

Honolulu, Hawaii

MAR 21 2014

RE: H.B. No. 1812
H.D. 1
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and Military Affairs, to which was referred H.B. No. 1812, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the chief of each county police department to submit an annual report to the Legislature by January 31 covering misconduct incidents that resulted in suspension or discharge of a police officer from the calendar year immediately prior to the year of the report submission;
- (2) Specify the information that each report must contain, including updated information from previous reports; and
- (3) Require the county police departments to retain the disciplinary records in accordance with their respective record retention policies or for at least eighteen months after the final report concerning that incident, whichever period is longer.

Your Committee received testimony in support of this measure from the Office of Information Practices; Society of Professional Journalists, Hawaii Chapter; Civil Beat Law Center for the Public



Interest; and one individual. Your Committee received testimony in opposition to this measure from the Honolulu Police Department and State of Hawaii Organization of Police Officers.

Your Committee finds that for over a decade, the only public information available concerning final suspensions of police officers has been the annual report to the Legislature, required by section 52D-3.5, Hawaii Revised Statutes; however, these reports provide minimal detail. This measure improves the applicability of section 52D-3.5, Hawaii Revised Statutes, and creates a more informed public dialogue about the misconduct by police officers.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2030, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1812, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1812, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental and Military
Affairs,

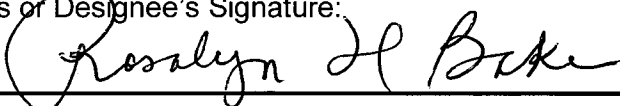


WILL ESPERO, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety and Military Affairs
PSM

Bill / Resolution No.:* HB 1812 HD1	Committee Referral: PSM, JDL	Date: 3-18-2014		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood				✓
GREEN, M.D., Josh	✓			
SLOM, Sam				✓
TOTAL	3	-	-	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes