

JOSH GREEN, M.D.
GOVERNOR
STATE OF HAWAII
*Ke Kia'āina o ka Moku'āina 'o
Hawaii*

SYLVIA J. LUKE
LT. GOVERNOR
STATE OF HAWAII
*Ka Hope Kia'āina o ka Moku'āina
'o Hawaii*



KALI WATSON
CHAIRMAN, HHC
Ka Luna Ho'okele

KATIE L. DUCATT
DEPUTY TO THE CHAIRMAN
Ka Hope Luna Ho'okele

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

Ka 'Oihana 'Āina Ho'opulapula Hawaii'i

P. O. BOX 1879
HONOLULU, HAWAII 96805

TESTIMONY OF KALI WATSON, CHAIRMAN
HAWAIIAN HOMES COMMISSION
BEFORE THE SENATE COMMITTEE ON HAWAIIAN AFFAIRS AND
THE SENATE COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND
MILITARY AFFAIRS
HEARING ON FEBRUARY 1, 2024 AT 1:00PM IN CR 224

HB 2645, RELATING TO COMPLIANCE ON HAWAIIAN HOME LANDS

February 1, 2024

Aloha Chairs Shimabukuro and Wakai, Vice Chairs Fevella and Elefante, and Members of the Committees:

The Department of Hawaiian Home Lands (DHHL) supports this bill which would 1) establish a compliance and enforcement program within the DHHL to investigate complaints, conduct investigations, and cooperate with enforcement authorities to ensure compliance with laws, 2) appropriates moneys and 3) declares that the appropriation exceeds the state general fund expenditure ceiling for 2024-2025.

DHHL considers the health and safety of homestead communities to be a top priority. Illegal activity occurring on Hawaiian Home Lands threatens the health and safety of the community. Responses to these issues by law enforcement, however, are inconsistent across the different counties. DHHL supports better coordination between state and county law enforcement, and sufficient enforcement personnel dedicated to Hawaiian Home Lands.

Thank you for your consideration of our testimony.

SB-2645

Submitted on: 2/1/2024 10:18:45 AM

Testimony for HWN on 2/1/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dennis L. Neves	Testifying for Hawaiian Homes Commissioner - Kauai	Support	Written Testimony Only

Comments:

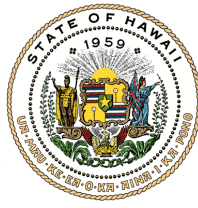
Aloha Senators,

I am testifying in favor of SB2645. Our current enforcement division does not have the appropriate powers to properly do their job to protect the beneficiaries and our trust lands. There have been numerous issues of illegal activities in residential areas that have plagued our beneficiaries for your years. Squatters on our vacant lands, polluting the aina, dealing drugs, dumping cars etc. We currently have squatters on our homestead land here in Kaua'i that are causing irreparable damage. To remove these trespassers we must coordinate with the Kaua'i police department and DLNR due to the location to take action. This coordination is time consuming and predicated on staff availability. Then the cleanup and environmental damage falls upon the trust. We have worked with KPD in the past and appreciated the support by Chief Robuck and his staff to eradicate a drug operation, vehicle chop, removing many squatters and arresting several felons. The trust now has the responsibility of removing all the accumulated trash and over 400 cars.

Our enforcement team with the right tools will be able to perform their duties while relieving police forces to protecting the public at large.

Mahalo for your consideration

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



JORDAN LOWE
DIRECTOR

MICHAEL VINCENT
Deputy Director
Administration

JARED K. REDULLA
Deputy Director
Law Enforcement

SYLVIA LUKE
LT GOVERNOR
KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LAW ENFORCEMENT

Ka 'Oihana Ho'okō Kānāwai

715 South King Street
Honolulu, Hawaii 96813

TESTIMONY ON SENATE BILL 2645
RELATING TO THE DEPARTMENT OF LAW ENFORCEMENT

Before the Senate Committees on
Hawaiian Affairs and Public Safety
and

Intergovernmental and Military Affairs
Thursday, February 1, 2024; 1:00 p.m.

State Capitol Conference Room 224, Via Videoconference

Testifier: Michael Vincent or Jared Redulla

Chairs Shimabukuro and Wakai, Vice Chairs Favella and Elefante, and members of the Committees:

The Department of Law Enforcement (DLE) **opposes**, Senate Bill 2645.

This bill establishes a compliance and enforcement program within the Department of Hawaiian Homelands (DHHL) to investigate complaints, conduct investigations, and cooperate with enforcement authorities to ensure compliance with all state laws and rules and county ordinances applicable to Hawaiian Homelands.

