



SB2325

Measure Title:	RELATING TO A LAW ENFORCEMENT STANDARDS BOARD.
Report Title:	Law Enforcement Standards Board; Special Fund; Appropriations (\$)
Description:	Establishes a law enforcement standards board for the certification of county police officers, state public safety officers, and employees of the departments of transportation and land and natural resources with police powers. Establishes a special fund. Appropriates funds.
Companion:	HB1903
Package:	Women's Legislative Caucus
Current Referral:	PSM/CPH, JDL/WAM
Introducer(s):	L. THIELEN, BAKER, ESPERO, GREEN, IHARA, INOUE, SHIMABUKURO, Chun Oakland, Kidani, Riviere

DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committees on
PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS
and
COMMERCE, CONSUMER PROTECTION, AND HEALTH**

**Thursday, February 11, 2016
8:30 AM
State Capitol, Conference Room 229**

**In consideration of
SENATE BILL 2325
RELATING TO A LAW ENFORCEMENT STANDARDS BOARD**

Senate Bill 2325 proposes to establish a Law Enforcement Standards Board (Board). **The Department of Land and Natural Resources (Department) supports this measure.**

The Department believes that this measure will provide important standards that will provide a common core of knowledge and training for state and county law enforcement officers statewide. Additionally, the Department further believes that the establishment of this Board will ensure high standards of professionalism, uniformity of standards and accountability.

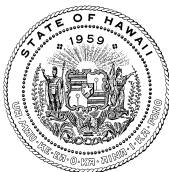
SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA W. KALUHIWA
FIRST DEPUTY

JEFFREY. T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

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

DAVID Y. IGE
GOVERNOR



WRITTEN ONLY

WESLEY K. MACHIDA
DIRECTOR

RODERICK K. BECKER
DEPUTY DIRECTOR

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

**STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE**

P.O. BOX 150
HONOLULU, HAWAII 96810-0150

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

**TESTIMONY BY WESLEY K. MACHIDA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEES ON PUBLIC SAFETY, INTERGOVERNMENTAL,
AND MILITARY AFFAIRS AND
COMMERCE, CONSUMER PROTECTION AND HEALTH
ON
SENATE BILL NO. 2325**

February 11, 2016
8:30 a.m.

RELATING TO A LAW ENFORCEMENT STANDARDS BOARD

Senate Bill No. 2325 establishes the Law Enforcement Standards Board, under the Department of the Attorney General (AG), for the certification of county police officers, State public safety officers, and employees of the Departments of Transportation (DOT) and Land and Natural Resources (DLNR) with police powers. Senate Bill No. 2325 creates the Law Enforcement Standards Board Special Fund that would generate revenues through legislative appropriations, fees, private contributions, and investment earnings. The bill appropriates an unspecified sum of general funds for FY 17 for deposit into the new fund that would be used to defray board expenses.

Additionally, the bill proposes to transfer the powers, functions, and duties of the DLNR and DOT and the Police Department of the several counties relating to law enforcement standards to the AG.

The Department of Budget and Finance takes no position on the establishment of a standards board to certify law enforcement officers. As a matter of general policy, the department does not support the creation of special funds which do not meet the

requirements of Section 37-52.3, HRS. Special funds should: 1) serve a need as demonstrated by the purpose, scope of work and an explanation why the program cannot be implemented successfully under the general fund appropriation process; 2) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries or a clear link between the program and the sources of revenue; 3) provide an appropriate means of financing for the program or activity; and 4) demonstrate the capacity to be financially self-sustaining. In regards to this bill, it is difficult to determine whether the special fund meets the criteria to establish a special fund.



February 5, 2016

To: Senate Committee on Public Safety, Intergovernmental and Military Affairs
Senator Clarence K. Nishihara, Chair
Senator Will Espero, Vice Chair

To: Senate Committee on Commerce, Consumer Protection, and Health
Senator Rosalyn H. Baker, Chair
Senator Michelle N. Kidani, Vice Chair

From: Michelle Rocca, Training and Technical Assistance Director
Hawaii State Coalition Against Domestic Violence

Re: Testimony in support of SB 2325 RELATING TO A LAW ENFORCEMENT STANDARDS BOARD

Good afternoon Chair Nishihara, Vice Chair Espero, Chair Baker, and Vice Chair Kidani, and members of the committees. On behalf of the Hawaii State Coalition Against Domestic Violence we thank you for the opportunity to share our testimony in support to Senate Bill 2325 relating to a law enforcement standards board.

The administration of criminal justice is a statewide concern and is critical to the health, safety and welfare of the people in Hawaii. The state has a responsibility to ensure effective law enforcement by establishing minimum selection, training and educational requirements for law enforcement officers and also to encourage advanced in-service training programs. It is in the best interest of the public that minimum levels of education and training be developed and made available to persons seeking to become law enforcement officers as well as those currently serving in law enforcement.

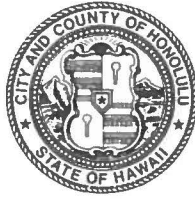
This bill would also affect the domestic violence community. Domestic violence constitutes a significant volume of the total incidents that require law enforcement attention. Nationally, 15-40% of all calls for police assistance are for family-related disturbances. Domestic violence incidents also have life and death consequences for victims, their children and law enforcement officers. Police officers are the gatekeepers of the criminal justice system. Their response to domestic violence victims greatly affects how the rest of the system will respond. According to the FBI, more officers are assaulted or injured during domestic disturbance calls than during any other circumstance, by far (30%). (National Law Enforcement Officers Memorial Fund, Domestic Violence Takes a Heavy Toll on the Nation's Law Enforcement Community. Available at www.nleomf.com/media/press/domesticviolence07.htm)

In addition, there are many professional standards that can improve public safety that have not been updated for some time. This bill would allow for the determination of specific training curricula necessary for each category of officer including: required subjects, number of training hours, and measures of performance. This bill serves important public safety interests by modernizing the professional requirements for Hawaii's criminal justice professionals. If this legislation is passed, it will result in significant improvements to training, standards, and the process of development and delivery of professional criminal justice services, leading to a safer Hawaii.

Thank you for your time.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 • INTERNET: www.honoluluupd.org



KIRK CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

MARIE A. McCAULEY
CARY OKIMOTO
DEPUTY CHIEFS

OUR REFERENCE GS-SK

February 11, 2016

The Honorable Clarence K. Nishihara, Chair
and Members
Committee on Public Safety,
Intergovernmental, and Military Affairs
The Honorable Rosalyn H. Baker, Chair
and Members
Committee on Commerce, Consumer
Protection, and Health
State Senate
Hawaii State Capitol, Room 229
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chairs Nishihara and Baker and Members:

SUBJECT: Senate Bill No. 2325, Relating to a Law Enforcement Standards
Board

I am Gordon Shiraishi, Major of the Training Division of the Honolulu Police
Department (HPD), City and County of Honolulu.

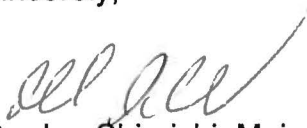
The HPD opposes the passage of Senate Bill No. 2325, Relating to a Law
Enforcement Standards Board. We believe that the HPD not only currently meets the
minimum but also exceeds the standards to be a police officer for a law enforcement
agency. We also have stringent procedures and guidelines for investigating police
officers' misconduct and any determination resulting in discipline. Collective bargaining
agreements will require agreed upon amendments as it covers the discipline and
dismissal of officers.

The Honorable Clarence K. Nishihara, Chair
and Members
Committee on Public Safety,
Intergovernmental, and Military Affairs
The Honorable Rosalyn H. Baker, Chair
and Members
Committee on Commerce, Consumer
Protection, and Health
February 11, 2016
Page 2

Requiring the officers' participation in continuing education programs and charging and collecting fees for certification may cause a hardship for them. Additionally, probationary periods are currently set by Civil Service Rules. Any changes to this may violate such set rules.

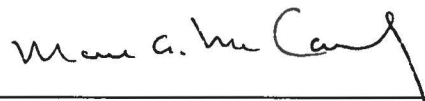
Thank you for the opportunity to testify.

Sincerely,

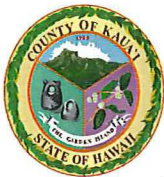


Gordon Shiraishi, Major
Training Division

APPROVED:



for Louis M. Kealoha
Chief of Police



BERNARD P. CARVALHO, JR.
Mayor

NADINE K. NAKAMURA
Managing Director

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TO: The Honorable Clarence K. Nishihara, Chair
and Members of the Senate Committee on Public Safety,
Intergovernmental and Military Affairs

The Honorable Rosalyn H. Baker, Chair
and Members of the Senate Committee on Commerce, Consumer
Protection and Health

FROM: Darryl D. Perry, Chief of Police

DATE: February 10, 2016

SUBJECT: **SENATE BILL NO. 2325 RELATING TO A LAW ENFORCEMENT
STANDARDS BOARD**

HEARING DATE: Thursday, February 11, 2016
8:30 a.m. Conference Room 229

The Kaua'i Police Department opposes Senate Bill 2325, with its purpose being to establish a law enforcement standards board for the certification of county police officers, state public safety officers, and employees of the Department of Transportation and Department of Land and Natural Resources with police powers.

