

DEPT OF PUBLIC SAFETY
CORRESPONDENCE CONTROL

LOG NO. 2021 - 815
CROSS REF: 2021-509

GOV. Referral No.: _____
DIR Suspense: _____

SUBJECT:

FINAL APPROVAL REQUEST FOR ORGANIZATIONAL AND
FUNCTIONAL STATEMENT CHANGE TO CORRECTIONS PROGRAM
SERVICE DIVISION (CPSD)

TO: DIR
THRU: DEP-C *7/1 4/7/21*
BMO *Φ*
ASO-MA ASO-LESTER *xx w*
FROM: CPSA *[Signature]*
DATE: 03/09/2021

- INFO ONLY
- PLEASE SEE ME
- COMMENTS & RECOMMENDATIONS
- APPROPRIATE ACTION
- REPLY FOR _____ SIGNATURE
- RECOMMENDED APPROVAL/DISAPPROVAL
- PLEASE SIGN
- FAXED TO _____ Date: _____
- COPIES GIVEN TO: _____

CROSS REF. NO.: PSD2021-509
REMARKS:

3/09/2021: AFTER DIRECTOR APPROVES/DISAPPROVES PLEASE RETURN DOCUMENTS TO ASO- MATT. nikki

3/10/21 MA TO BUDGET MA

3/10/21 Please see Operating Budget Addendum attached JW RJ

3/11/21 - TO PMO CLASSIFICATION & LABOR RELATIONS. MA

3/22/21 - OK with revised SO TO org chart. RJ

3/29/21 - RETURN TO CPS FOR PROPOSED CHART CORRECTION/JUSTIFICATION. MA

3/30/21 - Revised proposed org chart (as of 3/19/21), functional statement & final request per recommendations discussed w/ PERS.

3/30/21 - TO BMO MA

FILE DESIGNATION: _____
DATE RETURNED: _____ DATE MAILED OUT: _____

Checklist for Organization and Functional Statement Changes

This checklist will assist stakeholders in navigating the reorganization process and must remain with both the Request to Initiate and the Final Approval request proposals. The following actions shall be completed and initialed by the designated reviewer(s) in sequence:

Request to Initiate: When appropriate, reviewer remarks are made by inserting an addendum page detailing comments and concerns.

- 2/12/21 1. MA Review request for format and completeness. (Management Analyst)
- 2/12/21 2. W Provide comments with addendum page. (Operating Budget)
- 2/19/21 3. BJ Provide comments with addendum page. (HRO Classification Only)
- 2/24/21 4. MB Review remarks and prepare recommendations for BMO review. (MA)
- 2/26/21 5. MA After the Director's decision, return the proposal to the Management Analyst. A file copy is made and the original returned to the initiating program. (MA)

Final Approval Request: When appropriate, the reviewers will attach a narrative analysis within the proposal as an addendum page.

1. MA Review proposal for format and completeness. (Management Analyst)
2. MA Determine if a Division level organizational segment is being created, abolished, or being changed. If so, indicate on the addendum page or cover sheet that the governor's approval is necessary. (MA)
3. W Are the changes cost neutral at the program I.D. level? If not, indicate if the governor's approval is necessary on an addendum page. (Operating Budget)
4. W Are alternative funding resources available within the scope of the programs authority to execute the reorganization? (Operating Budget)
5. MA Return to the Management Analyst for review. Determine if position variances will need to be approved by the director or the governor, under Administration Directive 18-03 and Administrative Directive 19-02. If the change proposal requires Governors' approval, consider providing an advance draft to B&F/DHRD for consultation. (Operating Budget & MA) *NOV-DELEGATED*
6. BJ Are changes in classification reflected in the proposed reorganization consistent with state-wide classification policies and procedures established by DHRD? (HRO Classification)

A

Note: Labor Relations questions 7, 8, and 9 only apply if HRO determines Labor Relations consultation is necessary. If the request requires the governor's approval, Labor Relations determination will take place **after** the proposal returns from the Governor's Office. If this proposal requires the governor's approval, skip to the bottom of the checklist to "Governor's Approval (Non-Delegated)."

