

**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 8, 2022  
2:00p.m.  
State Capitol, Teleconference

**H.B 892**  
**RELATING TO LAW ENFORCEMENT**

House Committee on Judiciary and Hawaiian Affairs

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The Department of Transportation **supports** this bill which would make changes to the Law Enforcement Standards Board (LESB) membership and provide much needed funding for the LESB to perform their duties of certifying law enforcement officers.

The Legislature wisely established the LESB in 2018 to perform this very important function and provided that the Chiefs of Police and the Attorney General be members of the board. The aspect that we would like to draw attention to is the funding. At present, the bill would appropriate \$292,500 for the operation of the office. At the last board meeting, the issue of funding was discussed and we're confident that the LESB can fulfill its duties and responsibilities if given the proper resources.

Thank you for the opportunity to provide testimony.

DAVID Y. IGE  
GOVERNOR

JOSH GREEN M.D.  
LT. GOVERNOR



ISAAC W. CHOY  
DIRECTOR OF TAXATION

STATE OF HAWAII  
**DEPARTMENT OF TAXATION**  
P.O. BOX 259  
HONOLULU, HAWAII 96809  
PHONE NO: (808) 587-1540  
FAX NO: (808) 587-1560

To: The Honorable Mark M. Nakashima, Chair;  
The Honorable Scot Z. Matayoshi, Vice Chair;  
and Members of the House Committee on Judiciary & Hawaiian Affairs

From: Isaac W. Choy, Director  
Department of Taxation

Date: Tuesday, February 8, 2022  
Time: 2:00 P.M.  
Place: Via Video Conference, State Capitol

**Re: H.B. 892, Relating to Law Enforcement**

The Department of Taxation (Department) supports H.B. 892, an Administration measure, and offers the following comments for the committee's consideration.

H.B. 892 makes several changes to the statutes governing the Law Enforcement Standards Board (LESB) to clarify its membership, its powers and duties, and applicable deadlines for the completion of its responsibilities. Notably, the measure allows the designees of the Attorney General, Director of Public Safety, and Chiefs of Police of the four counties to be members on the LESB. This will allow the same flexibility that is currently afforded to the Director of Transportation, Chairperson of the Board of Land and Natural Resources, and Director of Taxation. The measure also provides funds and resources to enable the board to accomplish its mission and is effective upon its approval.

The Department is in strong support of this measure as the Director of Taxation is a member of the LESB. Thank you for the opportunity to provide testimony.



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

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 892, RELATING TO LAW ENFORCEMENT.

**BEFORE THE:**

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

**DATE:** Tuesday, February 8, 2022      **TIME:** 2:00 p.m.

**LOCATION:** State Capitol, Room 325, Via Videoconference

**TESTIFIER(S):** Holly T. Shikada, Attorney General, or  
Lance Goto, Deputy Attorney General

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Chair Nakashima and Members of the Committee:

The Department of the Attorney General (Department) supports this bill.

The purposes of this bill are to: (1) clarify membership requirements for the Law Enforcement Standards Board to facilitate participation and representation; (2) enable the board to research the impact of standards, certification, and training requirements on existing legal requirements; (3) establish new deadlines for the completion of the board's responsibilities; (4) provide the necessary funds and resources for the board's mission; and (5) exempt the board administrator position from civil service.

The law enforcement standards board, established in 2018 by section 139-2, Hawaii Revised Statutes, is responsible for establishing minimum standards for employment as a law enforcement officer and certifying persons qualified as law enforcement officers. It is also responsible for establishing minimum criminal justice curriculum requirements for basic, specialized, and in-service courses and programs for the training of law enforcement officers. It must consult and cooperate with the counties, state agencies, other governmental agencies, universities and colleges, and other institutions, concerning the development of law enforcement officer training schools and programs. The board is also responsible for regulating and enforcing the certification requirements of law enforcement officers.

