

Honolulu, Hawaii

APR 24 2014

RE: S.B. No. 2591  
S.D. 1  
H.D. 1  
C.D. 1

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

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2591, S.D. 1, H.D. 1, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Require the chief of each county police department to submit a report to the Legislature by January 31 of each year covering misconduct incidents that resulted in suspension or discharge of a police officer during the calendar year immediately prior to the year of the report submission;
- (2) Specify the information each report must contain, including updated information from previous reports;



- (3) Require the chief of each county police department to retain the disciplinary records in accordance with the department's record retention policies or for at least eighteen months after the final report concerning that incident, whichever period is longer; and
- (4) Authorize the disclosure of certain information regarding police officers suspended for one year or more for one incident, in addition to discharged police officers.

Your Committee on Conference 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, yet 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 misconduct by police officers while recognizing that the balance of privacy and public interest is not easily defined and is a task better suited to common law.

Your Committee on Conference has amended this measure by:

- (1) Inserting language to specify that information relating to the disciplinary action of a police officer that results in discharge may be disclosed only after ninety days, rather than thirty days, following the issuance of a decision sustaining the discharge;
- (2) Deleting language that would have permitted the disclosure of certain information regarding police officers if suspended for one year or more for one incident; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2591, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2591, S.D. 1, H.D. 1, C.D. 1.



Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE

*Karl Rhoads*

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KARL RHOADS, Chair

*Will Espero*

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WILL ESPERO, Chair

*Clayton Hee*

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CLAYTON HEE, Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: <b>SB 2591, SD 1, HD 1</b>	Date/Time: <b>4-23-14 2:45pm</b>
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

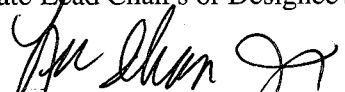

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure

The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
ESPERO, Will, Chr.	✓				RHOADS, Karl, Chr.	✓			
HEE, Clayton, Co-Chr.	✓				BROWER, Tom	✓			
GABBARD, Mike	✓				NAKASHIMA, Mark M.				✓
IHARA, Les, Jr.	✓				THIELEN, Cynthia		✓		
SLOM, Sam				✓					
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>TOTAL</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>1</b>

A = Aye      WR = Aye with Reservations      N = Nay      E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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