Our concern is the additional layer of bureaucratic oversight and what amounts to the abolition of home rule as it pertains to each of the Counties. Comparing County Police Departments, most of which have been in operation before Statehood, to the regulation of private security guards is untenable.

The Kaua'i Police Department has very stringent hiring practices. After a rigorous process, we accept approximately 2.4% of those who apply to be police officers. Our process includes: application review for qualification, a written exam, a physical readiness standards test, submittal and review of applicants personal history packet, pre-job offer psychological exam, a thorough background check, conditional job offer written psychological exam, polygraph test,

conditional job offer psychological exam with our psychologist, drug testing and a medical examination. If the applicant meets all suitability requirements the last step is the job offer. With regards to our training requirements, as illustrated in the 2015 International Association of Directors of Law Enforcement Standards and Training report, Hawai'i has one of the highest number of training hours reported in the Nation and is exceeded in academy training hours only by the State of Minnesota (January 2015 Reciprocity Handbook, 2015). The Kaua'i Police Department's academy training hours is higher than any State listed. Unlike other States, we do not readily accept training certifications and hours from other police departments and law enforcement agencies and require all new hires, with or without law enforcement experience, to attend our full training academy. This is necessary because of the vast differences in laws and acceptable practices. We want to ensure that every officer has more than adequate and acceptable training and we will not rely on another agencies' training.

Furthermore, three of the County Police Departments—Honolulu, Maui, and Hawai'i—are nationally recognized as fully accredited Law Enforcement Agencies (LEA) through the Commission on Accreditation for Law Enforcement Agencies (CALEA®). Kaua'i Police Department is currently under-going the process with accreditation expected to take place by August of 2016.

In order for any agency to gain accreditation they must conform to prescribed standards with appropriate policies and procedural adherence, and provide proof of compliance during on-site assessments conducted by CALEA.

CALEA standards cover all aspects of training, and other obligations which include but are not limited to:

1. Recruit training
2. Reserve Officer training
3. Specialized tactical weapons training for Special Response Teams and Crisis Negotiators
4. Use of Force mandates which includes annual reviews; equipment needs, and specialized and remedial training.
5. Annual audits and reviews of evidence and property storage
6. Inspections of various operational funding controls and sources
7. Annual review of agency needs based on quarterly, annual and triennial reports concerning liability, workload assessments, and management of resources
8. Mandates concerning all aspects of criminal report writing

9. Evidence collection and preservation to include latent fingerprints and DNA identification
10. Crime scene preservation of evidence
11. Crime Laboratory responsibilities with respect to identifying evidence authentication related to the crime scene; followed by court-accepted expert testimony of certified trained personnel
12. Departmental annual recall refresher training on use of force, natural and man-made hazardous response plans, critical incidents, ethics, bias based profiling, law enforcement updates, court rulings, and the like

To ensure conformance, accredited agencies must undergo and pass an independent on-site assessment by CALEA every three years.

Each Police Chief submits a yearly assessment report that is used in evaluating the agency's commitment to accreditation and to identify future assessment review issues. Having an independent assessment places a high value on the accreditation for the agency as it opens the doors for independent scrutiny.

No other commission or entity places such a microscopic evaluation on a law enforcement agency than CALEA. Being an accredited agency is the difference between validated professionalism and claiming to be professional.

Hawai'i has an established training coalition comprised of representatives from each County Police Department, the Department of the Attorney General and the Federal Bureau of Investigation. Quarterly meetings are held to discuss the latest trends in law enforcement and the best practices to address those trends through training.

During a recent meeting, the training curriculums of each County Police Department were reviewed. It was determined that all County Police Departments exceed or meet the training hours for both Academy level and In-service level training as compared to States with Peace Officer Standards Training (P.O.S.T.) for which this bill appears to be modelled after.

