

HCR 92 HD1

Measure Title:

Requesting the Auditor to Conduct a Financial & Mgmt
Audit of the Dept. of Public Safety, Sheriff Divison, & to
Report on the Suitability of the Administrative Organization of
the Dept. of Public Safety & Sheriff Division

Report Title:

Dept. of Public Safety; Audit

TESTIMONY ON HCR92, HD1

REQUESTING THE AUDITOR TO CONDUCT A
MANAGEMENT AND FINANCIAL AUDIT OF THE
DEPARTMENT OF PUBLIC SAFETY, SHERIFF
DIVISION, AND TO REPORT ON THE SUITABILITY
OF THE ADMINISTRATIVE ORGANIZATION OF THE
DEPARTMENT OF PUBLIC SAFETY AND THE
SHERIFF DIVISION

Senate Committee on Public Safety
Senator Will Espero, Chair

Monday, April 27, 2009; 9:30 AM
State Capitol, Conference Room 312

Senator Espero and Members of the Committee:

I would like to take this opportunity to request for your support of HCR92, HD1.

Historically, the Office of the Sheriff was established under the Judiciary branch of government. Under Act 211, SLH 1989, the Department of Corrections was changed to the Department of Public Safety. In essence, the Department of Public Safety was the Department of Corrections under a new name. Also under Act 211, SLH 1989, the Office of the Sheriff was transferred from the Judiciary to the new Department of Public Safety. This resulted in expanding the Department of Public Safety's (former Department of Corrections) responsibilities to include the formulation and implementation of state policies and objectives for law enforcement, as well as the administration and maintenance of all public or private correctional facilities and services. Currently, the law enforcement branch and the related law enforcement functions of the Department of public safety are approximately 18% of the total department.

As stated in House Concurrent Resolution 92, HD1, the mission of the Sheriff Division and Corrections Division within the Department of Public Safety is significantly different. Other than the Sheriff Division being the central hub for the transferring of custodies between all state and county law enforcement agencies, the courts and the correctional facilities, there are very little operational relationships between the two functions. These differences go beyond just operational relationships. For example, the uniformed personnel of the Corrections Division and Sheriff Division are represented by two different employee unions which makes it virtually impossible to create standardized employee related policies.

Considering the lack of operational relationships between the two functions, a single director must attempt to establish resource priorities for each function without adversely impacting the other. In comparison, an organization with a single mission is able to establish resource priorities that will contribute to advancing its overall mission and goals regardless of where those resources are placed within the organization.

I believe the proposed management and financial audit is a great opportunity to identify areas that may improve the efficiency and effectiveness of the Sheriff Division and the service it provides to other state agencies and the general public.

Robin Nagamine

Marlene Uesugi

From: Albert.X.Cummings@hawaii.gov
Sent: Friday, April 24, 2009 1:22 PM
To: PSM Testimony
Subject: HCR 92, HD1
Attachments: TERSTIMONY ON HCR NO92 HD1.doc

Follow Up Flag: Follow up
Flag Status: Completed

COMMITTEE ON
PUBLIC SAFETY
&
COMMITTEE ON
MILITARY AFFAIRS

TESTIMONY IN SUPPORT OF:
HCR 92, HD 1

Aloha, Chair Espero, Chair Bunda, and members of the committee.

I write in support of HCR 92, HD 1, which request the financial and management audit of the Department of Public Safety (PSD) and the Sheriff Division.

There is no direct correlation between law enforcement and corrections. Rather, the Sheriff Division is a law enforcement entity with statewide jurisdiction. Since the creation of PSD, the Sheriff Division competed with Corrections for additional resources and financial support. Diversion of the Sheriff Division budget to meet correctional priorities limited the Sheriff Division ideals to move forward.

Most recently, and as a result of the Federal Homeland Security Act of 2002, and the support of the State of Hawaii Civil Defense, the Sheriff Division has broaden its scope of law enforcement presence statewide.

Regarding leadership, it is imperative that our Director possesses general knowledge and experience in law enforcement and leadership qualities. The average stay of a Sheriff appointment is approximately 18 months, a grave concern to personnel. Many have left due to political, administrative, or personal conflict.

Recently, the Sheriff Division has seen its most motivated and charismatic Sheriff administrator in years removed from his position. Again, another set back for the Sheriff Division, and clearly a justification to re-visit the separation of these two divisions. In response to Act 83, then Interim Director, Richard Bissen, considered separation of law enforcement and corrections, citing, "there is little operational relationship between the two functions." Bissen further stated that, "a single director must attempt to establish resource priorities for each function without adversely impacting the other."

