become more responsive and better able to exchange ideas and information on operations with their administrators.

HB-2171-HD-1

Submitted on: 2/15/2022 10:25:23 AM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Alan Urasaki	Individual	Support	No

Comments:

I strongly support this measure. Thank you.

HB-2171-HD-1

Submitted on: 2/15/2022 10:56:59 AM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kalani	Individual	Support	No

Comments:

I fully support HB2171 and believe consolidating State Law Enforcement and creating an LE agency will significantly improve the recruitment, training, operations, and command and control of State Law Enforcement resources and personnel to better serve the people of Hawaii. Please support the creation of the Department of Law Enforcement and the consolidation of state law enforcement under this newly created department. Consolidation would allow for effective management, accountability, standardization, and accreditation.

Thank you

HB-2171-HD-1

Submitted on: 2/15/2022 3:14:59 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Gerard Silva	Individual	Oppose	No

Comments:

This is not about Public Safty it is about converging 3 Departments to one But still keeping the other Departmens going all the rest should be terminated!!

LATE

HB-2171-HD-1

Submitted on: 2/15/2022 4:15:57 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kurt Enos	Individual	Support	No

Comments:

I strongly support HB 2171. The creation of a State Law Enforcement Department is long overdue.

LATE

Honorable Chair, Vice-Chair and members of the Committee,

I am submitting this testimony to express my full support of HB2171, along with its companion bill SB3139, in its true context and intent of re-organizing the current Department of Public Safety into creating two separate and independent bodies in the form of the Department of Law Enforcement and the Department of Corrections & Rehabilitation. Passage of this legislation would enable the two departments to administer, manage and operate more efficiently in addressing their distinctive needs and functions.

In creating a Hawaii Department of Law Enforcement, consolidation and centralization of State law enforcement assets and personnel under one umbrella would reduce current jurisdictional and operational confusion amongst State enforcement agencies.

I believe it would significantly improve recruitment, training, operations, command & control and opportunities of upward advancement for personnel. It will also allow for more effective management, accountability, and standardization that can lead towards law enforcement accreditation under CALEA.

I have been a Deputy Sheriff for twenty years. I began this law enforcement profession at the onset of the 911 tragedies. I took the oath to protect and serve the people of the State of Hawaii and, as a public servant, I take on the responsibility to ensure the safety and security of our citizens and providing them the professional police services they deserve.

As our county police officers continuously dedicate themselves in providing safety and service to our families and communities, as a State law enforcement officer, I owe it to my county brothers and sisters to provide such services of the State on the same level of professionalism and dedication as well.

Thank you for your time and consideration.

Respectfully

R. Sebastian

LATE

HB-2171-HD-1

Submitted on: 2/15/2022 5:48:55 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kamu Makue	Individual	Support	No

Comments:

I fully support HB2171 and believe that consolidating State Law Enforcement services and creating a single LE agency, entitled the Department of Law Enforcement, will significantly improve the recruitment, training, and command and control of State Law Enforcement resources and personnel.

Moreover, the separate creation of a department for Corrections and Rehabilitation can begin to address the social issues of recidivism and reintegration among our incarcerated population and provide the necessary resources to address them in an efficient manner as an autonomous organization altogether.

LATE

HB-2171-HD-1

Submitted on: 2/15/2022 6:16:51 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Sean Springer	Individual	Support	No

Comments:

I fully support SB3139/HB2171 and believe consolidating state law enforcement and creating a Department of Law Enforcement agency will significantly improve the recruitment, training, operations, profession and command and control of state law enforcement resources and personnel.

In a time where the law enforcement field have become more complicated and law enforcement officers are evolving to find a new normal, while the public view for the need or evolution of the profession is being questioned like never before, now is the time to make this bill happen. As stated in the SB3139/HB2171, centralization of all state law enforcement entities:

into a single state department will centralize state law enforcement functions to increase public safety, improve decision making, promote accountability, streamline communication, decrease costs, reduce duplication of efforts, provide uniform training and standards, and promote uniform standards of law enforcement services.

For those that are against this bill, one has to ask yourself what do they have to lose, on this common sense initiative, that has a lot of support, if this bill passed. They will say things like duplication of services; however, in reality when you look at all other states in the nation, they follow Federalism, which is a system of government in which the power is divided between the federal, state and local government. This is healthy and provides necessary checks and balances in government that prevent a one system party that has shown, can be ripe for corruption. Moreover, it actually enhances law enforcement to better serve our state and federal and local law enforcement partners.

