

# **SB 677**

## **RELATING LAW ENFORCEMENT**

Provides the mayor of each county with the authority to remove the respective county chief of police for good and just cause.

PSM, JDL

**From:** mailinglist@capitol.hawaii.gov [mailto:mailinglist@capitol.hawaii.gov]

**Sent:** Friday, February 06, 2015 9:55 AM

**To:** PSMTestimony

**Cc:** wusstig@gmail.com

**Subject:** \*Submitted testimony for SB677 on Feb 10, 2015 13:15PM\*

**SB677**

Submitted on: 2/6/2015

Testimony for PSM on Feb 10, 2015 13:15PM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kenny Wusstig	Individual	Support	No

**From:** mailinglist@capitol.hawaii.gov [mailto:mailinglist@capitol.hawaii.gov]  
**Sent:** Sunday, February 08, 2015 8:51 AM  
**To:** PSMTestimony  
**Cc:** akamaimom@gmail.com  
**Subject:** Submitted testimony for SB677 on Feb 10, 2015 13:15PM

**SB677**

Submitted on: 2/8/2015  
Testimony for PSM on Feb 10, 2015 13:15PM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Felicia Cowden	Individual	Support	No

Comments: Please support SB677's addition to a mayor's capacity of being able to remove a police chief from his position. However, it is vitally important to clearly define "just cause" and to broaden the layers of oversight. Proper management of a para-military force is critically important. Currently, there is a weak bottleneck of oversight and intervention that is structured through the Police Commission Chair and the Chief of Police. This leaves vulnerability in so many places and concentrates a reckless amount of authority at the street level. Effective lines of authority will have more positive impact than body cameras on officers. At a county level there is no protection of our elected officials, and it is a mistake to call the police on the police by even a citizen. A police Commission Chair who seriously confronts the police department may live a very difficult life. Anyone is vulnerable, including the Chief of Police himself. Several layers of oversight need to be structured for balance and fairness. In my opinion, the parameters around JUST CAUSE would be defined by the existence of difficult impacts on the community such as: a clearly targeted demographic, numerous complaints of physical abuse inflicted by officers, internal department intimidation, high level of unresolved crimes of violence, theft or vandalism in the community, or an over-abundance of petty arrests. A recommendation for Police Chief removal should require a 2 out of 3 approval by the Mayor, Council or Police Commission. This way the decisions and discussions are public, measurable, and balance is provided. It protects a community from having a police department being used by the mayor to intimidate his objectives while also not allowing a rogue police department to develop that is almost unmanageable even by the Chief himself. More caution needs to be utilized when choosing Federal funding with grant matching requirements through asset forfeiture or success measured through arrests and convictions. This funding-direction creates predatory police departments. Nationally, we are militarizing our police forces at an alarming rate with weaponry designed for war. This trend which is directed from a national level is developing out-of-balance, expensive and unnecessary armament levels in rural communities. This places a tremendous strain on the police chief, who at present is responsible for all internal investigations. Adapting and updating multiple lines of authority to control what has become a domestic military force is necessary and better for all involved, including the officers.

February 9, 2015

Mr. Darryl D. Perry  
Lihue, Hawaii 96766

Honorable Senator Will Espero, Chair  
Honorable Senator Rosalyn H. Baker, Vice Chair  
Honorable Committee Members  
Public Safety, Intergovernmental and Military Affairs Senate Committee

**SUBJECT: SB 677 RELATING TO LAW ENFORCEMENT CHIEF OF POLICE**

Dear Chair Espero, Vice Chair Baker, and Committee Members:

This testimonial is being submitted as an individual and does not represent the Mayor and/or officials of the County of Kauai, police chiefs of the neighboring jurisdictions or their governing bodies.

I am strongly opposed to SB 677 as a citizen and as someone who was directly impacted with what I know to be a misapplication of power. This bill proposes to advance that ideology because it violates the very principal in which this country was founded—that of having an independent judicious oversight body to control unrestrained power.

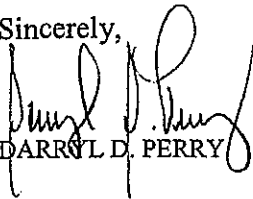
Our very government was founded on that precept.

The passage of this bill, while well intended, will have a chilling affect because history tells us that the politicization of law enforcement is a recipe for cronyism and corruption.

At the very least, it violates the basic military and para-military principle of Unity of Command.

Thank you for this opportunity to submit testimony in opposition.

Sincerely,



DARRYL D. PERRY