

OVERVIEW

Management Audit of the Division of Conservation and Resources Enforcement

Report No. 06-01, January 2006

Summary

As requested by the Legislature through House Concurrent Resolution No. 200, House Draft 1, Senate Draft 1, of the 2005 Regular Session, we conducted a management audit of the Division of Conservation and Resources Enforcement. We found that Hawai'i's resources have deteriorated through overuse or abuse and from factors such as agriculture, grazing, and urban and residential developments. Examples of deterioration include the decline in coastal water quality, decrease of inshore marine resources, endangerment of inshore ecosystems by alien seaweeds, decline of coral reefs, and increase in the number of impaired streams. Similarly, our cultural resources have also been abused and suffered deterioration. Although there are laws and rules to protect Hawai'i's resources and the public's safety, the Department of Land and Natural Resources (DLNR) and the Division of Conservation and Resources Enforcement (DOCARE) have not provided the leadership necessary to provide for their effective and efficient enforcement.

The department and division leaders have not achieved full and effective enforcement. DOCARE generally only has enough officers on duty in its various branches to patrol for about 18 hours a day, seven days a week. Officers provide only partial coverage of the lands and waterways. In fact, enforcement officers rarely patrol the State's waterways in available boats, many of which are stored in parking lots several miles from the ocean. Growth of the enforcement division's conservation enforcement workload over the past ten years—possibly by as much as 50 percent—along with a mission that has shifted away from protecting natural and cultural resources and towards deterring illegal and criminal activity has caused the enforcement workforce to be spread too thin. Further, leaders do not know how much enforcement capacity is enough because performance measures are not established to identify the degree of compliance with laws and rules or the overall health of natural and cultural resources.

Branch officers who patrol the land and waterways spend too much time performing administrative duties due to cumbersome, archaic work methods. Their time would have been better spent in the field protecting Hawai'i's resources. While many officers assigned to the various branches are extremely productive and carry the bulk of the workload, about a quarter of the officers are very unproductive, accomplishing far fewer enforcement actions than other officers. Additionally, the Kaua'i branch's production per work year is far less than the other three branches on Hawai'i, Maui, and O'ahu. DOCARE leaders need to develop tighter controls over the activities of enforcement officers, many of whom patrol unsupervised and do not have to account for their whereabouts. Leaders also need to schedule work during late evening and early morning hours; automate manual processes; and ensure that there are enough trained officers, including volunteers, who have the necessary equipment.



Contrary to the intent of the Hawaii State Constitution, resources have not been used in a manner consistent with their conservation. Hawai'i's natural and cultural resources will continue to deteriorate unless the DLNR and its DOCARE aggressively address many of the weaknesses noted in this report.

Recommendations and Response

To improve the *effectiveness* of enforcement operations, we recommended that the DLNR develop a strategic plan and, as part of that plan, evaluate the enforcement division's mission; develop performance measurement plans to determine whether progress is made on goals and objectives addressing the overall health of the natural resources; establish goals and objectives addressing the extent of compliance with laws and rules along with performance measurement plans to determine whether progress is made in achieving compliance; and establish cross-divisional working groups to develop strategies and action plans to encourage compliance.

To enhance the *efficiency* of enforcement operations, we recommended that the DOCARE develop specific expectations for branch chiefs, field supervisors, and enforcement officers and hold them accountable for performance; require branch chiefs and field supervisors to maintain frequent contact with subordinates over the radio and cellular phones during work shifts and require mandatory responses within specified timeframes; have the branches periodically schedule field supervisors and enforcement officers to work evening and early morning hours to catch poachers and troublemakers off-guard; and acquire a management information system along with laptop computers or handheld computer devices for use in the field.

Perhaps as a diversionary tactic, the DLNR responded to our draft report with a lengthy reply that sidesteps many of the issues presented in the report and instead highlights department initiatives that often do not relate to issues raised. Some initiatives, however, such as the proposal for placing uniformed security personnel at state parks and small boat harbors and shifting responsibility for cruise ship security, appear promising and align with our report recommendations.

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