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JORDAN LOWE  
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Deputy Director  
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SYLVIA LUKE  
LT GOVERNOR  
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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 3355  
RELATING TO LAW ENFORCEMENT

Before the Senate Committees on  
Public Safety and Intergovernmental and Military Affairs  
and Water and Land

Monday, February 12, 2024; 3:00 p.m.

State Capitol Conference Room 225, Via Videoconference

Testifier: Director Jordan Lowe

Chairs Wakai and Inouye, Vice Chair Elefante, and members of the Committees:

The Department of Law Enforcement (DLE) **supports** Senate Bill (SB) 3355 which proposes to: 1) Transfers the functions of the Department of Land and Natural Resources Division of Conservation and Resources Enforcement to the Department of Law Enforcement, 2) Increase the number of deputy directors appointed by the Director of Law Enforcement, and 3) Transfer personnel within the Department of Land and Natural Resources Division of Conservation and Resources Enforcement to the Department of Law Enforcement. The DLE supports this bill for two reasons.

First, under Act 278 of the 2022 Session Laws of Hawaii, the Legislature acted to form the DLE to achieve the goals of centralizing state law enforcement functions to increase public safety, improve decision making, promote accountability, streamline communication, decrease costs, reduce duplication of efforts, and provide uniform training and standards. To those goals, Act 278 merged six different state law enforcement agencies together to form the DLE. As of January 1, 2024, these former agencies have been working together under a single, unified, law enforcement administration that has been progressing forward to meet the goals of Act 278.

Like the six different agencies merged under Act 278, the Department of Land and Natural Resources Division of Conservation and Resources Enforcement

(DOCARE) is a state law enforcement agency whose officers enforce the criminal laws, patrol state lands and waters, and respond to emergencies and natural disasters.

Section 199-4 of the Hawaii Revised Statutes, provides:

“[DOCARE Officers have]...all of the powers and authority of a police officer, including the power of arrest, and in addition to enforcing title 12, chapters 6D, 6E, and 6K, and rules adopted thereunder, may enforce all other state laws and rules, and county ordinances within all lands and waters of the State...”

Additionally, DOCARE Officers have the authority to carry firearms, wear police-style uniforms and drive “emergency vehicles.”

The DLE believes that because DOCARE’s law enforcement functions and authorities are vastly similar to DLE’s law enforcement functions and authorities, that the goals of Act 278, namely increased public safety by centralizing state law enforcement functions, would more appropriately be met if DOCARE was merged into the DLE. As such, the DLE supports the proposed transfer of DOCARE’s functions and personnel into its ranks.

Moreover, one common goal of Act 278, and already existing state statutes, is the mandate to achieve law enforcement accreditation. At present, both the DLE and DOCARE are seeking law enforcement accreditation. To avoid duplication of efforts and costs, it also makes sense to merge these agencies together so that accreditation efforts can be synergized.

Second, the DLE supports SB 3355 because SB 3355 also proposes to increase the number of deputy directors in the DLE. Presently, the DLE has two deputy directors, one for managing law enforcement programs and the other to manage DLE’s administration programs. The DLE currently has about 350 law enforcement officers in its ranks and a transfer of DOCARE officers would add approximately 120 more law enforcement officers to DLE’s ranks (total 470). Due to the complexities of administering a law enforcement work force, the DLE is supportive of the proposed addition of an additional Deputy Director to assist with administering DLE’s law enforcement work force and its wide-ranging law enforcement skillsets and duties. The addition of another deputy director as proposed is also in alignment with county police

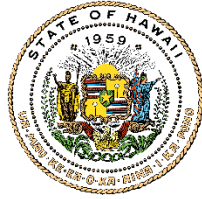
organizational models which also have several deputy or assistant chiefs to share in the management of law enforcement functions.

Finally, the DLE realizes that DOCARE has a unique mission of supporting the DLNR's conservation and natural resources management programs. The DLE further realizes that a full-time effort must be placed on supporting the DLNR's other divisions with law enforcement to avoid an intolerable loss of natural and cultural resources. DLE understands that natural and cultural resources must be conserved, protected, and supported with wise use and law enforcement is a critical part of natural resources management. To these realizations, the DLE intends that if the functions and personnel of DOCARE were transferred into its ranks as proposed, then DOCARE would exist as its own separate law enforcement division within the DLE so that its functions and personnel would be preserved. The DLE also intends that if DOCARE were transferred, then DOCARE would continue to permanently focus on natural resources law enforcement without any potential mission creep imposed by the law enforcement functions of its other law enforcement divisions. In further support of keeping DOCARE's focus on natural resources, The DLE would also keep DOCARE personnel classifications as conservation and resources enforcement officers intact so that its personnel would also maintain their primary focus on conservation of natural resources and maintaining the required support of the DLNR in its overall natural resources management mission.

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

JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA

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DAWN N.S. CHANG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT  
LAURA H.E. KAAKUA  
FIRST DEPUTY  
M. KALEO MANUEL  
DEPUTY DIRECTOR - WATER  
AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

Testimony of  
DAWN N.S. CHANG  
Chairperson

Before the Senate Committees on  
PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS  
And  
WATER AND LAND

Monday, February 12, 2024  
3:00 PM

Via Video Conference, State Capitol, Conference Room 225

In consideration of  
SENATE BILL 3355  
RELATING TO LAW ENFORCEMENT

Senate Bill 3355 transfers the functions of the Department of Land and Natural Resources, Division of Conservation and Resources Enforcement, to the Department of Law Enforcement, increases the number of deputy directors appointed by the Director of Law Enforcement, and transfers personnel within the Department of Land and Natural Resources Division of Conservation and Resources Enforcement (DOCARE) to the Department of Law Enforcement. **The Department of Land and Natural Resources (Department) strongly opposes this bill.**

The Department opposes this measure for many reasons including:

1. In 2018, the Legislature passed Act 124, Session Laws of Hawai'i (Act 124), directing the Legislative Reference Bureau (LRB) to conduct a study that examined "consolidating the law enforcement activities and responsibilities of various state divisions and agencies under a single, centralized state enforcement division or agency." Act 124 further instructed the LRB to examine various issues relating to consolidation. In 2019, the LRB published its report in accordance with Act 124, entitled "Joining Forces? Potential Consolidation of State Law Enforcement Duties in Hawaii." This report made recommendations including, but not limited to:

- To reasonably assess the potential of a consolidation of state law enforcement activities and responsibilities, it would first be necessary to establish the goals of a consolidation; the intended scope of the consolidation; and the extent of standardization to be established within a centralized state law enforcement agency.
- Proponents of consolidation may wish to consider conducting detailed discussions with the potentially-affected departments and agencies, as well as the Department of Accounting and General Services, The Department of Budget and Finance, and the Department of Human Resources Development to identify any issues not addressed in the report and to determine the most effective procedure for consolidating state law enforcement activities and responsibilities to avoid any interruption of services.
- Due to the potential impact that a consolidation of law enforcement activities and responsibilities could have on public safety, all affected agencies should be consulted prior to making any decisions that could funnel highly specialized law enforcement duties and skills into a more generalized law enforcement strategy.

There has not been any discussion, either formally or informally between the Department of Law Enforcement (DLE) and the Department. With respect to the consolidation proposed by this bill, none of the above recommendations have been followed. There has been no discussion, analysis or assessment made. As a result, the Department does not know any details of the proposed consolidation this measure would create, nor can the Department assess the impact the proposed consolidation would have on public safety, natural resources protection, and the operational efficiency of the Department. Further, the Department cannot assess the impact the proposed consolidation would have on its employees and its collective bargaining relationship with the employee union. Simply put, the Department does not know what the DLE intends, or the potential impacts as there has been no communication. The impacts associated with a potential consolidation including identification of potential costs, additional labor, employment and personnel issues are unknown. Consequently, the benefits and advantages of consolidating DOCARE into the DLE and the impact to public safety and resources protection are also unknown and anecdotal at best. Should the Legislature decide to move this measure forward, it would not comply with the findings and recommendations of the study it directed its own LRB to conduct.