There are three (3) general areas of concern with respect to police powers on Hawaiian Homelands: 1) emergency response from 9-1-1 calls, 2) enforcement of DHHL lease related requirements, policies, or rules, and 3) ongoing illegal activities on Hawaiian Homelands.

There is no replacing the county emergency or 9-1-1 response which includes police, fire, and emergency medical services. Currently, there does not appear to be any feasible or reasonable alternative to the emergency response services the counties provide to their respective communities-including DHHL lands.

The contemplated enforcement program is much more than an effort to enforce compliance with DHHL program and lease related requirements, policies, or rules. It also goes beyond traditional code enforcement efforts found in various jurisdictions around the country where the focus is on ensuring that structures, buildings, improvements, and use of land follow housing, zoning, and land use laws to protect the health and safety of the public. This bill establishes DHHL as a law enforcement agency to enforce state law—including laws relating to firearms, with a chief and enforcement officers with police powers-including the power of arrest. However, DHHL is not a law enforcement agency with the required internal infrastructure, equipment, personnel, training, expertise, or experience necessary to successfully stand up a new law enforcement agency.

Additionally, this bill is contrary to the intent of the Legislature to consolidate State law enforcement functions. Act 278, Session Laws of Hawai'i, 2022, established the DLE for the specific purpose of consolidating and administering criminal law enforcement and investigations functions of certain State agencies. We recognize that ongoing illegal activity is problematic for the DHHL and the Hawaiian Homelands communities and the DLE is able to provide law enforcement support to DHHL.

To address ongoing illegal activities on Hawaiian Homelands, the DLE has established a Criminal Investigations Division that is ready to receive referrals from DHHL or county police departments for investigations of ongoing illegal activities. Upon successful conclusion of any investigation, referrals will be made to county or state prosecutors for prosecution if appropriate which will help the Hawaiian Homeland communities with the problems of ongoing illegal activities. At the correct time, DLE will also share the results of their investigations with DHHL to allow DHHL to address issues of enforcement of DHHL lease related requirements, policies, or rules.

If additional law enforcement support is needed, the DLE is open to provide additional investigative and patrol resources to DHHL upon a mutual agreement with DHHL and authorization to add additional FTE to DLE.

Thank you for the opportunity to testify in opposition to this bill and offer a solution to some of the concerns of DHHL and the Hawaiian Homeland community.

SB-2645

Submitted on: 2/1/2024 8:28:03 AM

Testimony for HWN on 2/1/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Angela Melody Young	Testifying for Kapalama Neighborhood Security Watch	Support	In Person

Comments:

Kapalama NSW testifies in strong support.

Wai'anae Valley Homestead Community Association
P.O. Box 601, Wai'anae, HI 96792

Aloha,

Pepeluali 1, 2024

My name is Jan Makepa, I am the pelekikena for the Wai'anae Valley Homestead Community Association. Our Homestead Association stands in support of SB2645.

Board of Directors

President

Jan Makepa

Vice President

Keola Rosario

Secretary

Linda Jury

Treasurer

Kehau Hanohano

Sgt. of Arms

Vacant

Directors

Georgie Navarro

Lokana Keliikoa-Pua

Our homestead as I am sure with many others have found ourselves in the throes of illegal activities from drug houses, illegal game rooms, illegal cockfighting, squatters, homelessness, vandalism, robberies, etc. The police department can only do so much in the way of jurisdiction thus having residents feeling hopeless, unsafe from retaliation and like prisoners in our own community without a safety net in which to pursue for help.

Establishing a Compliance and Enforcement program within the Department of Hawaiian Homelands will help to guarantee the safety and welfare of it's residents. Giving us peace of mind that there is an enforcement program to weed out those that feel they can do these illegal activities without repercussions.

This Bill also ensures that our lessee's are in compliance with the rules that govern the HHCA of 1920, Safeguarding that our homesteads are used in the way Prince Kūhiō had intended.

Me Ka Ha'aha'a,



WVHCA, Pelekikena

'A'ohe hana nui ke alu 'ia.

There is no task too great when done together.

SB-2645

Submitted on: 2/1/2024 11:16:28 AM

Testimony for HWN on 2/1/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patrick Kahawaiolaa	Testifying for Keaukaha Community Association (KCA)	Support	Written Testimony Only

Comments:

