



DEPARTMENT OF PUBLIC SAFETY  
REPORT TO THE 2013 LEGISLATURE

Act 164, Part III, Section 24

STATE BUDGET

SHERIFF DIVISION: SPECIAL DUTY ASSIGNMENTS

November 2012

**REPORT TO THE LEGISLATURE  
RELATING TO SESSION LAWS OF HAWAII (SLH) 2011, Act 164**

This report has been prepared in compliance with Part III, Section 24 of Act 164, SLH 2011. This Act requires the Department of Public Safety's (PSD's) Sheriff Division (SD) to prepare a report on special duty assignments that include the following:

1. Implemented policies and procedures, description how ensuring all funds received by deputies are reported to federal/state tax authorities; 2. Detail of amounts charged to each state agencies for special duty assignments; 3. Total amount by each deputy sheriff received for special duty assignments w/state agencies and amount received for special duty with non-state agencies; 4. Average amount of overtime paid to deputy sheriffs for state agencies and the amount received for special duty assignments; 5. Average amount of other income paid to deputy sheriffs for special duty assignments. The Act specifically calls for the submission of a report to the Legislature, thirty days prior to the convening of the Regular Session of 2012 and 2013.

PSD's Law Enforcement (LE) Administration's Policy and Procedure (P&P), LAW.03.02 – “Special Off-Duty Employment” and SD's P&P SD.03.02 – “Special Duty,” outlines the guidelines for assignment and participation of Deputy Sheriffs (DS) engaging in special off-duty employment, which is an extension of LE services performed for compensation by a DS for an employer other than PSD. Starting in the recruit class, each DS is provided the opportunity to review/copy these policies, and is informed of their individual responsibilities. However, PSD is not responsible for the record keeping of individual earnings regarding the reporting of income to federal/state tax authorities.

The following is a breakdown of the amounts charged to state agencies for special duty assignments (Deputy Sheriffs are paid for these services at there respective overtime rate, however selection of these Deputies are according to Special duty policy) for the period July 1, 2011 to June 30, 2012:

STATE AGENCY	HOURS	AMOUNT CHARGED
Department of Labor:	3,170	\$109,555.20
Department of Transportation (DOT) LE 2011:	176	\$6,082.56
Stadium Authority LE:	1110	\$38,361.60
Department of Education LE:	28	\$970.76
Others: DOT Viaduct Cleanup & Crime Victim/Witness LE	450	\$16,190.34
<b>TOTAL</b>	4,934	\$171,160.46

The following is a breakdown of the amount received for special duty assignments with state agencies, and amount received for special duty with non-state agencies paid at straight Special duty rate:

<b>SPECIAL DUTY ASSIGNMENTS</b>	<b>HOURS</b>	<b>AMOUNT RECEIVED</b>
Special Duty w/State Agencies	4,934	\$171,160.46
Special Duty w/Non-State Agencies	16,770	\$503,100.00

\*\*Note: Special duty w/Non-State Agencies were paid at straight special duty rate directly to the respective deputies (not to the State). The amount listed for "Amount Received" for "Special Duty w/Non-State Agencies" is not represented of an actual number because the actual earnings for a DS is unknown. The amount is reflective of the estimated number of hours assigned to a DS times the assumed hourly rate.

Special Duty for non-state agencies refers to those jobs contracted by private individuals or organizations (e.g. Punahou School, Kamehameha School, Maryknoll School (grade and high school), Okinawan Center, Newtown Recreation Center, Washington Place, McDonald's, Royal Contracting, ASIG Contracting, Disabled Veteran Hall, Brian's Contracting, closed construction sites, Japan Airlines Cargo, Honolulu Academy of Arts, Makiki Museum, Bishop Museum, Honolulu Marathon, American Heart Associations, Hyatt regency, Hilton Hawaiian Villages, Star Protections, St. Andrew's priory, HSI Mechanical, Crown Relocations, Eye Productions, Westridge Productions, First Presbyterian Church, Hawaiian Dredging Company, University of Hawaii Campus Center, Kapolei Grade School, Supreme Court, Diamond Head Theatre, St. Louis Alumni Association, Aloha Tower Marketplace, Kakaako Park, Waikiki Shell, Kooloa Ranch, MCI Convention, Paramount Building, Otis Elevators, etc.) in hiring DS for special duty. Currently, the SD's Special Duty Coordinator just facilitates the assignments on a call-in basis. SD is not tracking by individual, what types of Special Duty these SD work for non-state agencies.

SD is currently implementing a new tracking system to capture the average amount of overtime paid to DS for special duty assignments. Reliable data is not available for several factors: 1) Not all DS utilize special duty. Over the period of this report only a total of 138 DS were paid for special duty with differing amounts of total hours worked for the event; 2) The SD is currently attempting to capture special duty information from the neighbor islands; 3) DS are individual contractors for special duty work not associated with a state agency and the SD is also implementing a new tracking system to capture this data and; 4) Special duty is compensated by a defined rate based upon rank.

SD is also currently implementing a new tracking system to capture the average amount of other income paid to DS for special duty assignments this amount and data is unavailable at this time.