In closing, the Sheriff Division welcomes the audit to look at viable alternatives in the management and administrative structuring of law enforcement and correction. I wish to thank all of you for taking the time to read my testimony.

From: Michael.V.Decenzo@hawaii.gov [mailto:Michael.V.Decenzo@hawaii.gov]
Sent: Friday, April 24, 2009 2:23 PM
To: PSM Testimony
Subject: HCR 92,HD1

Aloha, Chair Espero, Vice Chair Bunda, and Members of the Committee,

I am writing in support of HCR 92, HD 1, which request the financial and management audit of the Department of Public Safety and the Sheriff Division.

Since its creation the Department of Public Safety, Corrections has been the main entity and has completely taken over the infrastructure of the Department. They have tried to operate the Sheriff division in the same manner as how they run a correctional facility. There is no direct correlation between Law Enforcement and Corrections. The Sheriff Division is a law enforcement entity with statewide enforcement jurisdiction. Since the creation of Public Safety, the Sheriff Division competed with Corrections for additional resources and financial support. Diversion of the Sheriff Division budget to meet correctional priorities adversely affected the Sheriff Division ideals to move forward.

Regarding leadership, it is imperative that our Director possesses general knowledge and experience in law enforcement and leadership qualities. The average stay of a Sheriff Administrator appointment is approximately 18 months, which is a concern to all the deputies and truly affects the morale of the Division. It also impacts the long term goals of the Division.

The Sheriff Division recently seen its most motivated, charismatic, and experience Sheriff Administrator in years removed from his position without cause. Again, another set back for the Sheriff Division, and clearly a justification to re-visit the separation of Corrections and the Sheriff Division. In response to Act 83, interim Director, Richard Bissen, Considered separation of the law enforcement and corrections, citing, "there is little operational relationship between the two functions." Bissen further stated that, "a single director must attempt to establish resource priorities for each function without adversely impacting the other."

In closing, the Sheriff Division will welcome the audit to look at viable alternatives in the management and administrative structuring of law enforcement and corrections. Thank you for taking the time to read my testimony.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

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The Twenty-Fifth Legislature, State of Hawaii
Hawaii State Senate
Committee on Public Safety and Military Affairs

Testimony by
Hawaii Government Employees Association
April 27, 2009

H.C.R 92, H.D. 1 – REQUESTING THE
AUDITOR TO CONDUCT A
MANAGEMENT AND FINANCIAL
AUDIT OF THE DEPARTMENT OF
PUBLIC SAFETY, SHERIFF DIVISION
AND TO REPORT ON THE
SUITABILITY OF THE
ADMINISTRATIVE ORGANIZATION OF
THE DEPARTMENT OF PUBLIC
SAFETY AND THE SHERIFFS
DIVISION

The Hawaii Government Employees Association strongly supports the purpose and intent of H.C.R. 92, H.D. 1, which requests the Auditor to conduct a management and financial audit of the Department of Public Safety (PSD) and the Sheriff Division. The HGEA is particularly interested in the Auditor examining what responsibilities of the Sheriff Division are not adequately achieved due to insufficient resources, as well as considering alternative administrative structures for the department's law enforcement and corrections functions.

We agree that the mission of the Sheriffs Division is significantly different from the Corrections Division, and that the Director of PSD is forced to establish budgetary priorities for each function without adversely impacting the other. However, this is not possible if the Corrections Division typically receives between 60-80% of the funds appropriated to PSD.

Perhaps the most serious problem within the Sheriffs Division is the compensation provided to deputy sheriffs. Despite their first responder status, deputy sheriff pay and benefits are no longer competitive in comparison with the county police officers or deputy sheriffs on the west coast. Law enforcement agencies from the Mainland have actively recruited well-trained Hawaii deputy sheriffs with more attractive compensation and benefit packages.

Hawaii State Senate
Committee on Public Safety and Military Affairs
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It makes no sense to invest valuable resources training deputy sheriffs only to have them leave for higher pay and better benefits elsewhere. For example, at the recruit level, county police officers earn about 30% more, effective July 1, 2008, and almost 25% more at the independent worker level. The pay differences exceed 35% at the sergeant and lieutenant levels.

While we thought we had an agreement with PSD to increase deputy sheriff salaries and differentials, the department did not follow through as promised.

Thank you for the opportunity to testify in support of H.C.R. 92, H.D. 1.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nora A. Nomura", with a long horizontal flourish extending to the right.

Nora A. Nomura
Deputy Executive Director