The Kaua'i Police Department provides 1,092 hours of academy training and a minimum of 24 hours of annual recall training a year. This meets and exceeds P.O.S.T. academies on the Continental U.S.

In terms of revoking a police officer's certification for serious misconduct, the Kaua'i Police Department has a process in place for the review of allegations of misconduct. Detailed internal affairs reports are created after an exhaustive investigation. A review of the facts of each case is completed and in serious cases, members of our Administrative Review Board hold a hearing and make a recommendation to the Chief of Police with regards to disciplinary action.

For serious violations of our Standards of Conduct personnel are terminated, which essentially amounts to decertification.

State oversight is a troubling concept given that the State currently struggles to address the issues surrounding the law enforcement officers it employs in the Department of Land and Natural Resources and the Department of Public Safety. Based on our experiences with State law enforcement agencies on Kaua'i, we believe that the State should seek to address standards of professionalism and training within its own law enforcement entities and not County Police Departments. Best practices in hiring and training are needed within the State's own law enforcement agencies and the State should focus their efforts on becoming CALEA accredited and establish a level of standards and professionalism commensurate with the four County Police Departments.

Senate Bill 2325 would create an unnecessary level of bureaucracy, waste critical resources and duplicate processes that already exist.

For these reasons the Kaua'i Police Department is **opposed** to Senate Bill 2325. Thank you for the opportunity to testify.

Resource:

I. (2015). *January 2015 Reciprocity Handbook* (Rep.). Retrieved February 9, 2016, from International Association of Directors of Law Enforcement Standards and Training website: <http://www.iadlest.org>

From: mailinglist@capitol.hawaii.gov
To: [PSMTestimony](#)
Cc: rkailianu57@gmail.com
Subject: *Submitted testimony for SB2325 on Feb 11, 2016 08:30AM*
Date: Tuesday, February 09, 2016 10:31:03 PM

SB2325

Submitted on: 2/9/2016

Testimony for PSM/CPH on Feb 11, 2016 08:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Ho`omana Pono, LLC	Oppose	Yes

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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S.B No.2325

Aloha, my name is Paulo O.J Paulo. I am a scholar in the criminal justice field. I've been studying criminal justice in Honolulu for about 3 years now. We've been talking, studying and analyzing the dysfunctional and broken HPD system ever since I came out of high school (2013). These things I wasn't aware of was happening right in front of me, now I'm aware of and have knowledge of the situation. I want to do something to help promote this bill.

I fully support this bill proposal for the better future of our community.

Absence of a standard board for the police department is one of the many issues we stress as criminal justice experts in our in-class discussions. Creating a standard board will help overseeing and managing our police department, and also holding them accountable for their misconduct and misleading actions. Also, adding experts of criminal justice to the standard board will help out with some insight of how criminal justice works. Only state without a standard board in the country.

Policy 2325

Hello my name is John Figueroa. I've been living in Honolulu for 4 years, and I'm a Criminal Justice academic at Remington College. I fully support this bill because Hawai'i is the only state that doesn't certify their police officers. There are many professions that require certifications, why not certify the men and women in blue that carry firearms and have the power to arrest people. Standards boards also do more than training and hiring standards, it runs the LEO – Independent review board and police database.

From: mailinglist@capitol.hawaii.gov
To: [PSMTestimony](#)
Cc: jagonias21@gmail.com
Subject: *Submitted testimony for SB2325 on Feb 11, 2016 08:30AM*
Date: Monday, February 08, 2016 6:30:25 PM

SB2325

Submitted on: 2/8/2016

Testimony for PSM/CPH on Feb 11, 2016 08:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Agonias	Remington College Criminal Justice	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [PSMTestimony](#)
Cc: aurasaki@hawaiiantel.net
Subject: Submitted testimony for SB2325 on Feb 11, 2016 08:30AM
Date: Friday, February 05, 2016 8:02:59 PM

SB2325

Submitted on: 2/5/2016

Testimony for PSM/CPH on Feb 11, 2016 08:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Urasaki	Individual	Support	No

Comments: Please support this bill. Thank you.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**Hawaii State Legislature
Senate Committee on
Public Safety, Intergovernmental and Military Affairs
Testimony**

Aloha Chair Nishihara, Vice Chair Espero, and other distinguished committee members