2. As noted in the LRB's study, the Department is concerned the potential consolidation into a single, centralized law enforcement agency may dilute its mission to preserve, protect and conserve Hawai'i's natural resources, and result in displaced priorities. The Department's primary mission is to preserve and protect the state's natural, cultural, historical and recreational resources for visitors and Hawai'i's people for future generations. This is an important focus, and the Department considers DOCARE an integral and vital part in fulfilling the Department's mission. DOCARE is intertwined with the operations of each Division as it is responsible for the enforcement of the various regulations, rules and statutes promulgated by the Department and its Divisions. DOCARE works with all the Department's Divisions to fulfill our mission, including working closely with other Divisions in developing enforceable administrative rules.

When violations occur, the Department often employs a “whole of department” approach. As such, DOCARE officers jointly investigate and frequently collaborate with the Department’s Biologists, Technicians, Harbor and Land Agents and other employees as necessary for technical and subject matter expertise.

To maintain a resource protection focus, effective resources management combines science, education, community engagement and law enforcement for success. Therefore, we firmly believe DOCARE should continue to remain housed in the Department of Land and Natural Resources, and remain under the Department’s management and organization. Removing DOCARE from the Department’s organization would create inefficiency and be detrimental toward natural resources protection.

The Department highlights that in the United States, 48 of 50 states separate the natural resources law enforcement function from the State Police function, including the smallest states of Rhode Island and Delaware. This majority of states continue to maintain their natural resources law enforcement agency within their respective natural resources department and not in the State Police agency. For example, in California, the California Game Wardens are housed and managed by the Department of Fish and Wildlife and not the California Highway Patrol. Similar distinction is made at the federal level, where the natural resources law enforcement functions within the Departments of Commerce and Interior remain separate from the law enforcement functions and agencies within the U.S. Departments of Justice and Homeland Security. This separation ensures the natural resources law enforcement focus of the Offices of Law Enforcement within the National Marine Fisheries Service in the Department of Commerce and the U.S. Fish and Wildlife Service, National Park Service and Bureau of Land Management within the Department of the Interior.

Importantly, within the State government, not all the State’s armed law enforcement officers and investigators have been consolidated within the DLE. For example, due to their specialized focus and statutory responsibilities, both the Departments of Attorney General and Taxation have retained criminal investigators who are armed and have full police powers within their departments. The Department of the Attorney General is required to conduct specialized investigations of corruption, government fraud, waste and abuse, along with Medicaid fraud and internet crimes against children. The Department of Taxation has also retained control and management of their criminal investigators, whom conduct specialized investigations into tax fraud and other violations of Hawai‘i’s tax laws.

Natural resources law enforcement is a specialized subset of law enforcement. While DOCARE officers are trained in areas common to all law enforcement officers in Hawai‘i, DOCARE officers are further trained in specialized areas such as Native Hawaiian gathering rights, and the traditional and customary practices of Native Hawaiians, including the protection of cultural resources like ‘iwi kupuna. Department experts from other DLNR Divisions provide training to officers, including wildlife and species identification, boating skills and seamanship. Unlike other Hawai‘i law enforcement agencies, DOCARE officers are trained in off-road vehicle operation, backcountry survival, conservation district and shoreline regulations and other subjects that align with DLNR’s resource protection focus. This kind of specialized, collaborative training is essential and ensures the Department’s Conservation and Resources

Enforcement Officers are trained to execute DLNR's mission and focused on Hawai'i's natural resources.

3. Additionally, the kinds of law enforcement operations which DOCARE conducts differs from traditional policing. DOCARE officers are often called upon to conduct law enforcement "off the pavement." DOCARE's ability to quickly mobilize officers and equipment and its specialized capabilities to access remote areas by boat, off road vehicles or by helicopter are valuable assets to the Department. Many areas managed by the Department are remote, undeveloped and unimproved. The Department requires law enforcement officers with these specialized capabilities to be able to access these areas to ensure proper management of our lands and facilities and enforce Department related administrative rules, regulations and statutes.

Further, with these specialized capabilities and equipment, DOCARE is often called in to assist during emergencies. DOCARE officers were amongst the first responders during the Lahaina wildfire and conducted marine search and rescue in the fire's immediate aftermath. For several months afterward, DOCARE's Maui Branch assisted the Maui Police Department with traffic control, roadblocks, shelter and point of distribution security.

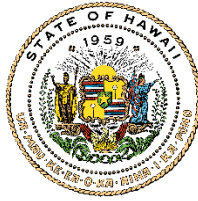
When the eruptions of Kīlauea volcano in 2018 and Mauna Loa volcano in 2022 began, DOCARE was directly requested to respond by Hawai'i County Mayors Kim and Roth. During both volcanic eruptions, DOCARE quickly mobilized officers to work closely with the Hawai'i County Police Department and Hawai'i County Civil Defense Agency to respond and establish traffic and access control.

4. The removal of DOCARE from the Department may cause significant internal disruption of operations. For example, the transition would displace the Hawai'i Hunter Education Program, which is currently administered by DOCARE. This program provides the standardized hunter education curriculum statewide. The Hunter Education Program was intentionally attached to DOCARE to ensure this federally funded program would be able to maintain its educational focus and level of funding separate from other wildlife management programs in the Department. The proposed transition would disrupt this important program by forcing the Department to find another Division to oversee and administer this important program.
5. The Legislative sessions in 2022 and 2023 has brought unprecedented support and funding for DOCARE. These sessions provided critical funding to expand DOCARE including funds for land acquisition for a substation in Wahiawā, O'ahu, and additional Conservation and Resources Enforcement Officer positions to establish Marine Units in each county. Additional funding has been provided for twenty Conservation and Resources Enforcement Officer positions and five clerical staff positions in FY 2025. This expansion provides additional capabilities and resources that enhances the Department's overall ability to manage the state's natural resources held in public trust. The proposed transfer may jeopardize these opportunities to expand DOCARE and jeopardize future funding opportunities as well.

We reiterate the importance of maintaining DOCARE under the Department's organization and management. We strongly urge this bill be held in committee. Mahalo for the opportunity to testify in opposition of this measure.

JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



DAWN N.S. CHANG  
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BOARD OF LAND AND NATURAL RESOURCES  
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RYAN K.P. KANAKA'OLE  
FIRST DEPUTY

DEAN D. UYENO  
ACTING DEPUTY DIRECTOR - WATER

EDWARD R. UNDERWOOD  
ADMINISTRATOR  
BOATING AND OCEAN RECREATION

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA  
DIVISION OF BOATING AND OCEAN RECREATION

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Testimony of  
**EDWARD R. UNDERWOOD**  
Administrator

Before the Senate Committees on  
**PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS**  
and  
**WATER AND LAND**

Monday, February 12, 2024  
3:00 PM  
State Capitol, Conference Room 225

In consideration of  
**SENATE BILL 3355**  
**RELATING TO LAW ENFORCEMENT**

Senate Bill 3355 proposes to transfer the functions and personnel of the Department of Land and Natural Resources, Division of Conservation and Resources Enforcement (DOCARE) to the Department of Law Enforcement. **The Division of Boating and Ocean Recreation (DOBOR) strongly opposes this measure.**

DOBOR relies heavily on DOCARE for maritime enforcement within State small boat harbors and near shore waters and is working to establish DOCARE substations within State small boat harbors for faster and more effective responses, as well as deterring criminal activity by having a consistent law enforcement presence in small boat harbors.

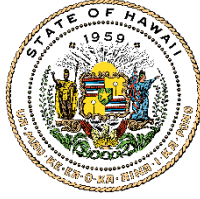
DOCARE officers receive specialized conservation training, and DOCARE has recently established a dedicated maritime enforcement unit which would greatly assist DOBOR with enforcement of unauthorized commercial activities taking place within harbors, boating facilities, and State ocean waters, one of the most prevalent boating and ocean recreation violations. DOCARE officers' investigations and reports have helped DOBOR pursue successful enforcement actions before the Board of Land and Natural Resources.