Pursuant to section 5 of Act 47, Session Laws of Hawaii 2020, the board was tasked to finalize its standards and certification process by December 31, 2021.

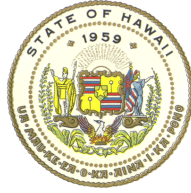
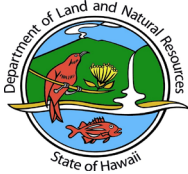
The board needs funding, staff, and resources to comply with its statutory requirements. It also needs an extension of time, beyond December 31, 2021, to complete its tasks. This bill from 2021 extends the deadline to June 30, 2023, but as indicated in its "Report on the Law Enforcement Standards Board" to the Thirty-First State Legislature, Regular Session of 2022, the Board is now requesting that this deadline be extended to June 30, 2024. This bill also gives the board the necessary funding to hire an administrator and cover its costs. Increasing the size of the board and allowing ex-officio members to use designees will expand the perspective of the board while increasing its operational flexibility.

Enabling the board to study and evaluate the impact of standards, certification, and training requirements on collective bargaining and employment laws, rules, and agreements will allow the board to establish standards, certification, and training requirements in a purposeful and intentional manner.

Exempting the board administrator position from civil service will allow the board the flexibility it needs to meet its broad duties and responsibilities within the tight deadlines. The board's role and that of the administrator are unique and not within the traditional civil service classification system. The board, therefore, needs the discretion to hire or terminate without complying with civil service requirements.

The Department respectfully requests the passage of this bill.

DAVID Y. IGE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the House Committee on  
JUDICIARY & HAWAIIAN AFFAIRS**

**Tuesday, February 8, 2022  
2:00 PM**

**Via Video Conference, State Capitol, Conference Room 325**

**In consideration of  
HOUSE BILL 892  
RELATING TO LAW ENFORCEMENT**

House Bill 892 proposes to clarify membership and certain powers and duties of the Law Enforcement Standards Board (Board), establish new deadlines for the completion of board responsibilities, and provides appropriate funds and resources to enable the Board to accomplish its mission. **The Department of Land and Natural Resources (Department) supports this measure.**

The Board has the important task of establishing the minimum standards for employment as a law enforcement officer in the State of Hawaii. As the Department is a member of the Board, we recognize the need for the Board to receive funding, employ staff, and be provided with additional time to meet its statutory requirements. The provisions of this bill will greatly assist the Board by providing the resources and time the Board needs to accomplish its mission.

Thank you for the opportunity to testify on this measure.

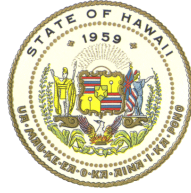
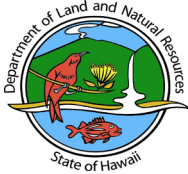
**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

DAVID Y. IGE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the House Committee on  
JUDICIARY & HAWAIIAN AFFAIRS**

**Tuesday, February 8, 2022  
2:00 PM**

**Via Video Conference, State Capitol, Conference Room 325**

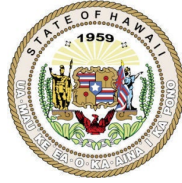
**In consideration of  
HOUSE BILL 892  
RELATING TO LAW ENFORCEMENT**

House Bill 892 proposes to clarify membership and certain powers and duties of the Law Enforcement Standards Board (Board), establish new deadlines for the completion of board responsibilities, and provides appropriate funds and resources to enable the Board to accomplish its mission. **The Department of Land and Natural Resources (Department) supports this measure.**

The Board has the important task of establishing the minimum standards for employment as a law enforcement officer in the State of Hawaii. As the Department is a member of the Board, we recognize the need for the Board to receive funding, employ staff, and be provided with additional time to meet its statutory requirements. The provisions of this bill will greatly assist the Board by providing the resources and time the Board needs to accomplish its mission.

Thank you for the opportunity to testify on this measure.