Thank you for allowing me to testify on behalf of this proposed amendment. My name is Aaron Hunger and I am a doctoral researcher at the University of Hawaii at Manoa, a former police officer in Florida and California, and a criminal justice instructor for a private college in Honolulu. I have been honored to be engaged in doctoral research involving the Honolulu Police Department, and its oversight mechanisms since 2010. Together with my teaching, I have over 24 years of police experience. Currently, I am engaged in research with the University of Hawaii at Manoa that (among other issues) seeks to understand the unique structure of the criminal justice institutions on Oahu. Based on the unique composition of local policing organizations, one of many questions being answered is what effect (if any) does the absence of critical systemic oversight mechanisms (or their dysfunctionality) produce and how often. Based on the work and research that I have been privileged to be a part of, I would support Senate Bill 2325 (Statewide Law Enforcement Standards and Training Board).

After speaking with top Criminologists and Justice Administration experts at the University of Hawaii, most agree that if this year's Public Safety legislation involving police reform could be prioritized, this bill (and its companion SB2755) would rank among the top in terms of "urgent need of action." While many of the Public Safety legislative bills appear to be remedies to major systemic problems with police services, unfortunately none of them rise to the level of needing priority legislative attention as does this bill (and its companion SB2755.) This conclusion is based on the evidence and testimony collected during University of Hawaii Human Studies Project (UH-HSP) #23221, which has been ongoing since the APEC summit, and has focused on Honolulu Police and its oversight systems.

Among the data revealed during UH-HSP#23221 is the fact that a critical state level governmental check-and-balance mechanism whose responsibilities include overseeing policing services (and its agents) thought the state, is missing. Although 49 other states have recognized the importance that this agency plays in the monitoring and overseeing of police service delivery (statewide), Hawaii has failed to legislatively enact such a body.¹ The results of this oversight void has drawn national and international attention pointing to Hawaii being the fifth deadliest state (per capita) as a result of police violence.² The failure of the state government to set minimum performance, hiring, training, operations, or policy standards or guidelines for policing agencies operating throughout the state has resulted in a growing number of cases being uncovered involving corrupt activities (or gross policy violation) by police officers in all jurisdictions statewide.³

¹ (Grube, 2014 (ST)) (Grube, 2015 (NB)) (Grube, 2013 (WO))

² (Grube, Hawaii Police Have Killed More People Per Capita Than Most of the U.S., 2015 (KMP))

³ (Daysog, 2015) (Daysog, 2014) (Hawaii News Network, 2013) (Kawano, 2014 (BCND)) (Kerr, 2013) (Kerr, 2014)

Other states have addressed systemic police corruption and unprofessionalism by creating state level Standards and Training Agencies⁴ whose function includes a number of administrative and managerial responsibilities that collectively translate into state oversight of all law enforcement agencies operating throughout a state's jurisdiction. These include issues such as setting hiring standards for potentially new law enforcement candidates, administrators, and managers throughout the state, as well as performing independent background checks that are distinct and independent from the local hiring agencies. This dual layer of oversight is necessary given the authority and 'power of the state' that will be entrusted with the individual. It also includes hiring standards and pre-employment screenings for those who laterally transfer into a law enforcement agency located within the state from another agency (either intra or interstate.) This certification database is similar to the system being proposed in SB-2304. Nationally, these individual state level standards boards are interconnected by a network overseen by the International Association of Directors of Law Enforcement Standards and Training (IADLEST)⁵, which maintain a national database of officers who have been de-certified or fired.⁶ This allows state Standards Boards to be aware of individuals that were dismissed or fired from other law enforcement agencies (nationally) prior to allowing a local agency to offer employment, thereby ensuring they are not employable throughout the state by withholding state certification or licensing.

It is important to note that without authority to hold individual policing agencies (and their actors) accountable through licensing or certification, this agency will not be able to fill the absence of state level oversight. While each Hawaiian county is constitutionally empowered to create and operate a unique system of check-and-balances over their individual policing services, the growing number of police misconduct cases that involve violence towards the public (statewide) has provided ample evidence that public safety is currently jeopardized by the structure of the current county oversight systems. This public safety issue now demands state legislation to unify standards and policy for all policing agencies operating throughout the state. Additionally, the establishment of state minimal guidelines and standards does not diminish the ability of individual county police agencies or governments to demand policing candidates be additionally trained, thereby tailoring them to their respective agencies and communities.