Aloha Chair and members for the committee,

I am Patrick Kahawaiolaa a native hawaiian, as defined Pursuing to the HHCA 1920 as amended July 9, 1921, (c42, 42 stat. 108) 67th Congress And the current president of the Kaeha community Association the oldest Native Hawaiian community first establish December 16, 1924 Originally known as Kuhio settlement. I am here in Strong Support of SB2645 To establish with the department of Hawaiian homes an enforcement and compliance division within the Department of Hawaiian Home Lands. May I take this opportunity to provide some historical background as to why I am in support of this measure. It appears that all four counties of the State of Hawaii so far as enforcement of general laws and trusts land, having the status of Hawaiian homelands, the beneficiaries suffer when a question arises, whether or not the police can come onto the property. Those are doing wrong or illegal activities unset properties. Therefore, my support for SB 2645 is contingent upon the department of Hawaiian homes in its creation of this enforcement and compliance division , that will better serve the beneficiaries from those wishing others on the Homestead that they are somehow above the law. I will be the first acknowledge this division, as long been necessary, especially when those in the state of Hawaii that has the powers and authority to enforce the general laws , such as county police departments who struggle at times to fluctuate, arrest or nonconformance on our trust lands enclosing I wouldn't want to again Support SB 2645 opportunity for the DHHL to establish a compliance and enforcement unit within the state Department of Hawaiian Home Lands to protect the trust lands, and the beneficiaries that resides their own thank you again for allowing me the opportunity to provide this testimony and support I remain Patrick Kahawaiolaa

SB-2645

Submitted on: 1/29/2024 8:04:47 PM

Testimony for HWN on 2/1/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
De MONT Kalai Manaole	Testifying for Ho'omana Pono, LLC	Support	In Person

Comments:

We **STRONGLY SUPPORT** this bill. It is about time the Department had the authority to enforce Federal & State Laws on our own Homelands.

SB-2645

Submitted on: 1/29/2024 4:29:11 PM

Testimony for HWN on 2/1/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Regina Gregory	Individual	Oppose	Written Testimony Only

Comments:

Not necessary, expensive, subject to abuse

SB-2645

Submitted on: 1/30/2024 5:17:02 AM

Testimony for HWN on 2/1/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lu Ann Mahiki Lankford-Faborito	Individual	Support	Written Testimony Only

Comments:

Strongly support, there is a great need at DHHL for extra support in the area of enforcement and investigations. Greatly needed.

SB-2645

Submitted on: 1/31/2024 5:02:05 PM

Testimony for HWN on 2/1/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Allen Cardines, Jr.	Individual	Support	Written Testimony Only

Comments:

Support

SB-2645

Submitted on: 1/31/2024 7:29:10 PM

Testimony for HWN on 2/1/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carm Akim	Individual	Support	Written Testimony Only

Comments:

Thank you for ensuring the safety and psychological health of native hawaiian homestead through a specialized DHHL enforcement team.

SB-2645

Submitted on: 1/31/2024 8:06:26 PM

Testimony for HWN on 2/1/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Eva K Hubbard	Individual	Support	Written Testimony Only

Comments:

To Whom It May Concern

I absolutely support this bill to Establish a compliance and enforcement program within the Department of Hawaiian Home Lands to investigate complaints, conduct investigations, and cooperate with enforcement authorities to ensure compliance with laws. Appropriates moneys. Declares that the appropriation exceeds the state general fund expenditure ceiling for 2024-2025.

SB-2645

Submitted on: 1/31/2024 8:22:42 PM

Testimony for HWN on 2/1/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
randy awo	Individual	Support	In Person

Comments:

Testifying in person with several others. Walk in testimony

SB-2645

Submitted on: 2/1/2024 7:06:54 AM

Testimony for HWN on 2/1/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Samantha DeCorte	Individual	Support	Written Testimony Only

Comments:

Aloha e Honorable Chair Senator Maile Shimabukuro,

I am writing in strong support of SB 2645, which establishes a compliance and enforcement program within the Department of Hawaiian Home Lands. This bill is essential for investigating complaints, conducting investigations, and ensuring compliance with laws to protect the rights and interests of our homestead.

The collaborative approach outlined in SB 2645 will strengthen the enforcement of regulations and contribute to the safety of our culture, heritage, and resources. The financial implications and the appropriation of funds for this program is a worthwhile investment in the future of Hawaiian Home Lands and the well-being of its beneficiaries.

I urge you to support SB 2645 and to advocate for its passage for the benefit of our homestead community. Thank you for your attention to this matter.

Mahalo,
Samantha DeCorte
Wai'anae Resident

SB-2645

Submitted on: 2/1/2024 10:13:05 AM

Testimony for HWN on 2/1/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Germaine Meyers	Individual	Support	In Person

Comments:

I'm in strong support of SB2645. Please vote yes in support of this important bill.

SB-2645

Submitted on: 2/1/2024 10:30:16 AM

Testimony for HWN on 2/1/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alan Urasaki	Individual	Oppose	Written Testimony Only

Comments:

I do not support authorizing police powers to another state agency when the Department of Law Enforcement has jurisdiction of state property. I urge the committee to amend the bill as such. Thank you for your consideration on this matter. Mahalo.