**DAVID Y. IGE**  
GOVERNOR



**STATE OF HAWAII**  
**LAW ENFORCEMENT STANDARDS BOARD**  
425 QUEEN STREET  
HONOLULU, HAWAII 96813

**TODD G. RAYBUCK**  
CHAIR

**BOARD MEMBERS**  
SHERRY BIRD  
JADE BUTAY  
SUZANNE D. CASE  
ISAAC W. CHOY  
NICHOLAS R. COURSON  
ADRIAN DHAKHWA  
PAUL FERREIRA  
HARRY S. KUBOJIRI  
MAX N. OTANI  
JOHN PELLETIER  
HOLLY SHIKADA  
CRAIG TANAKA  
RADE VANIC

February 2, 2022

Testimony of Chair Todd G. Raybuck  
On Behalf of the  
Law Enforcement Standards Board  
Before the  
Committee on Judiciary and Hawaiian Affairs  
February 8, 2022, 2:00 pm  
via Videoconference

In consideration of  
House Bill 892  
Relating to Law Enforcement

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

I submit the following testimony on behalf of the Members of the Law Enforcement Standards Board ("Board") in support of this bill, with proposed amendments.

The purpose of this bill is to do the following:

1. Clarify that all ex officio members can have their designees serve on the Board;
2. Increase the number of law enforcement officer Board members from two to five, to ensure representation from each county and the State;
3. Delete the county police department experience restriction for the Board members who fill Board positions as members of the public;
4. Provide that the appointment of Board members by the Governor shall not be subject to Senate confirmation;
5. Require consideration of the Legislative Reference Bureau's study conducted pursuant to Act 124, Session Laws of Hawaii 2018, and require the Board's own study to evaluate how to efficiently and effectively satisfy its duties in accordance with the law;
6. Provide for the employment of a board administrator, without regard to chapter 76 civil service requirements, and one clerical position to assist the Board;

7. Delay the effective date for the establishment and implementation of the training standards and certification requirements and process for law enforcement officers; and
8. Request an appropriation to cover the costs of staffing and Board expenses for the next year.

The Board requests the following amendments to House Bill No. 892:

1. Amend Section 5 of the bill, on pages 17-18, relating to Section 139-6, Hawaii Revised Statutes, to read as follows:
  - a. "(a) No person may be appointed to a law enforcement officer after ~~June 30, 2023~~, June 30, 2024, unless the person: ...".
  - b. "(b) [The] Beginning on ~~July 1, 2023~~, July 1, 2024, ...".
2. Amend Section 6 of the bill, on pages 18-19, relating to Section 139-7, Hawaii Revised Statutes, to read as follows:
  - a. "(a) ... or the department of the attorney general, after ~~June 30, 2023~~, June 30, 2024, unless the person...".
  - b. "(2) ... applicable county police department or state department before ~~July 1, 2023~~, July 1, 2024, and termination of employment ...".
3. Amend Sections 8 and 9, on page 19, to reflect an appropriation amount of \$483,000 for fiscal year 2022-2023.

The Board believes the extension to the date for certification of law enforcement officers is necessary to provide adequate time to identify and develop the standards and certification process.

The Board is requesting the appropriation of \$483,000 to provide for competitive salaries/fringe benefits for the executive director and clerical position as well as providing the necessary funding for office space and associated expenses to successfully carry out their duties. The amount the Board is requesting through this amendment was the same amount the Board requested before the Thirtieth Session of the Legislature. The Board's reduced request in House Bill No. 892 was submitted out of respect to the State's financial crisis brought upon by the COVID-19 pandemic. At the time, the Board believed it was the minimum amount of funds necessary to begin to make forward progress. The Board makes its current request recognizing there are higher than predicted State revenues and improved budget conditions.

