

Honolulu, Hawaii

APR 03 2018

RE: H.B. No. 2133
H.D. 1
S.D. 1

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2133, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO POLICE DEPARTMENTS,"

begs leave to report as follows:

The purpose and intent of this measure is to specify that citizen complaints against a police officer that involve allegations of domestic abuse by the police officer against a family or household member shall not be required to be filed as a notarized or sworn written statement.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Hawai'i State Democratic Women's Caucus, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and one individual.

Your Committee finds that curtailing domestic violence is important for the health, safety, and welfare of citizens and that reporting and taking action against incidents of domestic violence is especially challenging and dangerous when the alleged perpetrator is a law enforcement officer. This measure will decrease the potential risk of retaliation against victims of domestic violence by police officers by allowing an individual to make a complaint against a police officer alleging an act of




domestic violence against a family or household member without being required to swear to or make the complaint in writing. Your Committee notes concerns expressed by your Committee on Public Safety, Intergovernmental, and Military Affairs that the legislative intent is to apply this measure only to the civil administrative internal investigations within the police department, and additionally finds that the undefined term "citizen complaints" in this measure is unacceptably ambiguous.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the citizen complaints against a police officer involving allegations of domestic abuse by the police officer against a family or household member are citizen administrative complaints; 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2133, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2133, H.D. 1, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



BRIAN T. TANIGUCHI, Chair



