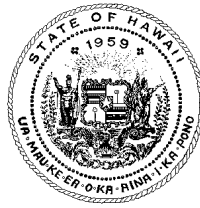


DAVID Y. IGE  
GOVERNOR



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No. \_\_\_\_\_

TESTIMONY ON HOUSE BILL 456, HOUSE DRAFT 2  
RELATING TO PUBLIC SAFETY

By  
Nolan P. Espinda, Director

House Committee on Finance  
Representative Sylvia Luke, Chair  
Representative Ty J.K. Cullen, Vice Chair

Tuesday, February 26, 2019; 1:30 p.m.  
State Capitol, Conference Room 308

Chair Luke, Vice Chair Cullen, and Members of the Committee:

The Department of Public Safety (PSD) supports the intent of House Bill (HB) 456, House Draft (HD) 2, which requires the PSD Director to develop policies and procedures to govern the use of force, including training and equipment, and offers the following comments.

Second, PSD understands the importance of less than lethal use of force training and equipment, and appreciates the proposed appropriation of funds. The department also appreciates the revision in HD 2 that clarifies that PSD shall develop policies and procedures, as opposed to rules adopted pursuant to Chapter 91 of the Hawaii Revised Statutes. PSD would recommend a further revision that does not mandate the creation of a new statutory section 353C-\_\_\_, HRS, as specified in Section 2 of this measure. Further, the department already conducts training in many of the items listed in the proposed section 353C-\_\_(b)(1) – (10). For example, PSD already conducts training in use of force, defensive tactics, crisis intervention, and use of force decision making, among others. PSD's training academy maintains records to monitor

and track all training activity, as proposed on page 4, lines 9 -10. Deputy sheriff recruits also receive use of force training in their academy curriculum. Based upon the above, PSD would recommend deleting Section 2 in its entirety and replacing Section 2 with the following:

“SECTION 2. (a) The department of public safety shall revise its policies and procedures governing the use of force as well as weapons and equipment. The department shall report progress under this Act to the Legislature by January 1, 2020.

(b) The department of public safety’s use of force training will be reviewed by the Law Enforcement Standards Board, enacted pursuant to Act 220, Session Law of Hawaii, and may include use of force decision making, crisis intervention, de-esclation techniques, and less than lethal alternatives.”

PSD notes that pursuant to Act 220, Session Laws of Hawaii 2018, the Law Enforcement Standards Board will also consider minimum standards and training for law enforcement officers. PSD’s revised use of force as well as weapons and equipment policies will apply not only to deputy sheriffs but also the PSD Narcotics Enforcement Division investigators and Internal Affairs Office investigators.

Thank you for the opportunity to testify on this measure.

**HB-456-HD-2**

Submitted on: 2/24/2019 11:34:18 AM

Testimony for FIN on 2/26/2019 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Suzanne Skjold	Individual	Support	No

Comments:

I support this bill.