The amendments requested and approval of this bill will have a direct positive effect on the Board's ability to execute its responsibilities. Furthermore, the public will benefit from careful consideration of the existing laws, rules, and agreements by a better-resourced, larger, and more operationally flexible Board. This should result in better standards, certification, and training requirements and thereby increase public confidence in law enforcement and improve public safety generally.



The Board, established by section 139-2, HRS, has not received the funding, staff, and resources it needs to accomplish its mission, as a result the Board also needs an extension of its deadlines. This is the fourth consecutive legislative session the Board has had a request before the Legislature for assistance to make amendments to ACT 220 (2018) and provide the necessary resources the Board requires to carry out the important work placed upon it by Hawaii State Legislature.

During the Twenty-Ninth Session of the Hawaii State Legislature (2018), House Bill 2071 HD2 SD2 CD1 entitled "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT" was submitted to Governor Ige for signature. In a 2018 letter addressed to Senate President Kouchi, House Speaker Saiki, and Members of the Legislature, Governor Ige identified implementation and funding issues within Act 220 and expressed hope to, "address the bill's implementation challenges including providing adequate resources to help the Board and law enforcement achieve the intent of this measure" in the next legislative session. Due to said implementation challenges, Act 220 became law on July 12, 2018, without the Governor's signature.<sup>1</sup>

Act 220, Session Laws of Hawaii 2018, added to the Hawaii Revised Statutes a new chapter that is codified as Chapter 139 establishing the Law Enforcement Standards Board. The Board is charged with providing programs and standards for training and certification of law enforcement officers. Specifically, as set forth in section 139-3, the Board shall:

- (1) Adopt rules in accordance with chapter 91 to implement this chapter;
- (2) Establish minimum standards for employment as a law enforcement officer and to certify persons to be qualified as law enforcement officers;
- (3) Establish criteria and standards in which a person who has been denied certification, whose certification has been revoked by the board, or whose certification has lapsed may reapply for certification;
- (4) Establish minimum criminal justice curriculum requirements for basic, specialized, and in-service courses and programs for schools operated by or for the State or a county for the specific purpose of training law enforcement officers;
- (5) Consult and cooperate with the counties, agencies of the State, other governmental agencies, universities, colleges, and other institutions concerning the development of law enforcement officer training schools and programs of criminal justice instruction;
- (6) Employ, subject to chapter 76, an administrator and other persons necessary to carry out its duties under this chapter;
- (7) Investigate when there is reason to believe that a law enforcement officer does not meet the minimum standards for employment, and in so doing, may: (A) Subpoena

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<sup>1</sup> Governor's Message No. 1329, Dated July 12, 2018., Governor Ige outlined four implementation challenges: 1) Hawaii has no existing certification process thus creating an unrealistic one-year timeline for the Board to develop and certify all law enforcement officers statewide: (2) The four County Law Enforcement agencies are all Nationally Accredited through CALEA while state law enforcement agencies have "varying duties and scopes of authority" and no current accreditation process for the varying responsibilities: (3) The \$100,000 appropriation for a joint training facility is inadequate: (4) Board establishment of a decertification process could be negatively impacted by existing collective bargaining and arbitration procedures.  
[https://www.capitol.hawaii.gov/session2018/bills/GM1329\\_.pdf](https://www.capitol.hawaii.gov/session2018/bills/GM1329_.pdf)

- persons, books, records, or documents; (B) Require answers in writing under oath to questions asked by the board; and (C) Take or cause to be taken depositions as needed in investigations, hearings, and other proceedings, related to the investigation;
- (8) Establish and require participation in continuing education programs for law enforcement officers;
  - (9) Have the authority to charge and collect fees for applications for certifications as a law enforcement officer;
  - (10) Establish procedures and criteria for the revocation of certification issued by the board;
  - (11) Have the authority to revoke certifications; and
  - (12) Review and recommend statewide policies and procedures relating to law enforcement, including the use of force.