DOBOR has concerns that assimilating DOCARE into a single law enforcement organization could result in DOBOR losing its close working relationship with specially trained conservation officers and fast response times to harbor and ocean incidents.



JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

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STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA

DIVISION OF AQUATIC RESOURCES  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

Testimony of  
BRIAN J. NIELSON  
Administrator

Department of Land and Natural Resources - Division of Aquatic Resources

Before the Senate Committees on  
PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS  
and  
WATER AND LAND

Monday, February 12, 2024  
3:00 PM

State Capitol, Conference Room 225 & Videoconference

In consideration of  
SENATE BILL 3355  
RELATING TO LAW ENFORCEMENT

Senate Bill 3355 proposes to transfer the functions of the Department of Land and Natural Resources (DLNR) Division of Conservation and Resources Enforcement (DOCARE) to the Department of Law Enforcement (DLE), increase the number of deputy directors appointed by the Director of Law Enforcement, and transfer personnel within DOCARE to the DLE. **DLNR's Division of Aquatic Resources (DAR) opposes this bill and offers the following comments.**

DAR believes that DOCARE should remain in DLNR and not be transferred to the DLE for many reasons. DLNR's primary mission is to preserve and protect the cultural and natural resources of the State, which are public trust resources. As the Division within DLNR tasked with promulgating effective and fair aquatic resource rules, DAR works closely with DOCARE officers to elicit feedback on the practicality and enforceability of proposed rule changes. DOCARE officers investigate fisheries violations, shoreline violations, and aid in the protection of endangered and threatened aquatic species, such as turtles, whales, and monk seals. DOCARE officers are further trained in Article XII, Section 7 constitutional protection and preservation of traditional and customary practices exercised by native Hawaiians and the protections of cultural resources. It is a tremendous benefit to the Department and to DAR to have DOCARE officers located in the immediate vicinity so that we can receive feedback on the enforceability of current and proposed rules and collaborate on issues of mutual importance.

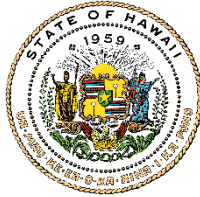
DOCARE is an essential component of the Department's mission. Along with enforcing the State's natural resources laws, DOCARE officers utilize different tools and approaches in their work with local community members, including education, outreach, and stakeholder engagement. Effective and successful management of the State's natural, cultural, historical, and recreational resources combines science, education, community engagement and partnerships, and law enforcement. All of these components are currently housed within the Department, and DAR hopes that this arrangement continues.

For these reasons, DAR strongly opposes this bill.

Mahalo for the opportunity to testify on this measure.

JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

Testimony of  
CURT A. COTTRELL  
Administrator of the Division of State Parks

Before the Senate Committee on  
PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS  
and  
WATER & LAND

Monday, February 12, 2024  
3:00 PM  
State Capitol, Conference Room 225

In consideration of  
SENATE BILL 3355  
RELATING TO RELATING TO LAW ENFORCEMENT

Senate Bill 3355 proposes to transfer the function of the Department of Land and Natural Resources (DLNR) Division of Conservation and Resources Enforcement (DOCARE) to the Department of Law Enforcement (DLE). **The DLNR's Division of State Parks (State Parks) strongly opposes this measure.**

DLNR's primary mission is to preserve and protect cultural and natural resources, which are public trust resources. Thus, DOCARE's primary mission is to work with all the DLNR divisions, which already have a daunting and broad mandate. To fulfill the Department's mission, DOCARE officers utilize different tools and approaches including education, working with communities and stakeholders, and enforcement. This approach is essential for supporting State Parks and the sensitive natural and cultural resources that are heavily patronized by the public.

Prior to the consolidation of DLNR law enforcement into a single division in 1979, the Department had Forest Rangers, Park Rangers and Fish and Game Wardens who had specific knowledge of the resources under their charge, the regulations to protect them and frequent contact with community members during their patrols. After consolidation of these rangers and wardens into a single division: DOCARE, the officer's training included the need to enforce the larger set of all the Department's administrative rules and acreage, which diminished specialization for site- and program-specific resources.

A consolidation of DOCARE into the DLE, an even larger state law enforcement department, further widens and dilutes the critical knowledge of officers to an even greater degree. The specific DOCARE

knowledge of the unique DLNR's natural and cultural resources and the appurtenant regulations is critical to optimize their effectiveness in resources protection.

State Parks has a mutual and collaborative working relationship with DOCARE and relies frequently upon their law enforcement skill due to the magnitude of unauthorized and illegal behavior of the public in park units statewide. In addition, due to State Parks features being a leading attraction for the visitor industry, unauthorized commercial access and tours, visitors going out of bounds, or into sensitive cultural areas, require collaborative enforcement.

DOCARE performs a variety of Special Duty functions specifically related to park location and needs. These examples include, but are surely not limited to: securing and protecting public access during large and frequent commercial filming episodes, special helicopter operations with overnight enforcement to cite illegal campers in Kalalau Valley in the Napali Coast State Wilderness Park, special early closing of Pu'u Ola'i beach at Makena State Park to prevent illicit raves and events, cultural sensitivity and knowledge of State Parks' administrative rules for Iolani Palace State Monument and the unique rights of Hawaiian cultural practitioners.

State Parks District Superintendents work closely with the DOCARE Branch Chiefs, and this enables the direct and shared knowledge of various situations and events in specific park units that is crucial for rapid response for the safety and experience of the park users and protection of resources in State Parks. This is essential during hurricane season or tsunami events. The DOCARE officers have been trained and possess a significant knowledge base for the needs of DLNR and our State Parks specifically.

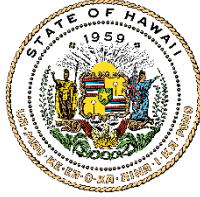
State Parks recently worked closely with DOCARE leadership and thoroughly vetted Chapter 13-146, Hawai'i Administrative Rules for the Hawai'i State Park System to obtain Board of Land and Natural Resources approval for State Parks' Civil Resource Violation System to provide DOCARE the ability to apply civil fines as option for deterrents to violations.

***One size does not fit all when it comes to the specific needs of DLNR law enforcement.***

Mahalo for the opportunity to provide testimony in opposition of this measure.

**JOSH GREEN, M.D.**  
GOVERNOR | KE KIA'ĀINA

**SYLVIA LUKE**  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
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**Testimony of  
PUA AIU  
Homeless Coordinator**

**Before the Senate Committees on  
PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS  
And  
WATER AND LAND**

**Monday, February 12, 2024  
3:00 PM**

**State Capitol Conference Room 225 and Videoconference**

**In Consideration of  
SENATE BILL 3355  
RELATING TO LAW ENFORCEMENT**

Senate Bill 3355 seeks to include the Department of Land and Natural Resources (DLNR) Division of Conservation and Resources Enforcement (DOCARE) into the State Department of Law Enforcement (DLE). **As the DLNR Homeless Coordinator, I oppose this bill.**

The Department has submitted testimony in opposition. Specifically, the testimony notes that contrary to the Legislative Reference Bureau recommendations, proponents of this bill have not consulted DLNR prior to making decisions that could funnel highly specialized law enforcement duties into a more generalized law enforcement agency. My testimony will focus on the crucial role DOCARE plays in enforcing “no trespass”, “no camping” and other laws on DLNR properties to ensure the public has safe access to our parks, harbors, beaches, and other properties which have homeless people illegally camping on them.

