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## A BILL FOR AN ACT

RELATING TO LAW ENFORCEMENT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that among the fifty  
2 states, Hawaii faces a unique set of threats to public safety  
3 and well-being. For example, as one of the world's most popular  
4 tourist destinations, Hawaii experiences a high incidence of  
5 property crimes. In 2016, more than \$80,000,000 in property was  
6 reported stolen in the State.

7           The legislature also finds that Hawaii ranks number one in  
8 the nation with respect to methamphetamine-related treatment  
9 admissions. Further, 79.3 per cent of drug-related crimes in  
10 the State are related to methamphetamine abuse. The estimated  
11 cost of methamphetamine abuse in Hawaii, including costs related  
12 to incarceration, foster care, healthcare, lost employee  
13 productivity, and treatment, totals \$500,000,000 annually.

14           The legislature further finds that Hawaii ranks tenth in  
15 the nation in drivers with a history of driving under the  
16 influence of alcohol. In fact, 3.2 per cent of Hawaii auto  
17 insurance shoppers report an arrest for driving under the



1 influence of an intoxicant and approximately 23.6 per cent of  
2 those arrested for driving under the influence had one or more  
3 prior convictions for intoxicated driving. These numbers are  
4 especially alarming given the results of a recent survey, in  
5 which 2.1 per cent of respondents admitted to driving while  
6 intoxicated at least once in the past thirty days. In Hawaii, a  
7 dangerous number of people are choosing to operate a vehicle  
8 after having too much to drink. Due to the limited resources of  
9 law enforcement agencies in the State and the counties, most of  
10 these drivers are never caught.

11 The legislature further finds that police departments serve  
12 a vital role in the State. In each county, police officers are  
13 tasked with keeping our communities safe, enforcing our laws,  
14 and preserving the peace. However, recent reports suggest that  
15 some police departments in the State struggle to hire and retain  
16 a full complement of officers. In January 2019, the Honolulu  
17 police department had two hundred forty-six position vacancies.  
18 In addition to the lack of personnel, police departments in the  
19 State lack appropriate funding and resources. As a result,  
20 police departments are stretched thin when addressing complex



1 issues that directly and profoundly impact safety and well-being  
2 in the State.

3 The legislature finds that federal politics on immigration  
4 and the corresponding federal requests for state and local  
5 assistance on immigration matters not only divert local law  
6 enforcement resources, but also blur the lines of accountability  
7 between local, state, and federal government entities.  
8 Accordingly, the legislature finds that the already limited and  
9 financially-strained police resources in the State and the  
10 counties should focus first on local issues that pose the  
11 greatest threat to Hawaii's public safety, such as property  
12 crime, methamphetamine use, and incidences of intoxicated  
13 driving.

14 The purpose of this Act is to clearly identify Hawaii's law  
15 enforcement priorities to ensure that federal politics shall not  
16 divert Hawaii law enforcement resources and personnel from local  
17 issues that are of the greatest concern to the State.

18 SECTION 2. Chapter 52D, Hawaii Revised Statutes, is  
19 amended by adding a new section to be appropriately designated  
20 and to read as follows:



1        "§52D- Hawaii law enforcement priorities. (a) The  
2 primary objective of law enforcement agencies in the State and  
3 in each county shall be to protect the safety and well-being of  
4 the people of Hawaii by prioritizing the investigative and  
5 enforcement duties of state and county law enforcement on  
6 violations of state and county laws and any related issues that  
7 pose the most pressing concerns to the people of the State.

8        (b) State law enforcement officials shall prioritize local  
9 concerns rather than diverting law enforcement resources to the  
10 federal government. State law enforcement shall assist federal  
11 immigration agencies with investigation and enforcement of  
12 federal laws only after the governor declares that incidence of  
13 the following priority issues have been resolved in the State:

- 14        (1) Property crime;  
15        (2) Methamphetamine-related crime; and  
16        (3) Crimes of operating a vehicle under the influence of  
17        an intoxicant.

18        (c) County law enforcement officials shall prioritize  
19 local concerns rather than diverting law enforcement resources  
20 to the federal government. County law enforcement shall assist  
21 federal immigration agencies with investigation and enforcement



1 of federal laws only after the mayor of each respective county  
2 declares that the following priority issues have been resolved  
3 in the mayor's county:

- 4 (1) Property crime;
- 5 (2) Methamphetamine-related crime; and
- 6 (3) Crimes of operating a vehicle under the influence of  
7 an intoxicant.

8 (d) Notwithstanding any other provision of this section,  
9 state and county law enforcement officials shall assist federal  
10 immigration enforcement efforts if a federal agency:

- 11 (1) Obtains a warrant pertaining to the information it  
12 seeks; or
- 13 (2) Seeks a person charged with a felony pursuant to the  
14 Hawaii Penal Code."

15 SECTION 3. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval;  
17 provided that section 2 shall take effect on January 1, 2020.

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INTRODUCED BY:

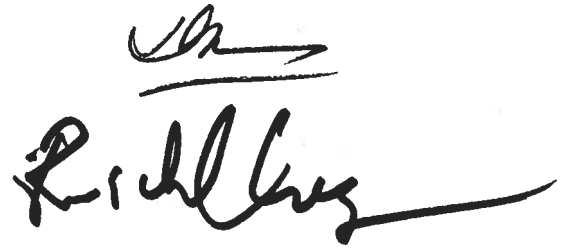
Mahe  
S-C

John  
Tim W. Wilson

Alan  
Raymond  
John



H.B. NO. 1491

A handwritten signature in black ink, appearing to read "Richard Cruz". The signature is written in a cursive style with a long horizontal flourish extending to the right.

JAN 24 2019



**Report Title:**

AG; State Sheriff; County Police; Law Enforcement Priorities

**Description:**

Requires state and county law enforcement agencies to prioritize local use of law enforcement resources. Requires that the governor and the county mayors declare that crimes relating to property, methamphetamine use, and operating a vehicle under the influence of an intoxicant are resolved in their respective jurisdictions before state or county law enforcement may assist with certain federal law enforcement matters. Authorizes state and county law enforcement officials to assist federal agencies possessing a warrant or when an individual has been charged with a felony under the Hawaii Penal Code.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

