

Honolulu, Hawaii

, 2022

FEB 18

RE: H.B. No. 1239

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1239 entitled:

"A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT,"

begs leave to report as follows:

The purpose of this measure is to enhance the public's trust in law enforcement and standardize best practices between the counties by:

- (1) Amending the Law Enforcement Officer Independent Review Board to:
 - (A) Require review of any specific incident of alleged misconduct recommended by certain officials;
 - (B) Require members to serve four-year terms; and
 - (C) Make it a permanent board; and
- (2) Amending the membership and powers of the Law Enforcement Standards Board and extending member's terms to four years.

Your Committee received testimony in support of this measure from the Department of Transportation, Law Enforcement Standards



Board, and one individual. Your Committee received testimony in opposition to this measure from the State of Hawaii Organization of Police Officers. Your Committee received comments on this measure from the Department of the Attorney General and American Civil Liberties Union of Hawai'i.

Your Committee finds that the Law Enforcement Officer Independent Review Board and Law Enforcement Standards Board are intended to promote public trust in law enforcement. Each board serves a vital function in overseeing and regulating law enforcement in the State. This measure is intended to help facilitate these boards in the interest of public trust and safety.

Your Committee has amended this measure by:

- (1) Deleting the requirement that the Law Enforcement Officer Independent Review Board review of any specific incident of alleged misconduct recommended by certain officials;
- (2) Permitting the Governor to appoint the public members of the Law Enforcement Standards Board without the advice and consent of the Senate;
- (3) Permitting experience in a county police department to qualify as work experience in a law enforcement capacity for public members of the Law Enforcement Standards Board;
- (4) Clarifying that the Administrator of the Law Enforcement Standards Board is exempt from civil service requirements; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1239, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1239, H.D. 1, and be referred to your Committee on Finance.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,


MARK M. NAKASHIMA, Chair