Homeless on DLNR lands are enough of a priority that we have dedicated one full time DOCARE officer as part of the homeless coordination team. He coordinates with DOCARE to ensure we have enough officers on site to ensure safety when posting notices of upcoming cleanup and during actual cleanups. He schedules clean-ups dates and times with the Department of Transportation’s (DOT) contractor. Also, because an important part of our job when posting notices is to connect people to services, he has developed relationships with both the homeless and service providers. He is an important conduit for connecting people to services.

In general, the enforcement concerns of DLNR are very different, from the enforcement concerns of other law enforcement agencies. Further, DLNR is the only agency that has resource conservation rules to enforce, which is why it makes sense to have a dedicated enforcement agency.

I cannot do my job without DOCARE support, because my work in the field is not safe. How does the DLE plan to address the legally complicated issue of homelessness specifically on DLNR lands? How would I coordinate with DLE? Would I be ensured of enough officers willing to hike with me up Diamond Head, or into Forest Reserves to ensure my safety?

Mahalo for the opportunity to provide testimony in opposition to this measure.

**SB-3355**

Submitted on: 2/9/2024 3:34:06 PM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kate Thompson	Testifying for Kama'aina Boaters (141 members)	Oppose	In Person

Comments:

Dear Chair of Water and Land Senator Inouye and Committee members:

OPPOSE 3355

Role of DOCARE Officers:

The main duty of DOCARE officers is Natural Resource Management and to provide an enforcement presence in our State Harbors, State Parks and Beaches.

We think of DOCARE officers doing these type of duties:

1. Wildlife protection: similar to “game-wardens” and prevent illegal fishing/ animal strandings.
1. Occasional physical presence at the State Harbors, and handle communications during boat groundings.
1. Be called for serious issues such as deaths in the harbor or missing swimmers, shark sightings, and marine animal harassment.
1. On ocean enforcement such as whale distance laws, overall speed laws, equipment use in zones such as jet ski use, foil use, surfboard/bodyboard use during certain hours.

1. Harbor issues such as physical altercations, car racing, homeless encampment monitoring and removal.

1. Community education programs about the laws

**What DOCARE officers should NOT be doing:**

In 2022, Suzanne Case testified to the legislature that only DOCARE officers should give parking citations in the State Harbors.

But only 7 parking citations were issued at the Ala Wai Boat Harbor in 2023.

If the DOCARE officers are not issuing citations, then the parking management company should.

Currently, we have a 'vacuum' in which no citations are issued at the harbor by the parking company Secure Parking LLC goes straight to giving the information to the tow company drivers to tow.

**We think the parking vendor should be issuing the citations for minor parking violations.**

Actually, walking around, or a small parking (golf) cart to issue tickets, that can be paid online or in person at the Secure Parking office. This is happening with ProPark at the Zoo Parking and it seems to be working.

DLNR states that only DOCARE officers can give citations, but they do not supply the DOCARE officers to do so.

In 2023, only 7 parking citations were issued by DOCARE at the Ala Wai Small Boat Harbor.

In the December 7th BLNR meeting, DOBOR's staff Richard Howard stated that 1500 vehicles were towed from the Harbor from Jan 1-August 9, 2023.

This does not even include the Recreational area (classic tows at 10:30 pm in the park area).

**DOBOR administrator Richard Howard said at the Dec. 7th BLNR meeting that between Jan 1 and August 9, 2023, 2023: 1500 vehicles were towed from the AWSBH.**

Let's do the math for the entire year:

1500 divided by 222 (days into the year) = 6.75 per day

**6.75 x 365 = 2,466. estimated tows for 2023 from the AWSBH**



Therefore the estimated number of vehicles towed from the AWSBH in 2023 is 2,466. These were facilitated by Secure Parking LLC in conjunction with the State Contracted Towing company, Mr. Tow.

With the nighttime tows, after 10:30 pm this number might be higher.

This is a financial burden on the public, at \$160—tow charge, for minor parking violations.

It is also inconvenient. This rampant towing creates a hostile environment in the Harbor especially when 80% of the tows could be prevented with citations.

We ask that legislators, BLNR, DLNR Chairperson allow Secure Parking LLC staff to issue citations, at the City and County fine rates, immediately.

Although DOCARE officers should be allowed to continue to issue parking citations, the day-to-day responsibility to issue minor parking citations should be the Parking Management vendors in our State Harbors.

Thank you legislators for looking into the role of DOCARE enforcement role in Hawaii

**Mahalo,**

**Kate Thompson**

**Kama'aina Boaters**

Testimony of SUZANNE D. CASE Chairperson

Before the House Committee on WATER & LAND

Tuesday, March 22, 2022

9:30 AM

State Capitol, Conference Room 430, Via Videoconference

In consideration of

**HOUSE CONCURRENT RESOLUTION 176/HOUSE RESOLUTION 176 URGING THE BOARD OF LAND AND NATURAL RESOURCES TO APPOINT HARBOR AGENTS AS ENFORCEMENT OFFICERS FOR THE PURPOSES OF ENFORCING PARKING VIOLATIONS AT SMALL BOAT HARBORS IN THE STATE.**

House Concurrent Resolution 176/House Resolution 176 urge the Board of Land and Natural Resources to appoint Harbor Agents as Enforcement Officers to enforce parking violations at state small boat harbors. The Department of Land and Natural Resources (Department) appreciates the intent of these measures and offers comments.

When the Small Boat Harbor Program was under Department of Transportation (DOT) jurisdiction, Harbor Agents had authority to cite for parking violations at small boat harbors. However, due to complaints of favoritism and arbitrary citing, the authority was revoked. Additionally, sworn law enforcement officers are trained to provide court testimony, while Harbor Agents are not. In the event a citation is challenged in court, the Department has concerns about the ability of its Harbor Agents to attend and testify in court. The Department's Division of Conservation and Resources Enforcement provides comprehensive training to its officers so that they are equipped to handle all types of enforcement tasks, including parking enforcement and providing court testimony. The Department therefore believes that parking enforcement authority should remain with sworn law enforcement officers only.

Additionally, the Department encountered issues with accepting parking payments due to parking vendor interruptions. Without also being able to address this issue, the Department may not be able to determine which vehicles are violating parking regulations.

Thank you for the opportunity to comment on these measures. (Suzzane Case, 2022).

**Proof of the SEVEN citations issued by DOCARE in 2023.**

On Feb 6, 2024, at 2:13 PM, Li, Bin C <[bin.c.li@hawaii.gov](mailto:bin.c.li@hawaii.gov)> wrote:

That's correct.

Bin C. Li

Department of Land and Natural Resources

Administrative Proceedings Coordinator

1151 Punchbowl St, Rm 131, Honolulu, Hawaii 96813

Phone (808)587-1496, [bin.c.li@hawaii.gov](mailto:bin.c.li@hawaii.gov)

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**From:** Kate Thompson <[katet@me.com](mailto:katet@me.com)>

**Sent:** Tuesday, February 6, 2024 2:10 PM

**To:** Li, Bin C <[bin.c.li@hawaii.gov](mailto:bin.c.li@hawaii.gov)>

**Subject:** [EXTERNAL] Re: FY2023 parking enforcement at Ala Wai

Thank you very much. These were issued by DOCARE officers, correct?

On Feb 6, 2024, at 1:04 PM, Li, Bin C  
<[bin.c.li@hawaii.gov](mailto:bin.c.li@hawaii.gov)> wrote:

Aloha Kate,

This is a response to your inquiry about our parking enforcement case number at the Ala Wai. Our record shows that there were 7 parking citations issued at Ala Wai Small Boat Harbor in FY2023.

We apologize for the delay in producing this tally for you. Let me know if you have further questions.

