

Honolulu, Hawaii

MAR 21 2018

RE: H.B. No. 2071  
H.D. 2  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committees on Public Safety, Intergovernmental, and Military Affairs and Labor, to which was referred H.B. No. 2071, H.D. 2, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a law enforcement standards board for the certification of county police officers, state public safety officers, and employees of the Departments of Transportation, Land and Natural Resources, Taxation, and Attorney General with police powers;
- (2) Prohibit employment of non-certified law enforcement officers beginning on July 1, 2019;
- (3) Establish the law enforcement standards board special fund; and
- (4) Appropriate funds to defray the expenses of the Board.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Department of Public Safety, Department of Transportation, Young Progressives



Demanding Action, and four individuals. Your Committees received testimony in opposition to this measure from the Maui Police Department, Hawaii Police Department, and one individual. Your Committees received comments on this measure from the Department of the Attorney General, Department of Budget and Finance, and one individual.

Your Committees find that proper regulation and oversight over law enforcement officers are critical to maintaining public health, safety, and welfare. Hawaii is the only state in the country without any state-level regulation of the police, as regulation is left to the counties. Hawaii also does not establish minimum standards required to be a police officer and does not have any procedure for revoking a police officer's certification for serious misconduct. Your Committees find that the State needs to enact a law that certifies law enforcement officers to ensure the highest standards of professionalism, uniformity of standards, and accountability throughout our islands. Accordingly, your Committees find that a law enforcement standards board for the certification of county police officers, state public safety officers, and employees of the Departments of Transportation, Land and Natural Resources, Attorney General, and Taxation with police powers should be established to ensure the proper oversight of law enforcement officers across the State.

Your Committees also note that while several executive departments, including the Department of Public Safety and Department of Transportation, have offered testimony in support of the measure, the Department of the Attorney General, the State's chief law enforcement agency, has not indicated whether it believes that the proposed certification board is necessary or proper for the State. Accordingly, your Committees request that if your Committees on Judiciary and Ways and Means decide to hear this measure, that the Department of the Attorney General state its position on the proposal and submit any proposed amendments that the Department believes would alleviate its concerns with the proposal to your Committees on Judiciary and Ways and Means.

Your Committees have amended this measure by:

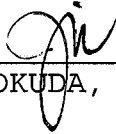
- (1) Inserting an effective date of July 1, 2075, to encourage further discussion; and



- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Labor that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2071, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2071, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

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



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JILL N. TOKUDA, Chair



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CLARENCE K. NISHIHARA, Chair





The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Labor**  
**LBR**

Bill / Resolution No.:* <i>HB 2071, HD2</i>	Committee Referral: <i>PSM/LBR, JDC/WAM</i>	Date: <i>3/15/18</i>		
<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 <span style="margin-left: 100px;"><input checked="" type="checkbox"/> Pass, with amendments</span> <span style="margin-left: 100px;"><input type="checkbox"/> Hold</span> <span style="margin-left: 100px;"><input type="checkbox"/> Recommit</span> <span style="margin-left: 20px;">2312</span> <span style="margin-left: 100px;">2311</span> <span style="margin-left: 100px;">2310</span> <span style="margin-left: 100px;">2313</span>				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
ENGLISH, J. Kalani (VC)				✓
CHANG, Stanley				✓
IHARA, Jr., Les	✓			
TANIGUCHI, Brian T.	✓			
<b>TOTAL</b>	<i>3</i>	<i>0</i>	<i>0</i>	<i>2</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature:				
<b>Distribution:</b> <span style="margin-left: 50px;">Original</span> <span style="margin-left: 100px;">Yellow</span> <span style="margin-left: 100px;">Pink</span> <span style="margin-left: 100px;">Goldenrod</span> <span style="margin-left: 50px;">File with Committee Report</span> <span style="margin-left: 100px;">Clerk's Office</span> <span style="margin-left: 100px;">Drafting Agency</span> <span style="margin-left: 100px;">Committee File Copy</span>				

\*Only one measure per Record of Votes