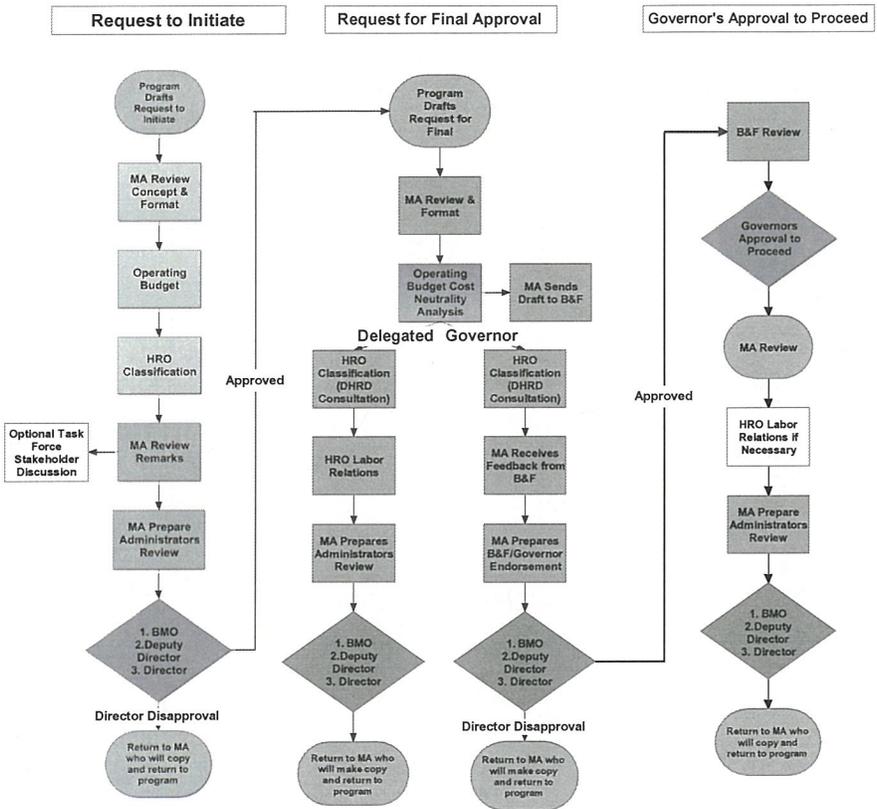
- No consult needed - vacant positions B*
3/22/21
7. MP Will the personnel filling any affected employee positions be affected by the proposed organizational or functional statement change requiring union consultation? (Program coordination with HRO Labor Relations)
8. MP Has consultation taken place about the proposed reorganization, and has the proposed change been disseminated within the affected organizational units to include impacted employees? These discussions must be documented and a summary attached as an addendum to the final proposal. (Program coordination with HRO Labor Relations)
9. MP Consultation occurred with the Collective Bargaining (CB) representatives and has union input been considered for the Request for Final approval. If appropriate, the initiating program may consider revisions to the proposal based on the results of the consultation. (HRO Labor Relations)
- 3/29* 10. MP Is the proposed organizational *structure* appropriate for the organizational functions to be performed consistent with Administrative Directive 19-02? (MA)
11. MP Are supervisory relationships accurately reflected and appropriate for the performance of functions and consistent with Administrative Directive 19-02? (MA)
- 3/30/20* 12. MP Review remarks and prepare recommendations for BMO review (MA)
- NON-DELEGATED* 13. MP After the Director's decision on a delegated organizational and functional statement change, please return the signed proposal to the Management Analyst. (Director's Office)
14. Copies of the changes shall be electronically disseminated to the Office of the Governor, Office of the Lt. Governor, B&F, and DHRD. (MA)
- 4/9/21* 15. MP Return the final approved request to the initiating program and apply changes to the organizational charts and the functional statements on file. (MA)

Governor's Approval (Non-Delegated):

(Continued from Request for Final approval)

7. _____ Receive feedback from DHRD and B&F after draft review. (MA)

8. _____ Draft department cover letter for Director's signature to be released to B&F/Governor through BMO and Deputy Director. (MA)
9. _____ **After** return of a favorable Governor's approval to proceed, the Final Request will be returned to the MA. The Request for Final approval will be forwarded to HRO to determine Labor Relations consultation. (MA)
10. _____ Is the proposed organizational *structure* appropriate for the organizational functions to be performed consistent with Administrative Directive 19-02? (MA)
11. _____ Are supervisory relationships accurately reflected and appropriate for the functions to be performed and consistent with Administrative Directive 19-02? (MA)
12. _____ Review remarks and prepare recommendations for BMO review (MA)
13. _____ After the Director's decision on a delegated organizational and functional statement change, please return the signed proposal to the Management Analyst. (Director's Office)
14. Copies of the changes shall be electronically disseminated to the Office of the Governor, Office of the Lt. Governor, B&F, and DHRD. (MA)
15. _____ Return the final approved request to the initiating program and apply changes to the organizational charts and the functional statements on file. (MA)



- Request to Initiate:**
1. No Labor Relations review.
 2. Does not include Cost Neutrality Analysis.
 3. No requirement for Position Description, but it's optional.

- Request for Final Approval Delegated:**
1. Cost Neutrality Analysis by Operating Budget Section.
 2. At HRO discretion, the Final Request will include a Labor Relations determination.

- Request for Final Approval Non-Delegated and to Governor:**
1. Any Labor Relations requirement, as determined by HRO, will occur after the final request returns to the department for final review.
 2. The Management Analyst (MA) will prepare the B&F/Governor request cover letter.

March 30, 2021

TO: Max Otani, Director

THROUGH: Tommy Johnson, Deputy Director of Corrections *TJ*
Teresita V. Fernandez, Business Management Officer *TVF*

FROM: Shari Kimoto, Corrections Program Division Administrator *SK*

SUBJECT: FINAL APPROVAL REQUEST FOR ORGANIZATIONAL AND
FUNCTIONAL STATEMENT CHANGE TO CORRECTIONS PROGRAM
SERVICES DIVISION (CPSD)

Delegated Change
 Non-Delegated Change

Purpose:

The Corrections Program Services Division (CPSD) requests final approval of an internal organization and functional statement change for its Sex Offender Treatment Program (SOTP) positions.

Reference(s): This request for final approval complies with the State of Hawaii Administrative Directive 19-02, *Effecting Organizational and Functional Statement Change*.

Detailed Program Rational and Justification:

The SOTP was originally administered through a contract with the University of Hawaii (UH), School of Social Work to coordinate and manage assessment and treatment services to sex offenders. Under the contract, UH assigned a staff member with a doctorate degree at the expense of CPSD. That contracted staff employee retired at the end of December 2015. Due the significant increase in contractual cost and UH's unsuccessful recruiting efforts to find a qualified replacement, the Department of Public Safety (PSD) made the decision to directly oversee the program's administration internally to avoid jeopardizing the continual delivery of assessment and treatment services to eligible sex offenders re-entering the community.

In February 2017, a special project was approved and established an exempt Sex Offender Treatment Officer position to provide continued evidence-based sex offender treatment and conduct sex offense-specific assessments/evaluations to inmates identified as sex offenders upon admission/intake specifically including inmates protected by the Americans with Disability Act (ADA). With the special project and exempt position ending on December 15, 2021, and the unsuccessful attempt in converting this temporary exempt position to a permanent civil service position in past Legislative sessions, this proposed directed reorganization and functional statement change is necessary to meet statutory requirements for sex offender treatment mandated by Chapter 353-E, Hawaii Revised Statutes (HRS).

Position(s) Affected:

<u>Pos. No.</u>	<u>Current Classification</u>	<u>Salary Range</u>	<u>BU</u>	<u>FTE</u>	<u>Vacant/Filled</u>
117279	Program Specialist V	SR 24	13	1.0	Vacant
106798	SA Counselor	SR-NA		0.5	Vacant
106797	DV Counselor	SR-NA		0.5	Vacant

Major Program Segment(s) and Functions Affected:

A Sex Offender Treatment Administrator position will be established by combining two half-time positions currently under the Sex Offender Treatment Services Staff and classify the position as an EM03 to supervise the existing Program Specialist V, Position No. 117279. The Sex Offender Treatment Office will remain under the Corrections Program Administrator, Position No. 07172.

Resource Requirements and Funding Source Explanation:

1. PSD 420 Sex Abuse Counselor (SR-NA) position number 106798, Exempt (FTE 0.50), \$22,788.00, will be combined into a full-time permanent position and variance into a Excluded Managerial BU-35, EM03 (FTE 1.0), designated as the SOTP Branch Administrator, not to exceed \$ _____.
2. PSD 420 Sex Abuse Counselor (SR-NA) position number 106797, Exempt (FTE 0.50), \$13,608.00, will be combined into a full-time permanent position and variance into a Excluded Managerial BU-35, EM03 (FTE 1.0), designated as the SOTP Branch Administrator, not to exceed \$ _____.
3. Additional costs associated with the change shall be taken from existing budgeted funds within CPSD.