Bin C. Li

Department of Land and Natural Resources

Administrative Proceedings Coordinator

1151 Punchbowl St, Rm 131, Honolulu, Hawaii  
96813

Phone (808)587-1496, [bin.c.li@hawaii.gov](mailto:bin.c.li@hawaii.gov)



Testimony Before The  
Senate Committee on Water and Land (WTL)  
Senate Committee on Public Safety and Intergovernmental And Military Affairs (PSM)  
**IN OPPOSITION OF SB3355**  
February 12, 2024, 3:00PM, Room 225

We are Olan Leimomi Fisher and Kevin Chang, Kua'āina Advocate and Executive Director, respectively, testifying on behalf of [Kua'āina Ulu 'Auamo \(or KUA\)](#). "Kua'āina Ulu 'Auamo" stands for "grassroots growing through shared responsibility," and our acronym "KUA" means "backbone." **Our mission is to connect and empower communities to improve their quality of life through the collective care for their biocultural (natural and cultural) heritage, serving as a "backbone organization" that supports creative and community-driven solutions to problems stemming from environmental degradation.** Hawai'i's biocultural resources continue to be negatively impacted by political, economic, and social changes, and the increasing dangers of climate change make fostering and empowering resilient communities acutely critical.

Currently KUA supports three major networks of: (1) almost 40 mālama 'āina (caring for our 'āina or "that which feeds") community groups collectively referred to as E Alu Pū (moving forward together); (2) over 60 loko i'a (fishpond aquaculture systems unique to Hawai'i) and wai 'ōpae (anchialine pool systems) sites in varying stages of restoration and development, with numerous caretakers, stakeholders, and volunteers known as the Hui Mālama Loko I'a ("caretakers of fishponds"); and (3) the Limu Hui made up of over 50 loea (traditional experts) and practitioners in all things "limu" or locally-grown "seaweed." Our shared vision is to once again experience what our kūpuna (ancestors) referred to as **'āina momona** – abundant and healthy ecological systems that sustain our community resilience and well-being.

**KUA opposes SB3355 which would inhibit our State's growth towards achieving 'āina momona.**

This bill would transfer the Department of Land and Natural Resources' Division of Conservation and Resources Enforcement (DLNR-DOCARE) into the newly established state Department of Law Enforcement (DLE) from Act 278 (2022). **We understand and respect the importance of DLE, but strongly believe that this transfer would dilute the key "natural resources protection" mission of DOCARE under DLNR management.** Currently DOCARE serves as the state's only agency statutorily obligated to enforce our conservation and resources laws. A large number of our network members partner with DOCARE officers through growing community-based co-management initiatives from mauka to makai. These DOCARE officers are often the first representation community members face from DLNR.

It is not insignificant to say that **a passion for, and understanding of, our cultural and natural resources and laws are necessary qualities for being an effective DOCARE officer.** In recent years, DOCARE has finally started to become the institution it needs to be – largely thanks to its hard working leadership, greater resources provided by our legislature, new

academy with a growing pool of enthusiastic and energetic recruits, and an effectively functioning environmental court program. All of these pieces of the puzzle are necessary to DOCARE's growing success, *including its current management under DLNR*. With the recent graduating class of over 40+ DOCARE officers, so far we have heard only praise and gratitude from our community in response to DOCARE's increased presence and effectiveness throughout our state. DOCARE has been housed under DLNR since the 1970s, and continues to make huge improvements in their effectiveness and transparency with our communities. To keep strengthening its enforcement capabilities, DOCARE should continue to be able to recruit the best officers available for *cultural and natural resource enforcement* first and foremost. **DOCARE's ability to utilize the science, education, and policy efforts housed under DLNR creates the ideal environment for its officers to best protect our beloved biocultural resources in the holistic nature that this type of work requires.**

Please **HOLD** SB3355, which is a step backward in our goal to once again realize the abundant and thriving ecological balance in Hawai'i. Mahalo for the opportunity to oppose.

**Aloha 'Āina Momona no nā kau ā kau.**

**SB-3355**

Submitted on: 2/10/2024 11:47:41 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ted Bohlen	Testifying for Hawaii Reef and Ocean Coalition	Oppose	Written Testimony Only

Comments:

Hawai'i Reef and Ocean Coalition appreciates the bill's intent to save costs and streamline by consolidating law enforcement functions in DLE, but **OPPOSES** this bill.

**DOCARE's functions are different from other law enforcement agencies. DOCARE will not be as effective if it is consolidated.**

As Hawai'i Law Professor and community leader Denise Antolini has said, "DOCARE has a unique mission - 'to protect, conserve and manage Hawai'i's unique and limited natural, cultural and historic resources held in public trust for current and future generations of visitors and the people of Hawai'i nei.' To continue to be effective, and to attract and retain officers who are dedicated and passionate about this role and personally committed to Hawai'i, DOCARE needs to remain within DLNR and not be absorbed by DLE."

As one who worked as an environment enforcement attorney for over 20 years, I couldn't agree more that **DOCARE is different; it should not be merged into another agency and needs to be kept as part of DLNR.**

**Please hold this bill!**

Hawai'i Reef and Ocean Coalition (by Ted Bohlen)



SB3355 PSM/WTL Hearing  
Feb. 12, 2024, 3:00 pm

### **In Strong Opposition to SB3355 – Transfer of DOCARE to DLE**

Aloha PSM Chair Wakai, WTL Chair Inouye, PSM/WTL Vice Chair Elefante, and Committee Members,

As the President of Mālama Pūpūkea-Waimea, and in my personal capacity, I write in **strong opposition** to **SB3355** - a disastrous bill that proposes to transfer the Department of Land and Natural Resources (DLNR)-Division of Conservation and Resources Enforcement (DOCARE) to the new Department of Law Enforcement (DLE).

DOCARE has a unique mission - "to protect, conserve and manage Hawai'i's unique and limited natural, cultural and historic resources held in public trust for current and future generations of visitors and the people of Hawai'i nei." To continue to be effective, and to attract and retain officers who are dedicated and passionate about this role and personally committed to Hawai'i, DOCARE needs to remain within DLNR and not be absorbed by DLE.

The bill would stop cold and reverse the amazingly positive momentum led by the Legislature's strong funding and policy support for DOCARE and the highly successful DOCARE Officer Training Academy. The Legislature's strong leadership has helped rebuild DOCARE into a professional, well-trained, and effective statewide natural resources enforcement team.

In my capacity as a (now emerita) law professor at the William S. Richardson School of Law, and in my role (since 2005) as volunteer President of Mālama Pūpūkea-Waimea (MPW) on the North Shore of O'ahu, I have worked with DOCARE for almost twenty years.

MPW has also been a "Makai Watch" partner with DOCARE since 2005, which involves frequent collaboration on training community members to be the "eyes and ears" of DOCARE, an invaluable partnership for our vast rural community.

I know the DOCARE leadership, many of the officers, and some of their challenges and accomplishments, particularly related to District 2, which includes O'ahu's North Shore and the Pūpūkea Marine Life Conservation District.

The DOCARE officers are our heroes - not just enforcing the law when and where necessary (no small task given the huge areas of land and sea that are their kuleana!) but also for engaging users and communities in understanding the rules, and educating residents and visitors about the value of our natural and cultural resources.

**Mālama Pūpūkea-Waimea**  
Post Office Box 188  
Hale'iwa, HI 96712

#### **Board of Directors**

*Denise Antolini*  
*Keelan Barcina*  
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*Palakiko Yagodich*

#### **Staff**

*Jenny Yagodich,*  
*Director of Educational*  
*Programs & Community*  
*Outreach*

Federal Nonprofit Organization  
501(c)(3) FEIN 27-0855937  
[www.pupukeawaimea.org](http://www.pupukeawaimea.org)

I have worked with DOCARE on the innovative Officer Academy since its inception and am so proud of DOCARE's progress that I attended the most recent DOCARE Academy graduation in May 2023, joining the graduates at 'Iolani Palace for this special and deeply moving graduation photo:



DOCARE and these officers deserve our strong continued support and autonomy to work directly on their unique mission under DLNR leadership.

SB3355 would be a huge step backward for DOCARE, the environment that they protect, and the community groups that partner with DLNR on natural and cultural resources management and enforcement.

