

SB-2347

Submitted on: 1/31/2018 11:29:22 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Councilmember Yuki Lei Sugimura	Maui County Council	Support	No

Comments:

SB-2347

Submitted on: 1/29/2018 12:18:17 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Victor K. Ramos	Maui Police Department	Oppose	No

Comments:

In the examples cited, none originated from Maui Police Department, Hawaii Island Police Department or Kaua'i Police Department. It is reasonable to conclude that leadership plays a key role in properly responding to said incidents. Because leadership plays a key role, give the new leadership of the Honolulu Police Department reasonable time to set the tone and standards for their department.

I am in opposition of this proposed bill.

SB-2347

Submitted on: 1/31/2018 10:42:11 AM

Testimony for PSM on 2/1/2018 1:35:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Richard K. Minatoya	Maui Department of the Prosecuting Attorney	Oppose	No

Comments:

The Department of the Prosecuting Attorney, County of Maui OPPOSES SB 2347. The negating the request for notarized or sworn written statements may open the door to false allegation being made against officers. The Department requests that this measure be HELD.

Thank you very much for the opportunity to provide this testimony.

SB-2347

Submitted on: 1/29/2018 3:26:49 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Marshall		Support	No

Comments:

SB-2347

Submitted on: 1/29/2018 4:43:19 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carmen Golay		Support	No

Comments:

January 30, 2018

TO: The Honorable Clarence Nishihara, Chair
 Senate Committee on Public Safety, Intergovernmental and Military Affairs

 Senator Glenn Wakai, Vice Chair
 Senate Committee on Public Safety, Intergovernmental and Military Affairs

 Members of the Senate Committee on Public Safety, Intergovernmental and
 Military Affairs

FROM: Jesse Guirao

RE: Testimony in Opposition, SB 2347, Relating to Police Departments

Thank you for the opportunity to provide testimony relating to SB 2347. This bill provides that a complaint against a Police Officer involving Domestic Violence does not have to be made in writing, nor sworn to. I emphatically oppose this bill.

The current State of Hawaii Organization of Police Officers (SHOPO) collective bargaining agreement requires all external complaints be made in writing and notarized, except as provided by law. There have been no exceptions by law to date and there is good reason for that. The reasons for having complainants made in writing and notarized are as follows:

Generally, the complainant's or witness' best recollection is immediately following the alleged altercation. The Police Department would then initiate an Administrative investigation into the allegations hence a written statement would prove to be more credible should the complainant or witness elect to retract. A written and notarized complaint helps the complainant and any witnesses in furtherance of their complaint.

Furthermore, having the complaint made in writing and notarized holds the complainant and witnesses accountable. There have been instances where spouses of Police Officers undergoing marital problems would file a complaint knowing that it would get their Police Officer spouse in trouble.

Lastly, I ask that you consider the testimony filed on February 12, 2015 by the Department of the Attorney General on a similar bill (then HB 456) in the 2015 Session, opining that the bill violates our Hawaii Constitution, article VIII, section 2. The Attorney General further advised that our Hawaii Constitution authorizes our Counties to adopt charters, and the county charters have authorized our Police Commissions to adopt rules, and the Police Commission has rules requiring complaints be made in writing and notarized.

I therefore oppose SB 2347. Thank you for your consideration..