

Honolulu, Hawaii

FEB 09 2018

RE: S.B. No. 2058

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

Sir:

Your Committee on Public Safety, Intergovernmental, and
Military Affairs, to which was referred S.B. No. 2058 entitled:

"A BILL FOR AN ACT RELATING TO PRIVATE DETECTIVES AND
GUARDS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require review and approval by the Board of Private
Detectives and Guards of any badge, uniform, form of
identification, emblem, or other accoutrement to be used
by detective agencies, guard agencies, private
detectives, or guards; and
- (2) Prohibit detective agencies, guard agencies, private
detectives, and guards from self-identifying as law
enforcement officers, police, or police officers and
from wearing or using any badge, uniform, equipment,
vehicle, or other accoutrement capable of being
associated with that of a law enforcement officer
employed by a government law enforcement organization.

Your Committee received testimony in support of this measure
from the Maui Police department and one individual. Your
Committee received comments on this measure from the Board of
Private Detectives and Guards and Libertarian Party of Hawaii.



Your Committee finds that establishing a clear distinction between private detectives and guards and law enforcement officers is important to maintaining public safety and confidence in law enforcement. Private detectives and guards in Hawaii have broad powers, including the powers to detain and search individuals; however, they are not law enforcement officers. Therefore, members of the public should be able to clearly distinguish between these different groups. Accordingly, this measure prohibits private detectives and guards from the wearing or use of any badge, uniform, form of identification, emblem, equipment, vehicle, or other accoutrement capable of being associated with that of a law enforcement officer employed by a government law enforcement organization. Moreover, to ensure compliance with that prohibition, this measure requires the Board of Private Detectives and Guards to review and approve all badges, uniforms, equipment, vehicles, or other accoutrements that private detectives or guards wish to wear or use.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2058 and recommends that it pass Second Reading and be referred to your Committee on Commerce, Consumer Protection, and Health.

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

Clarence K. Nishihara

CLARENCE K. NISHIHARA, Chair