What is the motivation behind SB3355? A mystery. Note that SB3355 does not have any co-introducers, is not supported by DLNR/DOCARE, and is strongly opposed by community groups like MPW who have years of experience working with DOCARE.

**Please vote no and hold this bill.**

Mahalo nui.

A handwritten signature in black ink, which reads "Denise Antolini". The signature is written in a cursive, flowing style.

Denise Antolini  
President, Mālama Pūpūkea-Waimea  
Professor Emerita, William S. Richardson School of Law  
Pūpūkea Resident





February 11, 2024

COMMITTEE ON PUBLIC SAFETY AND  
INTERGOVERNMENTAL AND MILITARY AFFAIRS

Senator Glenn Wakai, Chair  
Senator Brandon J.C. Elefante, Vice Chair

COMMITTEE ON WATER AND LAND  
Senator Lorraine R. Inouye, Chair  
Senator Brandon J.C. Elefante, Vice Chair

DATE: Monday, February 12, 2024

TIME: 3:00 PM

PLACE: Conference Room 225 & Videoconference

**Strong Opposition**

HFACT **STRONGLY OPPOSES** SB3355 Relating to Law Enforcement

HFACT is a not-for-profit, IRS 501c(5) organization, that advocates for small boat commercial, non-commercial, and recreational fishermen throughout Hawaii. HFACT board members sit on a number of federal fisheries management and endangered species advisory committees as well as state marine and coastal zone advisory committees; and, HFACT is thoroughly familiar with and participates in ocean and marine resource management in Hawaii and the central Pacific.

HFACT works actively with the Division of Aquatic Resources, the Division of Boating and Ocean Recreation, the Division of Conservation and Resources Enforcement and other agencies. This bill appears to be an attempt at a power grab to gain resources for the Department of Law Enforcement with no benefit to enforcement of natural resources enforcement.


Natural resources enforcement, “game wardens” in other states, are almost exclusively a division of a natural resource management agency. Rarely are game wardens a part of the state police force. There is a good reason why this model exists. Natural resources officers must work closely with specialists within the natural resources management agencies. Knowledge of natural resources is paramount. Just as important is the knowledge by officers of the users of the state’s natural resources. As opposed to the broad general public that the Department of Law Enforcement deals with, fishers, hunters, and natural resources users are only a small segment of the board public – knowledge of the user base comes from active cooperation with the natural resources management agencies and with the stakeholders of natural resources.

***Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.***  
***1317 Moanalualani Way, Unit B, Honolulu HI 96819***

HFACT asks the committee to oppose this bill and keep DOCARE as part of the Department of Land and Natural Resources.

We thank Chairs Wakai and Inouye, Vice-Chair Elefante and the committee members for the opportunity to provide testimony to this important bill.

Mahalo and Aloha,

A handwritten signature in blue ink, appearing to read "Phil Fernandez", is written over a light-colored rectangular background.

Phil Fernandez

President

[philferna@gmail.com](mailto:philferna@gmail.com)

**SB-3355**

Submitted on: 2/8/2024 4:36:40 PM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Uilani Naipo	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY OPPOSE this measure.

- U'ilani Naipo

**SB-3355**

Submitted on: 2/9/2024 8:02:10 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Clemens Mayer	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am Clemens Mayer of Kaimuki.

I strongly OPPOSE SB3355 and urge the senate to NOT pass this bill.

Mahalo a nui

**SB-3355**

Submitted on: 2/9/2024 9:01:45 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Daniel Dennison	Individual	Oppose	Written Testimony Only

Comments:

Dear Committee Members,

After spending the last decade working hand-in-hand with the DLNR Division of Conservation and Resources Enforcement (DOCARE), I feel that I have a tremendous understanding and appreciation for the invaluable work provided by the division in furthering DLNR's mission of protecting Hawai'i's precious natural and cultural resources into perpetuity.

As Communications Director at DLNR I've personally produced all of the media information on DOCARE for the past ten years and have spend hundreds of hours with officers and leadership, proactively telling the positive stories of the division, which are plentiful.

While DOCARE officers are fully sworn law enforcement officers, it is abundantly clear that their duties differ substansially and significantly from other state and county law enforcement officers. Primarily their responsibility is to educate and enforce HAR and HRS on lands and waters under the DLNR's jurisdiction. This entails having a specific knowledge set, focused on the rules, regulations, and laws that pertain to land and cultural resources management.

It seems that folding DOCARE into the Department of Law Enforcement is a power play without any valid, overriding reason to do so. If this measure becomes law, I believe it will significantly reduce the ability of DOCARE to carry out its mission of the last 50 years, since being established as a division of the DLNR. I also believe this will have a tremendously detrimental impact on the morale of the DOCARE work force and could lead to a mass of early retirements and resignations, at a time when DOCARE has finally been given the legislative support to increase the number of officers in the field, with 42 news officers joining the force two years ago, and another 25 about to embark on academy training, which is conducted in collaboration with the criminal justice program at Honolulu Community College and is geared specially for conservation enforcement officers.

I strongly encourage this committee to vote not to refer this bill for further consideration.

I applauded the formation of the Hawai'i Law Enforcement Standards Board that will oversee the state's law enforcement standards and training. As you are aware, Hawai'i was the only state that did not have legislatively mandated minimum training standards for law enforcement.

I also agree with the need to streamline training, consolidate resources and reduce redundancy. However, the current bill, SB 3355, proposing the integration of the Division of Conservation and Resources Enforcement (DOCARE) to the newly formed Division of Law Enforcement is misguided.

Stripping the Department of Land and Natural Resources (DLNR) of its ability to enforce the rules and regulations that it promulgates is a critical mistake. The expertise needed to enforce conservation laws is unique. The ability to identify species and other natural and cultural resources is a skill that is dependent on training and expertise developed during initial training, on the job, and in close working relationships with non-LE personnel within the DLNR.

In addition to the specific skills needed that are unique to conservation law enforcement, polices and procedures are unique. Regulatory agencies have very different enforcement needs than general law enforcement. The ability to inspect and the authority needed to perform a regulatory inspection, *absent reasonable suspicion or probable cause*, are unique to regulatory agencies. This inspection authority is generally only conferred to officers whose *primary duty* is conservation law enforcement. Making hunters and fishermen criminals before you can conduct an inspection is wrong.

The proposed integration of DOCARE takes none of these considerations in to account. In all US states there are only two, Oregon and Alaska, that do not have a fully integrated law enforcement functions within their natural resource agencies. In both Oregon and Alaska, the conservation law enforcement officers are assigned to a specific division within state law enforcement. SB 3355 doesn't even have a provision for a specific conservation law enforcement function. It would create generic law enforcement positions that would severely degrade the state's ability to protect it's natural and cultural resources.

The officers within DOCARE have proven their ability to be effective partners within the law enforcement community. They have been critical participants in numerous natural disaster responses, public events, and many other mutual aid requests. Their specific expertise, training, and equipment have provided enhanced public safety to the constituents of Hawai'i. However, their real value is in protecting the natural and cultural resources. Please don't diminish that with a misunderstanding of their primary duty and focus.

Respectfully,

DOCARE Chief Robert Farrell (ret)

February 9, 20204

Senator Glenn Wakai, Chair, Public Safety and Intergovernmental & Military Affairs

Senator Lorraine Inouye, Chair, Water & Land

Re: Opposition to SB3355 – Relating to Law Enforcement

Aloha Chair Wakai and Chair Inouye,

DLNR's Division of Conservation and Resource Enforcement (DOCARE) is a highly specialized "law enforcement" team that have been trained in and are constantly challenged with many very specific conservation enforcement situations that require their autonomy to be effective and successful in their mission to protect Hawaii's natural resources.

Respectfully, almost all the supporting reasons in this bill for consolidating DOCARE with a centralized law enforcement entity will result in unintended consequences. Although there MAY be some nominal cost reduction, conservation enforcement, if done correctly is far too unique to truly benefit from traditional consolidation efforts. In fact, the real danger of this proposal would be the serious cost to the land and natural resources of this State without the care and proper attention that must be delivered by a knowledgeable and autonomous enforcement agency.

