

JAN 22 2016

A BILL FOR AN ACT

RELATING TO LAW ENFORCEMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Crime statistics are an important tool used by
2 various levels of law enforcement to determine the best
3 allocation of limited resources. Furthermore, crime statistics
4 serve as an important social indicator that enables federal
5 agencies to determine which locales need grant money to address
6 crime-related social issues. Criminal justice experts study the
7 data to reveal trends, causes, effects, and preventive measures.

8 The legislature further finds that the state and federal
9 governments scrutinize crime statistics to ensure accuracy, make
10 decisions, and form policy. Crime statistics include the
11 incidences of nine specific crimes: murder, non-negligent
12 manslaughter, forcible rape, robbery, aggravated assault,
13 burglary, larceny-theft, motor vehicle theft, and arson.

14 It has come to the attention of the legislature that not
15 all of the county police departments have reported crime
16 statistics to the state attorney general's office since 2012,
17 which means that the public lacks helpful data that could be



1 used to assess the impacts of those nine specific crimes within
2 the past few years. In addition, the attorney general collects
3 the crime statistics from all four county police departments and
4 forwards them to the Federal Bureau of Investigation. The
5 Federal Bureau of Investigation administers a national program
6 known as the Uniform Crime Reporting Program, to which other
7 states report their respective crime data. The Uniform Crime
8 Reporting Program in turn has released the data to the public
9 regularly since 1930.

10 The Uniform Crime Reporting Program was first established
11 by the International Association of Chiefs of Police in 1893.
12 The Association's goals have always been to improve the
13 administrative and technical operations of police work, promote
14 police cooperation and the exchange of information and
15 experience among police around the globe, recruit and train
16 qualified personnel, and ensure that all police officials
17 conduct themselves with high standards of performance, ethics,
18 integrity, community interaction, and professionalism.
19 Currently, a total of eighteen thousand cities, universities,
20 colleges, counties, tribes, and federal law enforcement



1 agencies, as well as states from around the country, are
2 releasing their crime data to the public voluntarily.

3 The purpose of this Act is to require each county police
4 department, the department of public safety, and the various
5 state law enforcement divisions to submit their respective crime
6 statistics to the department of the attorney general, and in
7 turn, require the department of the attorney general to transmit
8 the data to the Federal Bureau of Investigation for its Uniform
9 Crime Reporting Program.

10 SECTION 2. Chapter 26, Hawaii Revised Statutes, is amended
11 by adding a new section to be appropriately designated and to
12 read as follows:

13 "§26- State law enforcement; reports to department of
14 the attorney general. All state departments or agencies having
15 a law enforcement division or law enforcement functions shall
16 report annually, or as otherwise directed by the attorney
17 general, data concerning incidences of specified crimes as
18 determined by the attorney general."

19 SECTION 3. Chapter 52D, Hawaii Revised Statutes, is
20 amended by adding a new section to be appropriately designated
21 and to read as follows:



1 "§52D- Reports to the department of the attorney
2 general. The chiefs of police of each county police department
3 shall report annually, or as otherwise directed by the attorney
4 general, to the department of the attorney general data
5 concerning the incidences of specified crimes as determined by
6 the attorney general."

7 SECTION 4. Section 28-10.6, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "§28-10.6 Crime research, prevention, and education;
10 administrator and staff. (a) The department of the attorney
11 general shall initiate, develop, and perform or coordinate
12 programs, projects, and activities, as determined by the
13 attorney general, on the subject of crime, including but not
14 limited to crime research, prevention, and education. The
15 attorney general may:

16 (1) Research, evaluate, and make recommendations regarding
17 crime, crime prevention, and the criminal justice
18 system to the governor, the legislature, the
19 judiciary, criminal justice agencies, or the general
20 public, as appropriate;



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- 1 (2) Develop and implement or coordinate statewide crime
2 prevention programs and activities including:
- 3 (A) Providing crime prevention training programs for
4 law enforcement agencies, citizens, businesses,
5 and civic groups; and
- 6 (B) Assisting in the organization of crime prevention
7 teams in communities to encourage the development
8 of community crime prevention programs;
- 9 (3) Develop public education programs through various
10 broadcast or print media to provide to the general
11 public information that will assist citizens in
12 developing the knowledge and confidence to prevent
13 crime and to avoid becoming victims of crime;
- 14 (4) Establish, as deemed by the attorney general to be
15 necessary or appropriate, citizen and government
16 agency representative study teams to study specific
17 crime subjects or criminal justice system problems, in
18 order to obtain input or advice from a more
19 specialized segment of the criminal justice or public
20 community on those specific matters; and



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1 (5) Establish trust funds or accounts and receive and
 2 expend financial grants and donations for crime
 3 research, prevention, or education.

4 (b) The attorney general shall collect and compile
 5 information received under sections 26- and 52D- for
 6 transmission to the Federal Bureau of Investigation's Uniform
 7 Crime Reporting Program.

8 [~~(b)~~] (c) The attorney general may employ, without regard
 9 to chapter 76, and at the attorney general's pleasure dismiss,
 10 an administrator to oversee and carry out the programs,
 11 projects, and activities on the subject of crime, as set forth
 12 in subsection (a). The attorney general may also employ other
 13 support staff, in accordance with chapter 76, necessary for the
 14 performance or coordination of the programs, projects, and
 15 activities on the subject of crime."

16 SECTION 5. Statutory material to be repealed is bracketed
 17 and stricken. New statutory material is underscored.

18 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY:
Clarence W. Smith
Anna Lee
Mark

Will Eyer
Randy H. Baker
Donna Mercedes



S.B. NO. 2194

Report Title:

Crime Reporting; Police Departments; Law Enforcement; Attorney General

Description:

Requires each county police department and all state departments and agencies having law enforcement divisions or law enforcement functions to report crime data annually to the department of the attorney general for transmission to the Federal Bureau of Investigation.

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