Alternatives Considered:

As explained under "Detailed Program Rational and Justification", there are no further alternatives as this proposed reorganization and functional statement charge is necessary to meet statutory requirements for the sex offender treatment mandated by Chapter 353-E, Hawaii Revised Statutes.

In May 2016, CPSD initially submitted a proposed reorganization of the SOTP and was unsuccessful.

In December 2016, PSD submitted a request to establish a special project and fill exempt sex offender treatment program project position. The approved project's duration term was December 16, 2016 – December 15, 2021.

In September 2019, PSD submitted a budget request to convert 1.0 Special Project Clinical Psychologist to a permanent position and it was denied.

Programmatic Impact:

The Sex Offender Treatment Office will continue to be responsible in overseeing statewide sex offender treatment services necessary in meeting statutory requirements mandated by Chapter 353-E, HRS. This office will work in conjunction with the other branches in CPSD and corrections divisions in providing inmates with the prescribed services needed to fulfill requirements for parole and to ensure a successful re-entry opportunity to the community.

The establishment of a Sex Offender Treatment Administrator position will provide managerial and supervisory oversight to direct the program and continue to provide evidence-based sex offender treatment and assessments as mandated by law.

Budget Data and Draft Changes:

Attached for review are the current and proposed CPSD organizational charts, functional statements, and Cost Neutrality Assessment worksheets (CNA1, CNA2, CNA3).

Point of Contact:

Shari Kimoto, Corrections Program Services Division Administrator
Shari.L.Kimoto@hawaii.gov; (808) 587-1277

Recommendation and final approval of proposed Organizational Change:

RECOMMEND:

APPROVED DISAPPROVED



Teresita V. Fernandez
Business Management Officer

3/31/2021
Date

NOTE: Governor's approval needed for variance. See attached memo from Mgmt Analyst, Matt Sutton

RECOMMEND:

APPROVED DISAPPROVED



Tommy Johnson
Deputy Director for Corrections

4/7/21
Date

APPROVED DISAPPROVED



Max Otani
Director



Date

March 30, 2021

TO: Tessie Fernandez, Business Management Officer

FROM: Matthew Sutton, Management Analyst 

SUBJECT: CORRECTIONS PROGRAM SERVICES DIVISION; FINAL REQUEST FOR ORGANIZATIONAL CHANGE; SEX OFFENDER TREATMENT PROGRAM OFFICE

1. This request for organizational change complies with Department Administration Policy and Procedures, ADM.01.03, *Effecting Organizational and Functional Statement Changes*.
2. Although this request is cost-neutral based on Form CNA, this proposed variance and change of positions' classification series cost difference results in a 160% increase in budgeted salary. Because this amount exceeds the 20% threshold per *Executive Memorandum 20-08 FY 21 Budget Execution Policies and Instructions*, the Governor's prior approval through the Department of Budget & Finance is required.
3. Recommend approval on the basis that this request is cost neutral and is consistent with executing CPSD's functional role in corrections. The divisions' functional statement meets the statutory requirements for implementing sex offender treatment as mandated by Chapter 353-E, Hawaii Revised Statutes (HRS).
4. Attached is a detailed program justification, proposed *Functional Statement* revision, Cost Neutrality Analysis forms, and a proposed Organizational Chart. This request has been reviewed by the Operating Budget Section, Personnel Classification, and Personnel Labor Relations with comments their recorded on an addendum, coversheet, or the process checklist.
5. Point of contact is Matthew Sutton at 587-3476, or email: matthew.e.sutton@hawaii.gov

