

STAND. COM. REP. NO. **2379**

Honolulu, Hawaii

FEB 15 2018

RE: S.B. No. 2947
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, Water and Land, and Transportation and Energy, to which was referred S.B. No. 2947 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require police departments and certain state agencies to disclose to the Legislature the identity of a law enforcement officer upon the officer's second suspension in a five-year period or discharge; and
- (2) Require disclosure under the Uniform Information Practices Act of certain information, including identity, of a law enforcement officer after the officer's second suspension in a five-year period.

Your Committees received testimony in support of this measure from the Hawaiian Civic Club of Honolulu and one individual. Your Committees received testimony in opposition to this measure from the Office of Information Practices, The Civil Beat Law Center the Public Interest, ACLU of Hawai'i, and League of Women Voters of Hawaii.



Your Committees find that disclosing the identities of law enforcement officers who are suspended twice within a five-year period serves the public interest. Transparency and accountability of law enforcement officers are of great importance in maintaining the public's confidence in law enforcement, and a healthy relationship between law enforcement agencies and the public is essential for maintaining the health, safety, and welfare of the public.

However, your Committees recognize the concerns raised in testimony about the potential unintended consequences of this measure. Your Committees agree with the testimony presented that adding state law enforcement officers into the class of government employees whose suspensions are not automatically made public under the Uniform Information Practices Act would actually decrease transparency and accountability.

Accordingly, your Committees have amended this measure by:

- (1) Removing state law enforcement officers from the proposed class of government employees whose suspensions are not automatically made public under the Uniform Information Practices Act, chapter 92F, Hawaii Revised Statutes; 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, Water and Land, and Transportation and Energy that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2947, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2947, S.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committees on Public Safety,
Intergovernmental, and Military
Affairs, Water and Land, and
Transportation and Energy,

Karl Rhoads

KARL RHOADS, Chair

Clarence K. Nishihara

CLARENCE K. NISHIHARA, Chair

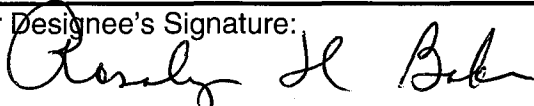
Lorraine R. Inouye

LORRAINE R. INOUE, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

Bill / Resolution No.:* SB 2947	Committee Referral: PSM/WTL/TRE/JDC	Date: 2-12-2018		
<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 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
WAKAI, Glenn (VC)				✓
BAKER, Rosalyn H.		✓		
IHARA, Jr., Les		✓		
THIELEN, Laura H.		✓		
TOTAL	1	3	-	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SB 2947	Committee Referral: PSM/WTL/TRE, JDC	Date: FEB. 12, 2018		
<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 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)				✓
INOUYE, Lorraine R.	✓			
RIVIERE, Gil	✓			
THIELEN, Laura H.		✓		
TOTAL	3	1	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Paul Moody</i>				
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The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and Energy
TRE

Bill / Resolution No.:* SB 2947	Committee Referral: PSM/WTL/TRE, JDL	Date: 02/12/2018		
<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 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUE, Lorraine R. (C)	X			
ESPERO, Will (VC)	X			
ENGLISH, J. Kalani		X		
HARIMOTO, Breene	X			
SHIMABUKURO, Maile S.L.				X
TOTAL	3	1		1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Will Espero</div>				
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