

JAN 22 2016

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# A BILL FOR AN ACT

RELATING TO POLICE COMMISSIONS.

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

1           SECTION 1. The legislature finds that domestic violence,  
2 also known as intimate partner violence, is a public health  
3 epidemic affecting individuals in every community, regardless of  
4 age, economic status, race, religion, nationality, or  
5 educational background. Intimate partner violence accounts for  
6 fifteen per cent of all violent crime and is most common among  
7 women between the ages of eighteen and twenty-four. However,  
8 these domestic violence statistics may be underestimated, as  
9 many victims do not report intimate partner violence to police,  
10 family, or friends.

11           The legislature further finds that the Honolulu police  
12 department was heavily criticized by lawmakers and the public in  
13 the wake of a September 2014 high-profile incident involving an  
14 off-duty Honolulu police department sergeant. The sergeant's  
15 actions sparked concern about the way police handle domestic  
16 violence cases and triggered an informational briefing at the  
17 state capitol.



1           The legislature additionally finds that residents in the  
2 State should be able to know that the county police departments  
3 are being held accountable for the actions of county police  
4 officers. Currently, the county police commissions are charged  
5 with overseeing conduct of the county police departments or  
6 officers. The legislature notes that the county police  
7 commissions are a matter of statewide concern, as it was  
8 originally a state law that established the commissions.  
9 Furthermore, outside oversight and police department  
10 transparency are vital to ensuring ongoing community trust in  
11 the county police departments, particularly after high-profile  
12 incidents such as the one in September 2014. Amending the  
13 composition of the county police commissions to include  
14 commissioners from a variety of backgrounds, especially in  
15 women's issues, civil rights, and law enforcement, will  
16 therefore improve transparency, accountability, and efficiency  
17 in dealing with police misconduct in the State.

18           Accordingly, the purpose of this Act is to amend the  
19 composition of the county police commissions to require that  
20 there are commissioners on each police commission that have



1 experience or backgrounds in women's issues, civil rights, and  
2 law enforcement.

3 SECTION 2. Section 52D-1, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "[+]§52D-1[+] Police commission. (a) A police commission  
6 is created for each of the counties. The [~~composition,~~]  
7 appointment, terms of office, staff, powers, duties, and  
8 functions of each police commission shall be prescribed by the  
9 charter of each county.

10 (b) The composition of each police commission shall be  
11 prescribed by the charter of each county; provided that there  
12 shall be commissioners on each county police commission that  
13 have a background or experience in:

- 14 (1) Women's issues;
- 15 (2) Civil rights; and
- 16 (3) Law enforcement."

17 SECTION 3. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19 SECTION 4. This Act shall take effect on July 1, 2016, and  
20 shall apply to the county police commissions upon each police  
21 commission's next vacancy; provided that:



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- 1           (1) The first vacancy in each police commission shall be
- 2                   filled with the individual specified in section
- 3                   52D-1(b) (1), Hawaii Revised Statutes, as amended by
- 4                   this Act;
- 5           (2) The second vacancy in each police commission shall be
- 6                   filled with the individual specified in section
- 7                   52D-1(b) (2), Hawaii Revised Statutes, as amended by
- 8                   this Act; and
- 9           (3) The third vacancy in each police commission shall be
- 10                   filled with the individual specified in section
- 11                   52D-1(b) (3), Hawaii Revised Statutes, as amended by
- 12                   this Act.

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INTRODUCED BY:

<u>Amey H Baker</u>	<u>Michelle Kiani</u>
<u>Ernie R. Brown</u>	<u>Enamu Chun Aulani</u>
<u>Jack</u>	<u>Anna Mercedes K.</u>
<u>Will Evans</u>	<u>Richard J.</u>
<u>Jim</u>	<u>Mitch</u>



# S.B. NO. 2324

**Report Title:**

County Police Commissions; Police Commissioner; Composition; Requirements

**Description:**

Amends the composition of the county police commissions to require that there are commissioners on each police commission that have experience or backgrounds in women's issues, civil rights, and law enforcement.

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