State licensing should also not be seen to interfere with individual county chiefs' or mayors' ability to uphold their local county charters and empower individuals with localized policing powers, unless the individual does not possess a state license or certificate prior to their being sworn into a local position (i.e. not meeting the minimum state qualifications.) This is similar to bus drivers and other commercial motor vehicle operators who are mandated to be independently licensed by (both) the state and the county they work in, while additionally being mandated to attend additional policy training by their employers.

⁴ These are known as: State Department's of Law Enforcement (DLE), Law Enforcement Standards and Training Boards (LEOSTB), Peace Officer Standards and Training Commissions (POST), Peace Officer's Standards and Training Boards (POSTB), or Police Officer Standards and Training Boards (PSTB).

⁵ (International Association of Directors of Law Enforcement Standards and Training, 2014)

⁶ (Formerly known as P.O.C.I.S., now known as the National Decertification Index) (IADLEST, 2016)

Most state licenses for police are divided into basic, intermediate, and advanced certificates, differentiated by educational background, skill possession, and managerial ability.⁷ Law Enforcement managers and supervisors are not exempt from state licensing, and must possess the proper level of license prior to applying or accepting a position as a departmental manager or supervisor. This ensures that ongoing standards and training for managers is not overlooked, and that national best practices are constantly being updated by department heads. This has had the effect of allowing local agencies to make constant policy and training recommendations to their state Standards agencies based on community feedback to police services.

As a cost-savings measure, some states have taken the additional step of relieving individual police agencies from having to provide and fund academy training, instead integrating all state police certification training into their community college system.⁸ One cost savings measure is created by allowing individuals wishing to become police officers to seek certification as a method of pre-employment screening. Police agencies then have the ability to either recruit officer candidates prior to their police academy training, or wait until individuals prove they will successfully complete training prior to initiating costly background investigations. Additionally, land necessary for training police and athletics is similar, which saves on having multiple large institutions dedicated to the same purpose.

Two of the most successful police/college integration programs are in California and Florida, where the Florida Department of Law Enforcement (FDLE) and the California Peace Officer's Standards and Training (POST) oversee the programs. In these states, community colleges are the sites for police academies that train (pre-employed and free-agent) officers candidates (together) to meet the state minimum standards and receive state certification prior to dispersing to their local agencies (should they have been hired.)⁹

This Standards and Training model does not diminish the ability of independent policing agencies throughout the state to set their own unique standards, provided they exceed those established as minimally necessary by the state. Contrarily, these state Standards agencies are active in working with each department to set educational incentives and develop better service strategies based on identifiable weaknesses. Changes in training standards are also partially based on data the state Standards and Training Boards continuously collects and analyzes (as proposed in SB-2195, and SB-2197).

Some state Standards and Training agencies are also empowered to investigate all police agency shootings independently from the responsible agency as a matter of building public trust (as proposed in SB-2196), set or recommend legislative or policy guidelines surrounding service distribution statewide (as proposed in SB-2182, SB-2191, SB-2193, SB-2712, SB-2364 and SB-2321), collect and consolidate uniform crime reporting (UCR) data (as proposed in SB-2194), and act as an agency of last resort in cases involving officer misconduct where the police agencies and their police commissions disagree.

⁷ IADLEST has a minimum standard for all states who seek to be included in the network. See: (IADLEST, 2016)

⁸ Los Medanos Community College police academy is an example. (Los Medanos College, 2016)

⁹ (Los Medanos College, 2016) (Miami Dade College, 2016)

Although the name of these state agencies would indicate a limited or narrow focus as to what responsibilities have been empowered to them, most models used in other states empower them to act as central law enforcement clearinghouses, operating within the State Attorney General's Office. As the states "top cop" the Attorney General in Hawaii is positioned correctly (bureaucratically) to oversee this critical oversight component once created by the legislature. Criminologists and other policing experts are necessary in management positions due to this agency's importance in ensuring public safety, maintaining governmental stability, and developing public trust. Without the passage of this bill creating a state mechanism centralizing all data (currently being legislatively proposed) that is requested of police agencies statewide, service delivery or policy adherence may not improve.

In conclusion, I would like to reiterate what I stated at the beginning of this testimony, if one public safety bill was chosen to have the largest impact on the total ability of the legislature to begin to adjust policing services statewide; it is this bill and its companion (SB- 2755). However, I also recommend that amendments are made to this bill (and SB-2755) to ensure they are correctly empowered and structured to meet the current needs of the state and local law enforcement agencies.