Should this bill find the merits to move on, at the very least an independent audit should be conducted first to compare the responsibilities and accountabilities carried by DOCARE as compared to the proposed, consolidated law enforcement entity to see if all the anticipated benefits will come to fruition. As a part of this report, it may also be plausible to examine maintaining DOCARE's autonomy while becoming a subset of the consolidated force by sharing the technology that could indeed, further the overall mission of all law enforcement in the State of Hawaii.

Mahalo for the opportunity to share this testimony.

Respectfully yours,

A handwritten signature in blue ink, appearing to be "K. Inouye", written over a horizontal line that extends to the right.

**SB-3355**

Submitted on: 2/9/2024 3:11:00 PM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Margaret Hallahan	Individual	Oppose	Remotely Via Zoom

Comments:

Dear Senators on the Water and Land Committee

I think DOCARE officers have an important role in Natural Resource Management and this needs to be preserved.

I plan to testify on Zoom.

Mahalo,

Maggie Hallahan



**SB-3355**

Submitted on: 2/9/2024 10:39:56 PM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Roy N Morioka	Individual	Oppose	Written Testimony Only

Comments:

Our natural resources demand a deduced, focused enforcement agency and NOT a multi-focused one.

**SB-3355**

Submitted on: 2/10/2024 7:31:15 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Darrell Tanaka	Individual	Oppose	Written Testimony Only

Comments:

This is a terrible bill, basically the legislature would be saying that our natural and cultural resouces don't mean anything and doesn't deserve protection....DOCARE officers have special training above and beyond normal law enforcement because they need to learn the myriad of natural resource laws on top of normal county and state laws, they are a specialty kind of enforcement officer...this bill was ill conceived. Please OPPOSE it.

**SB-3355**

Submitted on: 2/10/2024 9:23:52 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mike Coelho	Individual	Oppose	Written Testimony Only

Comments:

I'm strongly opposed to this bill.

DOCARE has been instrumental in the preservation of natural resources in Hawaii. They are the enforcement agency for DLNR's division and this is their sole purpose.

Merging them with DLE would degrade the State's commitment to protecting our natural resources. The resources enforcement would become secondary to other duties of DLE. DLNR currently has the full attention of DOCARE and easily deals with them for any enforcement actions. Having DOCARE as part of DLE would create more red tape when enforcement actions are needed. As such the reaction times would be decreased and natural resources would suffer greatly

other agencies, liquor commission / taxation, currently have dedicated enforcement branches that aren't part of DLE so the precedent has already been established

The State has repeatedly stated that our resources are our greatest asset. This has also been echoed by the public concerned with subsistence and sustainability.

We should be supporting DOCARE and providing them more resources rather than merging them with DLE and making them less effective!

Please oppose this bill.

Thank you

**SB-3355**

Submitted on: 2/10/2024 10:28:10 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lance Kimura	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to this bill. DLNR has come a long way to becoming an effective enforcement agency.

**SB-3355**

Submitted on: 2/10/2024 10:54:09 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Regina Gregory	Individual	Oppose	Written Testimony Only

Comments:

oppose

Dear Chair of Water and Land Senator Inouye and Committee members:

I respectfully OPPOSE SB 3355

The main duty of DOCARE officers is Natural Resource Management and to provide an enforcement presence in our State Harbors, State Parks and Beaches.

The role of DOCARE officers includes the following types of duties:

- Wildlife protection: similar to “game-wardens” and prevent illegal fishing and manage animal harassment
- Occasional physical presence at the State Harbors, and to manage communications during boat groundings.
- Be called for serious issues such as deaths or missing swimmers, shark sightings, and situations involving marine animals in the harbor area
- Harbor issues such as physical altercations, sale of illicit drugs, car racing, homeless encampment monitoring and removal.
- Ocean enforcement such as whale distance laws, overall speed laws, equipment use in zones such as jet ski, foil, and surfboard/bodyboard use during certain hours.
- Community education programs about DLNR laws.

**What DOCARE officers should NOT be doing is issuing parking citations:**

In 2022, Suzanne Case testified to the legislature that only DOCARE officers should give parking citations in the State Harbors, (see the letter below).

Yet, only 7 parking citations were issued at the Ala Wai Boat Harbor in 2023.

If the DOCARE officers are not issuing citations, then the parking management company should.

DLNR states that only DOCARE officers can give citations, but they do not supply the DOCARE officers to do so.

Currently, we have a ‘vacuum’ in which no citations are issued at the harbor by the parking company Secure Parking LLC, when parking violations occur. Secure Parking goes straight to giving the information to the tow company drivers, to tow.

**We think the parking vendor should be issuing the citations for minor parking violations.**

**The parking management company should provide parking attendants** who walk around, or use a small vehicle to issue citations. The citations can be paid online or in person at the Secure Parking LLC office. **At the Honolulu Zoo Parking, the ProPark parking management company gives a \$20. citation, this seems to be working.** Issuing citations for minor parking violations at the state harbors would significantly reduce towing.

**In the December 7th BLNR meeting, DOBOR staff member Richard Howard cited that 1500 vehicles were towed from the Harbor from Jan 1-August 9, 2023 not including after hour towing past 10:30 pm. This reflects excessive and predatory towing to the local and visiting community members.**

The towing occurs by Secure Parking LLC working in conjunction with the State Contracted Towing company, Mr. Tow, using vehicle license numbers and software which allows the tow truck to immediately detect those who have not secured parking or have overstayed.

This is a financial burden on the public, at \$160.00 per tow charge, for minor parking violations. Despite state law, Mr. Tow ONLY accepts cash payment. The kiosk at the sight clearly states "cash only".

**We ask that legislators, BLNR, DLNR Chairperson allow Secure Parking LLC staff to issue citations, at the City and County fine rates, immediately.**

Although DOCARE officers should be allowed to continue to issue parking citations, **the day-to-day responsibility to issue minor parking citations should shift to the Parking Management vendors in our State Harbors.**

Thank you for your careful examination into the role of DOCARE enforcement role in Hawai'i.

Mahalo nui loa, Karen Boyer, Hawai'i resident

**SB-3355**

Submitted on: 2/11/2024 6:15:12 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
B. Hansen	Individual	Support	Written Testimony Only

Comments:

I Support SB3355!



**SB-3355**

Submitted on: 2/11/2024 7:26:28 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Anapuni Coleman	Individual	Support	Written Testimony Only

Comments:

I support this bill.

**SB-3355**

Submitted on: 2/11/2024 7:27:03 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Liam Wilmott	Individual	Support	Written Testimony Only

Comments:

I support SB3355

**SB-3355**

Submitted on: 2/11/2024 7:28:01 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Clinton Blackman	Individual	Support	Written Testimony Only

Comments:

I support SB3355

**SB-3355**

Submitted on: 2/11/2024 7:28:19 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gabriel Pieper	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill

**SB-3355**

Submitted on: 2/11/2024 7:28:37 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sierra Revilla	Individual	Support	Written Testimony Only

Comments:

I support SB3355

**SB-3355**

Submitted on: 2/11/2024 7:28:59 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alfonso Pitolo	Individual	Support	Written Testimony Only

Comments:

I support this bill

**SB-3355**

Submitted on: 2/11/2024 7:30:03 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Robert Enriquez	Individual	Support	Written Testimony Only

Comments:

I support SB3355

**SB-3355**

Submitted on: 2/11/2024 7:34:08 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kekoa masutani	Individual	Support	Written Testimony Only

Comments:

I support this bill 🙏



**SB-3355**

Submitted on: 2/11/2024 7:35:02 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dave Teriirere	Individual	Support	Written Testimony Only

Comments:

Strongly support

**SB-3355**

Submitted on: 2/11/2024 7:41:21 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Joshua Mueller	Individual	Support	Written Testimony Only

Comments:

I support SB3355

**SB-3355**

Submitted on: 2/11/2024 7:41:35 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
nepo leutu jr	Individual	Support	Written Testimony Only

Comments:

In support of sb3355

**SB-3355**

Submitted on: 2/11/2024 7:55:12 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Conan Donahue	Individual	Support	Written Testimony Only

Comments:

In support!