The Board was established within the State of Hawaii Department of the Attorney General for administrative purposes. The non-paid Board is comprised of nine ex officio members, two law enforcement officers, and four members of the public. Act 220 tasked the Board with the creation and finalization of its standards and certification process by July 1, 2019.<sup>2</sup>

At the Board meeting on November 7, 2018, the Board Members determined that completion of the scope of work as required of the Board was not attainable within the timeline allotted in Act 220. The Board proposed legislation that requested in part: to delay implementation of Act 220; allow designees for ex officio members; increase the number of law enforcement officers from two to five allowing representation from all four counties and the state; delay the effective date of the certification and training requirements to July 1, 2023; request an appropriation of \$275,000; and request one administrator and one clerical position to assist the Board.<sup>3</sup>

The Board submitted to the Thirtieth Session of the Hawaii State Legislature (2019) a Resolution requesting more time and resources to finalize training standards and certification of law enforcement officers by the Law Enforcement Standards Board.<sup>4</sup> Additionally, a bill for an act relating to law enforcement was also submitted as part of the Governor's legislative package requesting amendments to Act 220. The Board requested an appropriation of \$375,000<sup>5</sup> to cover the costs of staffing and Board expenses.

Senate Bill No. 1179 and House Bill No. 952 were introduced and passed First Reading in the Thirtieth Session of the Hawaii State Legislative Session (2019) on January 24, 2019. S.B. 1179 did not receive a hearing.<sup>6</sup> The Board Appreciates the House Committee on Judiciary's amendments to H.B. 952 and

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<sup>2</sup> Ibid

<sup>3</sup> *Report on the Law Enforcement Standards Board* submitted to the Thirtieth State Legislature, Regular Session of 2019 [https://www.capitol.hawaii.gov/session2019/bills/DC200\\_.pdf](https://www.capitol.hawaii.gov/session2019/bills/DC200_.pdf)

<sup>4</sup> *Report on the Law Enforcement Standards Board* submitted to the Thirtieth State Legislature, Regular Session of 2020 [https://www.capitol.hawaii.gov/session2020/bills/DC199\\_.pdf](https://www.capitol.hawaii.gov/session2020/bills/DC199_.pdf)

<sup>5</sup> Ibid. The \$100,000 deposited into the LESB Special Fund lapsed, the Board did not expend any of the funds.

<sup>6</sup> [https://www.capitol.hawaii.gov/Archives/measure\\_indiv\\_Archives.aspx?billtype=SB&billnumber=1179&year=2019](https://www.capitol.hawaii.gov/Archives/measure_indiv_Archives.aspx?billtype=SB&billnumber=1179&year=2019)

referral of H.B. 952 HD1 to the House Committee on Finance on February 13, 2019. No additional action was taken on H.B. 952 HD1 during the Thirtieth Session of the Hawaii State Legislative Session.<sup>7</sup>

The Board submitted to the Thirtieth Session of the Hawaii State Legislature (2020) a bill for an act relating to law enforcement as part of the Governor's legislative package requesting amendments to Act 220. The bill requested more time and resources to finalize training standards and certification of law enforcement officers by the Law Enforcement Standards Board. The Board also requested an appropriation of \$483,000 to cover the costs of staffing and Board expenses.

Senate Bill No. 2849 and House Bill No. 2293 were introduced and passed first reading on January 23, 2020. H.B. 2293 did not receive any hearings. The Board appreciates the Senate Committees on Public Safety, Intergovernmental, and Military Affairs; Judiciary; and Ways and Means for passing S.B. 2849 with amendments out of their respective committee hearings. The Board also appreciates the House Committee on Judiciary passing with amendments Senate Bill No. 2849 SD2 HD1 and referring the bill to the House Committee on Finance. No further action was taken on S.B. 2849 SD2 HD1 during the Thirtieth legislative session.<sup>8</sup>