Finally, due to the fact that the corrections department and law enforcement department have different objectives, it is difficult to find a director that have experiences in leading and managing both entities simultaneously. By separating the two, you can find the right leadership within each specialty to effectively lead their respective agencies into the 21 Century.

R,

Deputy Sean Springer

LATE

HB-2171-HD-1

Submitted on: 2/15/2022 6:37:14 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Brandon Agena	Individual	Support	No

Comments:

Hello, my name is Brandon Agena and I am writing to show my support for this bill.

I am a deputy sheriff with the State of Hawaii Sheriff department and I feel that the passage of this bill would move the state law enforcement agency as a whole forward into the future. The current separation of various law enforcement agencies adds confusion to the general public.

The idea that there should be one department that trains the various law enforcement is a great idea. It will show that there are standardized training and criteria for all. It would also equip the new recruits with a sense of pride knowing that they have the most current up-to-date training and resources available to the state.

By separating law enforcement from the corrections side of public safety, it will allow for a more focused look at making the best use of resources that are available. As it stands now the corrections side of the department gets the lion's share of the public safety budget and the sheriff's department is treated like the black sheep of the family.

I am submitting this testimony on my own behalf and again support the passage of both HB2171 and SB3139.

Mahalo,

Brandon Agena

LATE

HB-2171-HD-1

Submitted on: 2/15/2022 8:08:49 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Alvin Turla	Individual	Support	No

Comments:

In Support Of HB2171 and SB-3139 :

I am writing this in support of developing a new Hawaii Statewide Law Enforcement Agency.

By creating a new department, it can be more transparent and provide an improved resource and protection for our community.

With the legislative blessing and approval, the new agency would be a collaboration of State Sheriffs, State AG's investigators, and other state law enforcement officers.

This would allow its officers to investigate crimes and enforce laws independently from county police departments which would decrease confusion and therefore, expedite the process.

I feel that there should be two separate departments as there are two main functions that need to be concentrated on.

One department would oversee the state's correctional system and the other would consolidate state officers under a new Department of Law Enforcement.

The department was once separate entities but was combined into the current Department of Public Safety in 1990.

Over time, the State considered dividing the department many times in the last two decades.

These sections are different and separate and should be treated as such.

I am in favor of DPS splitting our Sheriffs Division into a separate agency with other state officers. That is, State officers who oversee harbors and airports may also be moved into this new agency.

I know how beneficial this new state police agency would be if they can focus on the investigation of crimes and it makes sense that the AG's office would make determination case assignments.

This reorganization is necessary to help the state address issues on state lands.

Historically, we have encountered many challenges and barriers obtaining assistance from the City and County on many issues

In greater efforts to address state protection on state lands and state buildings, this new department, that is versed in these types of matters, should be created.

An alliance of sheriffs, certain AG's investigators, possible conservation enforcement officers from the state Department of Land and Natural Resources, and Harbor Police it would be supreme.

Each specific director could focus on either corrections or law enforcement, accordingly, and then each area will get their unique needs fulfilled leading to optimal service and protection to all.

I humbly ask this for the good of all Hawaii.

LATE

HB-2171-HD-1

Submitted on: 2/15/2022 9:24:19 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Delsonlee Evangelista	Deputy Sheriff Kona	Support	No

Comments:

I support HB2171 and believe that by consolidating state law enforcement and creating an Law Enforcement agency will improve the training, operations, command , recruitment and control of State Law Enforcement personnel and resource.

LATE

HB-2171-HD-1

Submitted on: 2/15/2022 9:47:48 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Samuel Yarbrough	Individual	Support	No

Comments:

I fully support House Bill 2171. I think this bill will benefit the State of Hawaii in many ways.

LATE

HB-2171-HD-1

Submitted on: 2/16/2022 1:50:43 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Rielle Rasmussen	Individual	Support	No

Comments:

I fully support Senate Bill 3139. I whole heartedly believe that the creation of an independent State law enforcement Department will greatly increase the effectiveness and versatility of our current State law enforcement officers. Moreover, it will also allow the two newly seperated Departments to better accomplish their own specific purposes for the betterment of our community.