

OVERVIEW

THE AUDITOR
STATE OF HAWAII

A Review of the Transfer of the Marine Patrol and Potential Transfer of the Division of Conservation and Resources Enforcement

Summary

The Legislature has been concerned about effectively protecting Hawaii's ocean recreation and natural resources. In recent years, the Legislature has enacted several statutes reorganizing these programs. This review, requested by Act 272 in 1991, stems from legislative concerns about whether enforcement programs for ocean and natural resource conservation are being coordinated.

Our review found that enforcement programs are not well coordinated and responsibilities for enforcement are not clearly delineated. Two agencies share responsibility for protecting ocean and conservation resources—the marine patrol in the Department of Public Safety and the Division of Conservation and Resources Enforcement in the Department of Land and Natural Resources. The Legislature transferred the marine patrol from the Department of Transportation to the Department of Public Safety in 1991. The Legislature is considering merging the Division of Conservation and Resources Enforcement (DOCARE) with the marine patrol at the Department of Public Safety.

The marine patrol is the enforcement arm for the State's small boating program at the Department of Land and Natural Resources. We found that the transfer of the marine patrol to the Department of Public Safety has resulted in some improvements in program management, staff professionalism, patrol coverage, and training. But poor morale and few career opportunities continue to plague the program. In addition, coordination with boating and conservation programs at the Department of Land and Natural Resources has deteriorated. Differing priorities and poor sharing of information have resulted in conflicts between the marine patrol and the small boating program. The marine patrol and DOCARE also do not share information and do little mutual training on how to enforce conservation rules.

We reviewed the potential transfer of DOCARE to the Department of Public Safety and its merger with the marine patrol. We believe the transfer would jeopardize the enforcement of conservation resources. The transfer would result in poor working relationships similar to what has occurred between the marine patrol and the small boating program.

Recommendations and Response

We recommend that the Legislature enact legislation clarifying the mission of the marine patrol and its role in enforcing boating safety and conservation resources. For more effective coordination and enforcement of Hawaii's ocean recreation and conservation resources, the Legislature should consider transferring the marine patrol to the Department of Land and Natural resources. Should the marine patrol remain in the Department of Public Safety, the Legislature should require both departments to develop formal training programs, coordinate enforcement efforts, agree on priorities, provide cross training, and share information on their activities. We also recommend that the Division of Conservation and Resources Enforcement remain within the Department of Land and Natural Resources.

We transmitted drafts of this report to the Department of Land and Natural Resources and the Department of Public Safety for their comments on our recommendations. Neither department commented on the draft report.

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