

STAND. COM. REP. NO. 1906

Honolulu, Hawaii

APR 05 2019

RE: H.B. No. 285
H.D. 1
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 285, H.D. 1, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require county police departments to disclose to the Legislature the identity of an officer upon the officer's suspension or discharge; and
- (2) Amend the Uniform Information Practices Act to allow for public access to information about suspended officers.

Your Committee received testimony in support of this measure from the Office of Information Practices, Civil Beat Law Center for the Public Interest, League of Women Voters, Hawaii Chapter of the Society of Professional Journalists, Common Cause Hawaii, American Civil Liberties Union of Hawai'i, Young Progressives Demanding Action, O'ahu County Democrats Legislative Priorities Committee, and two individuals.

Your Committee finds that requiring disclosure of the identities of suspended or discharged county police officers to the Legislature will improve oversight of police departments in



cases of severe misconduct. Your Committee further finds that providing public access to records of suspended police officers, similar to the information required regarding the suspension of other government employees, will likewise increase transparency in law enforcement. However, your Committee additionally finds that law enforcement agencies require time to adjust their information practices to the new requirements and allowing disclosure and public access to be retroactive may not be practicable.

Accordingly, your Committee has amended this measure by:

- (1) Specifying that county police departments are required to disclose to the Legislature the identity of an officer upon the officer's suspension or discharge beginning with the annual report of 2021;
- (2) Allowing for public access to information about suspended officers for suspensions occurring after March 1, 2020; and
- (3) Changing the effective date to March 1, 2020.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 285, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 285, H.D. 1, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



