

TESTIMONY OF THE HAWAII POLICE DEPARTMENT

HOUSE BILL 783

**RELATING TO THE DISCLOSURE OF PUBLIC HEALTH STATISTICS RECORDS
TO LAW ENFORCEMENT OFFICERS**

BEFORE THE COMMITTEES ON HEALTH AND PUBLIC SAFETY

DATE : Friday, February 8, 2013

TIME : 8:30 A.M.

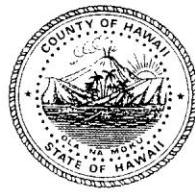
PLACE : Conference Room 329
State Capitol
415 South Beretania Street

PERSON TESTIFYING:

Acting Police Chief Paul K. Ferreira
Hawaii Police Department
County of Hawaii

(Written Testimony Only)

William P. Kenoi
Mayor



Harry S. Kubojiri
Police Chief

Paul K. Ferreira
Deputy Police Chief

County of Hawai'i

POLICE DEPARTMENT

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February 6, 2013

Representative Della Au Bellatti
Chairperson and Committee Members
Committee On Health
Representative Henry J. C. Aquino
Chairperson and Committee Members
Committee on Public Safety
415 South Beretania Street, Room 329
Honolulu, Hawai'i 96813

**RE: HOUSE BILL 783 RELATING TO THE DISCLOSURE OF PUBLIC HEALTH
STATISTICS RECORDS TO LAW ENFORCEMENT OFFICERS**

Dear Representatives Bellatti and Aquino:

The Hawai'i Police Department supports House Bill 783 with its purpose being to assist Law Enforcement Agencies (LEA) to obtain public health statistic records that will expedite the investigation of certain crimes.

We believe this legislation will serve to aid the public in ensuring LEA are able to access these types of records in a timelier basis in the investigation of a criminal matter. At present, these types of records are available to LEA, but only upon obtaining a court order. The process of obtaining a court order is indeed time consuming and can lead to unnecessary delays in obtaining the necessary information.

This legislation will not relieve LEA of the need to maintain the confidentiality of the obtained records. In addition, LEA can only obtain the sought-after records upon presentation of a signed statement under penalty of criminal prosecution that said records are needed for a criminal investigation, and that the requesting party is a law enforcement officer acting in his/her official capacity.

It is for these reasons, that we urge your committees to approve this legislation.

Thank you for allowing the Hawai'i Police Department to provide comments relating to House Bill 783.

Sincerely,

PAUL K. FERREIRA
ACTING POLICE CHIEF

Justin F. Kollar
Prosecuting Attorney



Kevin K. Takata
First Deputy

Rebecca A. Vogt
Second Deputy

OFFICE OF THE PROSECUTING ATTORNEY

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**TESTIMONY IN SUPPORT OF
HOUSE BILL NO. 783
A BILL FOR AN ACT RELATING TO PUBLIC HEALTH STATISTICS RECORDS**

Justin F. Kollar, Prosecuting Attorney
County of Kaua'i

House Committee on Health

Friday, February 8, 2013
8:30 a.m., Room 329

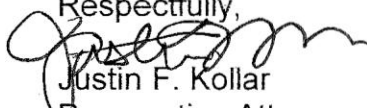
Honorable Chair Belatti, Vice-Chair Morikawa, and Members of the House Committee on Health, the Office of the Prosecuting Attorney, County of Kaua'i submits the following testimony in support of House Bill No. 783.

The purpose of House Bill No. 783 is to amend Section 338-18, Hawai'i Revised Statutes, to allow a law enforcement officer as defined in Section 710-1000(13) access to health statistics records as evidence in a criminal investigation.

By granting law enforcement access to this information when conducting investigations into a criminal matter, the health records can potentially shed light on the profile of a person or persons involved in the case.

For these reasons, we are in strong support of House Bill No. 783. Thank you for the opportunity to have testified on this matter.

Respectfully,


Justin F. Kollar
Prosecuting Attorney
County of Kaua'i