JH KN

2021-815

3/10/2021

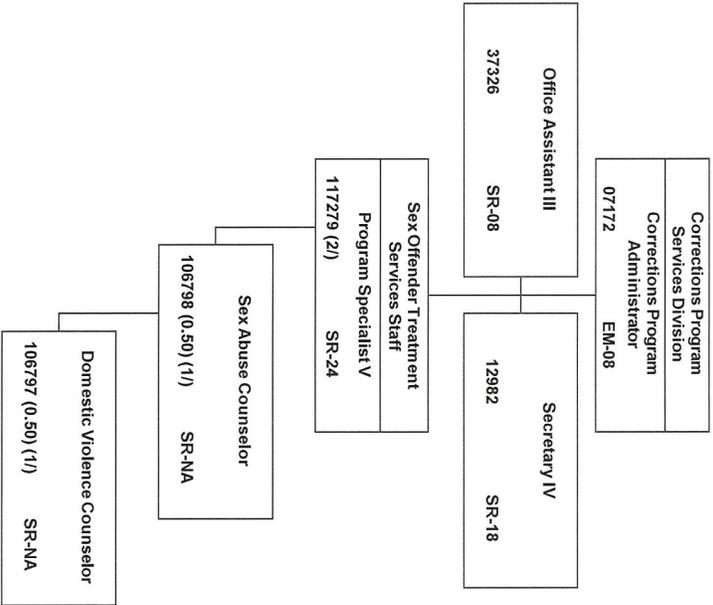
Operating Budget Review

Final Approval Request for Organizational and Functional Statement Change to Corrections Program Services Division (CPSD)

- Request is cost-neutral based on Form CNA.
- The funds that will be used to offset the difference in salary will come from the funds originally used to pay for the contract with the University of Hawaii.
- This variance will result in a 161% increase in budgeted salary (\$36,388 increase to \$95,000). As this increase is greater than 20%, per *EM 20-08 FY 21 Budget Execution Policies and Instructions*, "The Governor's prior approval through B&F is required for requests to change a position's classification series where the cost difference exceeds 20% of the authorized budgeted amount."

STATE OF HAWAII
 DEPARTMENT OF PUBLIC SAFETY
 OFFICE OF THE DEPUTY DIRECTOR FOR CORRECTIONS
 CORRECTIONS PROGRAM SERVICES DIVISION
 SEX OFFENDER TREATMENT SERVICES STAFF

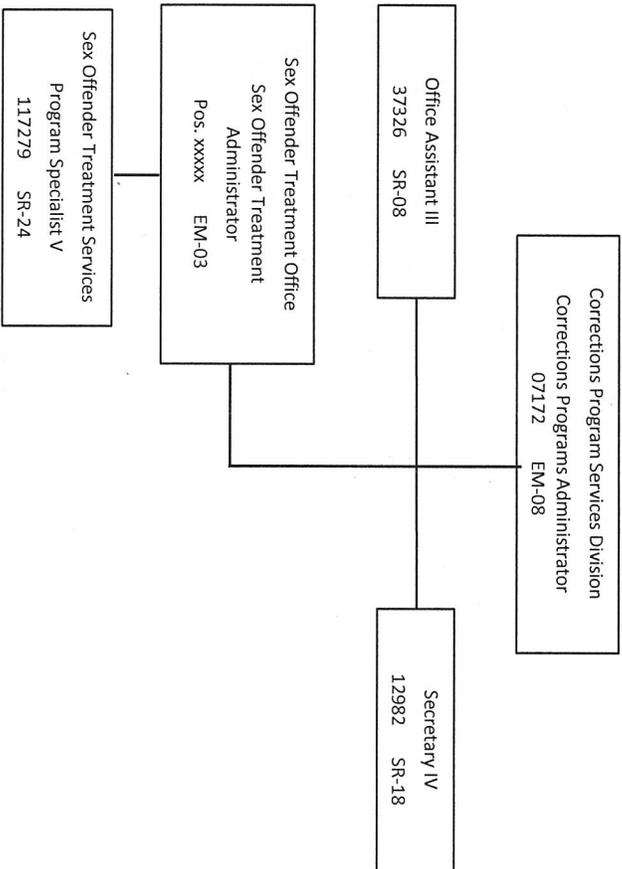
POSITION ORGANIZATION CHART
 June 30, 2020
 Page 59



1/ Position 106797 and 106798 are Exempt.
 2/ Program Specialist V, position #117279, abolished by Act 53, SLH 2018 effective 7.1.2018. Reinstated by Act 5, SLH 2019, effective 7.1.2019

Director, Department of Public Safety

Date Approved



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE DEPUTY DIRECTOR FOR CORRECTIONS
CORRECTIONS PROGRAM SERVICES DIVISION

PROPOSED ORGANIZATIONAL CHART

MARCH 19, 2021

PAGE 59