The Board submitted to the Thirty-First Session of the Hawaii State Legislature (2021) a bill for an act relating to law enforcement as part of the Governor's legislative package requesting amendments to Act 220. The bill requested more time and resources to finalize training standards and certification of law enforcement officers by the Law Enforcement Standards Board. Due to the State's strained economic conditions as a result the COVID-19 Pandemic, the Board requested a reduced appropriation of \$292,500 to cover the minimum costs of staffing and related Board expenses.<sup>9</sup>

Senate Bill No. 1046 and House Bill No. 892 were introduced and passed first reading on January 27, 2021. The Board appreciates the Senate Committee on Public Safety, Intergovernmental, and Military Affairs' holding a hearing on February 16, 2021, passing the bill with amendments, and referral of S.B. 1046 SD1 to the Senate Ways and Means and Senate Judiciary Committees. S.B. 1046 SD1 was carried over to the 2022 Regular Session on December 10, 2021.<sup>10</sup> H.B. 892 did not receive a hearing in 2021 and was carried over to the 2022 Regular Session.<sup>11</sup>

Without the amendments and necessary resources requested within this testimony and House Bill No. 892, the Board will be unable to successfully implement the will of the Legislature.

The Board respectfully requests the passage of this bill with the proposed amendments. On behalf of the Law Enforcement Standards Board, mahalo nui loa for your consideration and assistance in moving this important piece of legislation forward.

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<sup>7</sup> HB952 HD1 [https://www.capitol.hawaii.gov/Archives/measure\\_indiv\\_Archives.aspx?billtype=HB&billnumber=952&year=2019](https://www.capitol.hawaii.gov/Archives/measure_indiv_Archives.aspx?billtype=HB&billnumber=952&year=2019)

<sup>8</sup> SB2849 SD2 HD1

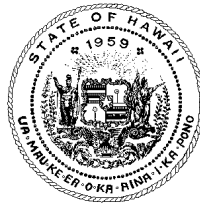
[https://www.capitol.hawaii.gov/Archives/measure\\_indiv\\_Archives.aspx?billtype=SB&billnumber=2849&year=2020](https://www.capitol.hawaii.gov/Archives/measure_indiv_Archives.aspx?billtype=SB&billnumber=2849&year=2020)

<sup>9</sup> *Report on the Law Enforcement Standards Board* submitted to the Thirty-First State Legislature, Regular Session of 2021  
[https://www.capitol.hawaii.gov/session2021/bills/DC149\\_.pdf](https://www.capitol.hawaii.gov/session2021/bills/DC149_.pdf)

<sup>10</sup> [https://www.capitol.hawaii.gov/measure\\_indiv.aspx?billtype=SB&billnumber=1046&year=2022](https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=1046&year=2022)

<sup>11</sup> [https://www.capitol.hawaii.gov/measure\\_indiv.aspx?billtype=HB&billnumber=892&year=2022](https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=HB&billnumber=892&year=2022)

DAVID Y. IGE  
GOVERNOR



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. \_\_\_\_\_

**WRITTEN TESTIMONY ONLY**

ESTIMONY ON HOUSE BILL 892  
RELATING TO LAW ENFORCEMENT.

By  
Max N. Otani, Director

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

Tuesday, February 8, 2022; 2:00 p.m.  
Via Video Conference

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

The Department of Public Safety (PSD) offers comments on House Bill (HB) 892, which would clarify the membership and the powers and duties of the Law Enforcement Standards Board.

PSD welcomes the proposed authorization for the hiring of an exempt board administrator, together with the provision of funding and defined duties and responsibilities of the board, as well as, the expanded membership of the Law Enforcement Board, to include designees from the heads of Executive Departments.

HB 892 would permit the membership of the board to be composed of subject matter experts who can devote the necessary time and resources into the board's purpose and function. The bill would also enable the board to establish a uniform standard of minimum continuing education requirements for all law enforcement officers to maintain and to remain in good standing.