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My name is Kenneth Wayne Clark; I am a criminal justice academic in Honolulu. I have studied the unique police oversight and policing model that exists on Oahu. Understanding the current structure of the Police Commission on Oahu.

I support bill number 2325 for the Standards Board. Hawaii is the only state that does not certify their police officers. Police officers with armed guns and that can arrest people needs to be certified that are properly trained on how and when to react to someone who has violated the law. The Standards Board do more than training and hiring standard as mention bill number 2196 with the use of the police database. One percent of the accidents that has occurred in the past has been with guns making it too much as well as the one percent of the accidents that has occurred that does not involve guns.

My name is Timothy Baker. I am a criminal justice academic residing in Honolulu, and I've been studying the Honolulu criminal justice system for over 2 years. I am writing in support of bill (SB) 2325. As of today, Hawaii is the only state that does not certify police. With all the responsibility and authority police officers have over the public, there is no reason why they should not be licensed to perform their job. A Standards Board does more than provide the training and hiring standards. It would also serve as the Law Enforcement Officer Independent Review Board.

February 8, 2016

To the Committee:

Please accept my support for SB2325, as this bill proposes to bring uniform high standards to law enforcement organizations throughout the state. By asking members of the public, as well as those involved in law enforcement, to examine the standards and training required by each county police department, the strengths and weaknesses of each department can be identified and acted upon. Law enforcement can only become better, stronger, and more responsive to the needs of the public via the collaboration proposed in this bill.

Each citizen has a right to the same high quality law enforcement, regardless of the island on which they live. This bill provides powerful steps to ensure that right. I urge the members to pass SB2325 out of Committee.

Yours truly,

Loretta A. Sheehan

My name is Roy Lovell. I am a Criminal Justice academic in Honolulu. I support SB2325 (Statewide LEO Standards and Training Certification Board.) Hawaii is the only state that does not certify police. Police should be certified to carry guns and issue arrests. Standards boards do more than training hiring standards.

Aloha everyone,

My name is William Moore and I am a criminal justice academic. I lived in the Honolulu area for the past five years. I currently study the policies and laws of Hawaii and how those laws impact the people of the state.

SB2325

I am submitting this testimony in an effort to support item SB2325 which allows for the creation of a standard board. According to research Hawaii is the only police officer state in the nation that does not have a standards board. This is a window of opportunity for police officer to do as they please with no oversight in place. Not all police officer are suited to wear a gun and badge, the recent events in local and national news media can attest to that. The standards board will weed out police officers who have poor communication skills, lack discipline, and psychological issues to better improve the police department's ability to perform its overwhelming tasks. This would dramatically improve community relations and the police department's image.

SB.NO. 2325

My name is Leuluniu Otineru I am a criminal justice academic here in Honolulu. I've been studying in Honolulu criminal justice system for about 3 years now. I support this bill only because in the state of Hawaii they do not have a standard board, and the only state that doesn't certify police. Establish minimum standards for employment as a law enforcement officer and certify persons to be qualified as law enforcement officers. The board shall establish and maintain law enforcement training programs through agencies and institutions deemed appropriate by the board for applications for certifications.

S.B 2325

Greetings my name is Lucky Lotu and I'm an enrolling student here at Remington College. We have been going through this bill as a class and so far we concluded to add a few adjustments.

I am in full support of proposing this bill (2325) not only for the better of our community but as well as a greater future for our upcoming younger generation.

It is not a surprise that we are the only state that doesn't have certified police. Additionally, they are the ones who are carrying guns and making arrest on a daily basis. If this is the case, then there is a limited probability that there performance is not in accordance with procedure and policy standards. And these standards do more training as hiring standards (Leo-IRB) police database. In conclusion, I am in full support of this bill.

SB No. 2325

Greetings, my name is Lorentina Te'i and I am a criminal justice academic residing in Nanakuli. I have been studying the Honolulu criminal justice system for about two years on going at Remington College. Living on the west side of Oahu has its ups and downs. We have been observing and analyzing the HPD and their interactions with the public as part of my studies, also being aware of the dysfunctional and corrupt system here in Hawaii.

I am writing in support of the bill (2325), in hopes to better and create a safer environment for our community.

Absence of a standard board for the police department is one of the many issues we stress as criminal justice experts in our in-class discussions. Creating a standard board will help overseeing and managing our police department, and also holding them accountable for their misconduct and misleading actions. Also, adding experts of criminal justice to the standard board will help out with some insight of how criminal justice works. Only state without a standard board in the country.