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## A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1           SECTION 1. The legislature finds that public safety  
2 officers, including state deputy sheriffs, provide invaluable  
3 societal contributions by risking their lives each day in  
4 service to Hawaii's residents. The legislature also finds that  
5 public safety officers are in a position of public trust as the  
6 guardians and protectors of the State's communities. This role  
7 requires extending respect and compassion to the people of the  
8 State while also holding individuals accountable for criminal  
9 conduct.

10           The legislature further finds that public safety officers  
11 are frequently in harm's way and must quickly make difficult  
12 decisions while under stress. The legislature finds that  
13 because of the gravity of these decisions, the people of the  
14 State and public safety officers themselves rely on and expect  
15 thorough training and accountability.

16           The purpose of this Act is to support the role of public  
17 safety officers by requiring the department of public safety to



1 train its deputy sheriffs in nonlethal use of force and to  
2 appropriate funds for training, certification, and related  
3 records management and equipment.

4 SECTION 2. Chapter 353C, Hawaii Revised Statutes, is  
5 amended by adding a new section to be appropriately designated  
6 and to read as follows:

7 "§353C- Nonlethal use of force training and equipment.

8 (a) The director shall require all deputy sheriffs appointed  
9 pursuant to this chapter to complete an initial nonlethal use of  
10 force training course and comply with subsequent annual training  
11 requirements. The first initial training course shall be  
12 offered no later than July 1, 2020. The department shall adopt  
13 rules pursuant to chapter 91 that are necessary to administer  
14 and certify completion of an initial nonlethal use of force  
15 training course and subsequent annual training requirements,  
16 including hour and curricula specifications.

17 (b) The department shall consider inclusion of the  
18 following as part of any nonlethal use of force training  
19 curricula developed pursuant to this section:

20 (1) De-escalation in patrol tactics and interpersonal  
21 communication training, including tactical methods



- 1           that use time, distance, cover, and concealment to  
2           avoid escalating situations that lead to violence;  
3       (2) Alternatives to jail booking, arrest, or citation in  
4           situations where appropriate;  
5       (3) Information regarding implicit and explicit bias,  
6           cultural competency, and the historical intersection  
7           of race and policing;  
8       (4) Skills, including de-escalation techniques, to  
9           effectively, safely, and respectfully interact with  
10          people with disabilities or behavioral health issues;  
11       (5) "Shoot/don't shoot" scenario training;  
12       (6) Alternatives to the use of physical or deadly force so  
13          that de-escalation tactics and nonlethal alternatives  
14          are part of the decision-making process leading up to  
15          the consideration of the use of deadly force;  
16       (7) Information regarding mental health and policing,  
17          including bias;  
18       (8) Community involvement in the delivery of training to  
19          give a better understanding of community perspectives;



1        (9) Use of public service, including rendering first aid,  
2        to provide a positive point of contact between law  
3        enforcement officers and community members; and

4        (10) Use of specialized equipment for the deployment of  
5        nonlethal force.

6        (c) The department shall:

7        (1) Provide training required by this section alone or in  
8        partnership with law enforcement agencies or  
9        contracted private parties, or authorize law  
10       enforcement agencies or contracted private parties to  
11       provide the training; and

12       (2) Maintain records to monitor and track all training  
13       activity required by this section.

14       (d) The department shall provide deputy sheriffs certified  
15       in nonlethal use of force with equipment, including weapons,  
16       that shall be used to deploy nonlethal force. The department  
17       shall include instruction on the use of this equipment during  
18       the department's nonlethal use of force training."

19       SECTION 3. There is appropriated out of the general  
20 revenues of the State of Hawaii the sum of \$                      or so much  
21 thereof as may be necessary for fiscal year 2019-2020 and the



1 same sum or so much thereof as may be necessary for fiscal year  
2 2020-2021 for the development and implementation of nonlethal  
3 use of force training, certification, and related records  
4 management for the deputy sheriffs of the department of public  
5 safety.

6 The sums appropriated shall be expended by the department  
7 of public safety for the purposes of this Act.

8 SECTION 4. There is appropriated out of the general  
9 revenues of the State of Hawaii the sum of \$ or so much  
10 thereof as may be necessary for fiscal year 2019-2020 and the  
11 same sum or so much thereof as may be necessary for fiscal year  
12 2020-2021 for the purchase and maintenance of nonlethal  
13 equipment, including weapons, for use by the department of  
14 public safety deputy sheriffs certified in the nonlethal use of  
15 force.

16 The sums appropriated shall be expended by the department  
17 of public safety for the purposes of this Act.

18 SECTION 5. This Act shall take effect on July 1, 2019.

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INTRODUCED BY:

*[Handwritten signatures]*



H.B. NO. **456**

Guy F. Johnson

Richard Johnson

JAN 18 2019



# H.B. NO. 456

**Report Title:**

Public Safety; Deputy Sheriffs; Non-Lethal Weapons; Training; Acquisition; Appropriations

**Description:**

Requires training, certification, and related records management and equipment for non-lethal use of force by deputy sheriffs appointed by the Department of Public Safety. Appropriates funds.

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

