

MEMORANDUM

TO: Chair Adrian Dhakhwa, LESB Chairperson; LESB Board Members

FROM: Victor R. McCraw, Administrator

DATE: August 12, 2025 (Updated 10/3/2025)

SUBJECT: Executive Summary -- Funding and Organizational Capacity to Implement HRS Chapter 139

I. Strategic Imperative

Hawaii Revised Statutes Chapter 139 established the Law Enforcement Standards Board with sweeping regulatory authority over all certified law enforcement officers in the state. The Legislature mandated comprehensive oversight functions that require immediate organizational capacity to ensure public safety, professional accountability, and legal compliance across Hawaii's law enforcement community.

II. Statutory Mandate Requires Operational Capacity

HRS Chapter 139 requires the Board execute complex, simultaneous functions that cannot be accomplished without dedicated professional staff:

- **Statewide Certification Authority:** The Board must certify, monitor, and maintain records for approximately 3,500 officers across four counties and multiple state agencies, requiring specialized personnel to manage certification workflows, compliance monitoring, and database integrity.
- **Training Standards Development:** Statutory responsibility to establish and enforce minimum training requirements for all certified officers necessitates curriculum specialists, standards analysts, and coordination personnel capable of working with academies and agencies statewide.
- **Professional Standards Enforcement:** Legislative mandate to investigate misconduct and conduct administrative hearings requires independent investigative capacity, due process coordination, and specialized legal support to maintain public trust and accountability.
- **Regional Coordination:** Hawaii's unique geography and multi-jurisdictional structure requires field-based liaison personnel to ensure consistent implementation and agency compliance. These positions prevent HRS Chapter 139 from becoming an unfunded mandate by providing direct support to agencies, eliminating the need for counties and state departments to divert existing personnel and resources to meet LESB compliance requirements.

- **Administrative Infrastructure:** Complex regulatory operations require sophisticated technology systems, records management, and administrative coordination to meet transparency obligations and operational efficiency standards.

III. Operational Reality

The Board currently operates with a single Administrator position, which is insufficient for its statutory responsibilities. Full implementation of HRS Chapter 139 requires professional-level personnel with specialized expertise in law enforcement regulation, investigative procedures, training standards, and public administration.

IV. Resource Requirement

Based on comprehensive analysis of statutory mandates, operational requirements, and market conditions, LESB requires \$2.5 million annually to establish the organizational capacity necessary for HRS Chapter 139 compliance. This investment supports 13 additional professional positions across five operational divisions, enterprise-level technology systems, and essential support infrastructure.

V. Implementation Urgency and Timeline

Critical Implementation Deadline: HRS Chapter 139 mandates full operational capability by July 1, 2026. This statutory deadline is no longer achievable given current budget cycle realities and requires legislative extension.

Budget Cycle Reality: The 2025 Legislature concluded without appropriating LESB implementation funding. The 2026 Legislature represents the earliest opportunity to secure funding for priority positions. Even with successful appropriation in the 2026 session, funds would not be available until July 1, 2026, leaving insufficient time for recruitment, hiring, and onboarding before the current statutory deadline.

Recruitment and Hiring Timeline: Recruiting, selecting, and hiring qualified personnel for specialized law enforcement oversight positions requires three to six months minimum following appropriation. Position announcements, candidate screening, interviews, background investigations, and onboarding cannot begin until funding is secured and position allocations are approved. Starting this process on July 1, 2026 means operational capacity cannot realistically be achieved before January 1, 2027 at the earliest.

Recommended Implementation Timeline Revision: The Board recommends legislative amendment of HRS Chapter 139 to revise the statutory implementation deadline from July 1, 2026 to July 1, 2028. This revised timeline allows for: Phase 1 appropriation in 2026 legislative session for fiscal year 2027 Priority hiring beginning July 1, 2026 Staff

onboarding and training through fiscal year 2027 Phase 2 appropriation in 2027 legislative session for fiscal year 2028 Remaining hiring and system implementation through fiscal year 2028 Full operational capacity by July 1, 2028

This timeline ensures proper implementation of the Legislature's oversight framework rather than rushed, inadequate implementation that compromises the Board's statutory mission.

A. Phase 1 Priority Funding Request: To establish baseline operational capacity, the Board requests fiscal year 2027 appropriation of \$814,225 for six priority positions representing core supervisory and operational functions across all five divisions:

1. Law Enforcement Training & Curriculum Coordinator (Training Standards Division): \$158,300
2. Lead Investigative Agent (Professional Standards Division): \$147,425
3. Investigative Agent (Professional Standards Division): \$132,925
4. LESB Administrative Manager (Administrative Services Division): \$132,925
5. Training Standards Analyst (Training Standards Division): \$124,225
6. Special Assistant to Administrator (Office of the Board Administrator): \$118,425

Phase 1 funding includes salaries, benefits at 45% (low estimate, may be mitigated by other personnel funds), annual support costs, and one-time setup expenses. This priority funding enables essential leadership and operational structure to support subsequent hiring and system implementation.

B. Phase 2 Funding Requirements: Following successful Phase 1 implementation, the Board will request fiscal year 2028 appropriation of \$684,800 for seven remaining positions to achieve full organizational capacity:

1. Administrative Records Specialist (Administrative Services Division)
2. IT/LMS Administrator (Administrative Services Division)
3. Certification Specialist (Training Standards Division)
4. Lead LESB Liaison (Regional Engagement Division)
5. Regional LESB Liaison (Regional Engagement Division)
6. Regional LESB Liaison (Regional Engagement Division)
7. Investigative Agent (Professional Standards Division)

Phase 2 first-year costs include one-time setup expenses. Ongoing annual costs for these seven positions total \$646,300.

Full Operations: Upon completion of Phase 2 hiring, total annual operating costs for 14 positions, enterprise systems, and operating expenses will be approximately \$2.5 million.

Legislative Action Required: The Board requests the 2026 Legislature enact legislation to:

Extend the statutory implementation deadline in HRS Chapter 139 from July 1, 2026 to July 1, 2028
Appropriate fiscal year 2027 funding for Phase 1 priority positions
Exempt LESB positions from civil service to enable competitive recruitment of specialized law enforcement oversight personnel

Administrator's Request: I respectfully request the Board's approval of this phased implementation timeline and funding strategy to ensure Hawaii's foundational law enforcement accountability system launches successfully with adequate resources and preparation time.

VI. Conclusion

The Legislature's establishment of LESB represents Hawaii's commitment to law enforcement accountability and public safety. Adequate funding is essential to transform this legislative vision into operational reality. The requested resources reflect the minimum capacity required to execute the Board's statutory mandate while ensuring Hawaii maintains leadership in law enforcement oversight and community trust.