As in any operating organization, funding must be allocated to the Law Enforcement Standards Board for it to function as intended and to maintain its viability. HB 892's authorization of the hiring of the board administrator as an exempt employee would expedite the hiring of a highly qualified applicant, provide this individual with flexibility in carrying out his or her duties and responsibilities, and allow the board to hold the administrator accountable in fulfilling the position's duties and responsibilities.

Thank you for the opportunity to present this testimony.

**Mitchell D. Roth**  
Mayor



**Paul K. Ferreira**  
Police Chief

**Kenneth Bugado, Jr.**  
Deputy Police Chief

## County of Hawai`i

### POLICE DEPARTMENT

349 Kapi`olani Street • Hilo, Hawai`i 96720-3998  
(808) 935-3311 • Fax (808) 961-8865

February 4, 2022

Representative Mark M. Nakashima  
Chairperson and Committee Members  
Committee on Judiciary & Hawaiian Affairs  
415 South Beretania Street, Room 325  
Honolulu, Hawai`i 96813

RE : HOUSE BILL 892, RELATING TO LAW ENFORCEMENT  
HEARING DATE : FEBRUARY 8, 2022  
TIME : 2:00 P.M.

Dear Representative Nakashima:

The Hawai'i Police Department **strongly supports** House Bill 892, which seeks to clarify membership and certain powers and duties of the Law Enforcement Standards Board, establishes new deadlines for the completion of board responsibilities, and provides appropriate funds and resources to enable the board to accomplish its mission.

The Law Enforcement Standards Board (Board), established in 2018 by section 139-2, Hawaii Revised Statutes, lacks the necessary resources to meet all of the statutory requirements set forth by legislature. Establishing minimum standards for employment as a law enforcement officer and certifying persons qualified as law enforcement officers, is not a task to be taken lightly and requires dedicated resources, that this proposed legislation seeks to address.

We agree with the Department of the Attorney General that this proposed legislation will enable the board to study and evaluate the impact of standards, certification, and training requirements on collective bargaining and employment laws, rules, and agreements, thereby allowing the board to establish standards, certification, and training requirements in a purposeful and intentional manner.

It is for these reasons that we urge this committee to support this legislation. Thank you for allowing the Hawai'i Police Department to provide comments relating to House Bill 892.

Sincerely,

PAUL K. FERREIRA  
POLICE CHIEF

February 7, 2022

Honorable Mark M. Nakashima  
Chairperson  
Committee on Judiciary & Hawaiian Affairs  
415 South Beretania Street, Room 325  
Honolulu, Hawaii 96813

RE : **HOUSE BILL 892, RELATING TO LAW ENFORCEMENT**  
HEARING DATE : FEBRUARY 8, 2022  
TIME : 2:00 P.M.

Dear Representative Nakashima and Committee Members:

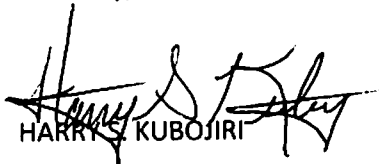
**I strongly support House Bill 892** that clarifies membership and certain powers and duties of the Law Enforcement Standards Board (LESB); establishes new deadlines for the LESB to fulfill its responsibilities; and provides necessary resources and appropriate funding to enable the LESB to formulate a comprehensive statewide minimum standard(s) for the hiring, training and retention of law enforcement officers throughout the State of Hawaii.

I am a retired Police Chief of the Hawaii Police Department, having served 37-1/2 years as a law enforcement official and currently participating as a volunteer member of the LESB. My support for House Bill 892 is my personal viewpoint and not intended to represent the collective views and/or opinions of the LESB regarding this proposed legislation.

This proposed legislation will enable the LESB to acquire the necessary resources and funding to properly undertake the necessary measures required to establish a statewide law enforcement standard, as defined in the legislation.

Thank you for allowing me to provide comments relating to House Bill 892.

Sincerely,

  
HARRY S. KUBOJIRI