**SB-3355**

Submitted on: 2/11/2024 7:56:55 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Paquito KHD Capillan	Individual	Support	Written Testimony Only

Comments:

Strongly support

**SB-3355**

Submitted on: 2/11/2024 8:01:42 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Justin Dunhour	Individual	Support	Written Testimony Only

Comments:

I support SB3355

**SB-3355**

Submitted on: 2/11/2024 8:13:54 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
anthony padilla	Individual	Support	Written Testimony Only

Comments:

In strong support

**SB-3355**

Submitted on: 2/11/2024 8:15:00 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kaleo Buck	Individual	Support	Written Testimony Only

Comments:

I support SB3355



**SB-3355**

Submitted on: 2/11/2024 8:19:03 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jeremy Inferrera	Individual	Support	Written Testimony Only

Comments:

I support SB3355

**SB-3355**

Submitted on: 2/11/2024 8:36:22 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ted Scott	Individual	Support	Written Testimony Only

Comments:

I am in strong support of this bill

**SB-3355**

Submitted on: 2/11/2024 8:42:39 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cameron kamai	Individual	Support	Written Testimony Only

Comments:

I support SB3355

**SB-3355**

Submitted on: 2/11/2024 9:00:28 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jonovan Tuinei	Individual	Support	Written Testimony Only

Comments:

Strong support.

**SB-3355**

Submitted on: 2/11/2024 9:16:46 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Aaron Miyashiro	Individual	Support	Written Testimony Only

Comments:

I support SB3355

**SB-3355**

Submitted on: 2/11/2024 9:45:33 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Klayton Kubo	Individual	Oppose	Written Testimony Only

Comments:

Strongly in opposition

Klayton Kubo

Waimea, Kaua'i

**SB-3355**

Submitted on: 2/11/2024 10:00:27 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael Carion	Individual	Oppose	Written Testimony Only

Comments:

The proposed bill has many ramifications that would be a detriment to the natural resources of the state of Hawaii.

I agree with retired Chief Rober Farrell's written testimony on the potential impacts on the ability to enforce natural resource laws this bill would have.

Hawaii is known as the extinction capital of the world. There is an increasing need for proper law enforcement officers who are trained in the ability to interpret and enforce natural resource laws. Integrating DOCARE officers under one law enforcement entity will result in a dilution of the importance of enforcement of natural resource laws. Natural resources will always take a second place when personnel are needed for general law enforcement response.

Currently, DOCARE officers can assist with general law enforcement's calls, but only if their natural resource priorities are covered.

Natural resource law enforcement requires different authorities and approaches than traditional law enforcement approaches. Many of the contacts made by DOCARE officers are for compliance checks on otherwise legal activities and is different than traditional law enforcement approaches.

States like Alaska and Oregon have tried this approach and the response to natural resource crimes do not get the same attention as they did prior to this merger.

When I was the Chief in CA DFW, we looked at this extensively and found the resources would suffer from such a merger.

I ask that you not allow the creation of this one entity which will diminish the ability of DOCARE officers to enforce the natural resource laws of the state, so critical to this unique and precious state.

Mahallo Nui Loa

Respectively submitted,

CA DFW Chief (Ret) and now resident iof Hawaii, Michael P Carion

**SB-3355**

Submitted on: 2/11/2024 10:49:16 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tyler Yuu	Individual	Support	Written Testimony Only

Comments:

I support SB3355



**SB-3355**

Submitted on: 2/11/2024 11:02:18 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Wade Terlep	Individual	Support	Written Testimony Only

Comments:

Very strong support

**SB-3355**

Submitted on: 2/11/2024 11:16:42 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alana Kaili	Individual	Support	Written Testimony Only

Comments:

In strong support of SB3355

**SB-3355**

Submitted on: 2/11/2024 11:30:40 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
kainalu paikai	Individual	Support	Written Testimony Only

Comments:

Support

**SB-3355**

Submitted on: 2/11/2024 12:09:33 PM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Makana Fronda	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill.

**SB-3355**

Submitted on: 2/11/2024 1:15:27 PM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Manny Kulukulualani	Individual	Support	Written Testimony Only

Comments:

I strongly support SB3355

**SB-3355**

Submitted on: 2/11/2024 1:32:49 PM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Hunter Mako Morton	Individual	Support	Written Testimony Only

Comments:

I support this

**SB-3355**

Submitted on: 2/11/2024 2:28:53 PM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Adrian Kaleo Nakashima	Individual	Support	Written Testimony Only

Comments:

I support SB3355.

**LATE**

**SB-3355**

Submitted on: 2/11/2024 10:21:24 PM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
richard gideon	Individual	Support	Written Testimony Only

Comments:

I support SB 3355



**LATE**

**SB-3355**

Submitted on: 2/12/2024 6:23:07 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Clayton Glass	Individual	Support	Written Testimony Only

Comments:

I support.

**LATE**

**SB-3355**

Submitted on: 2/12/2024 7:42:57 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Barryn Chun	Individual	Oppose	Written Testimony Only

Comments:

This power consolidation feels extremely odd, authoritarian even, and I urge people to think about why a DLNR exists, especially in disputes where it is inappropriate to bring in law enforcement. A bill like this should not be passed with little-to-no discussion on the issue, so I oppose SB3355.

**LATE**

**SB-3355**

Submitted on: 2/12/2024 7:53:39 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Chad Amasiu	Individual	Support	Written Testimony Only

Comments:

I support SB3355

**LATE**

**SB-3355**

Submitted on: 2/12/2024 9:34:25 AM

Testimony for PSM on 2/12/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Randy Cates	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill as it will only weaken enforcement of our Natural Resources

Randy Cates

**LATE**

**Testimony of The Nature Conservancy  
Support for SB 3355, Relating to Law Enforcement  
Committees on Public Safety and Intergovernmental and Military Affairs, and  
Water and Land  
February 12, 2024, 3:00 p.m.  
Conference Room 225 & Videoconference**

Aloha Chair Wakai, Chair Inouye, Vice Chair Elefante, and Members of the Committees:

The Nature Conservancy (TNC) **opposes** SB 3355, relating to law enforcement, which transfers the functions of the Department of Land and Natural Resources Division of Conservation and Resources Enforcement to the Department of Law Enforcement. It increases the number of deputy directors appointed by the Director of Law Enforcement and transfers personnel within the Department of Land and Natural Resources Division of Conservation and Resources Enforcement to the Department of Law Enforcement.

The Division of Conservation and Resources Enforcement (DOCARE) is charged with upholding the laws that protect, conserve and manage Hawai'i's unique and limited natural, cultural and historic resources held in public trust for current and future generations of visitors and the people of Hawai'i. They play an integral role in the enforcement of laws and regulations in collaboration with the DLNR Division of Forestry and Wildlife and Division of Aquatic Resources, among other priorities. Ensuring that they are adequately resourced and focused on their unique and specialized role in protecting our natural environment is a key concern.

For over 40 years, TNC has actively managed nature preserves throughout Hawai'i. We currently manage 40,000 acres in preserves on Hawai'i Island, Maui, Moloka'i, Lāna'i, and Kaua'i. We also work with over 30 coastal communities through networks and partnerships to help protect and restore the nearshore reefs and fisheries of the main Hawaiian Islands. Over our decades of experience of forest management and marine conservation, TNC has worked with partners such as DLNR to implement many conservation actions that promote biodiversity and it is these experiences which underpin our opposition to this measure.

Mahalo for the opportunity to share our opposition to SB 3355.

**BOARD OF TRUSTEES**

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