

STAND. COM. REP. NO.

3965

Honolulu, Hawaii

APR 08 2022

RE: H.B. No. 2171
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committees on Ways and Means and Judiciary, to which was referred H.B. No. 2171, H.D. 2, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to increase the efficiency and effectiveness of state public safety functions.

Specifically, this measure:

- (1) Establishes a Department of Law Enforcement to consolidate and administer criminal law enforcement and investigative functions;
- (2) Transfers into the Department of Law Enforcement the law enforcement functions of the Department of Public Safety, Department of Transportation, the Office of Homeland Security, and the non-statutorily mandated functions of the Department of the Attorney General;
- (3) Reestablishes the Department of Public Safety as an independent Department of Corrections and Rehabilitation to administer the corrections, rehabilitation, and reentry of the inmate population; and



- (4) Establishes positions and appropriates moneys to the Department of Law Enforcement and Department of Corrections and Rehabilitation.

Your Committees received written comments in support of this measure from the Hawaii High Intensity Drug Trafficking Area, Department of Accounting and General Services, Department of the Attorney General, Department of Defense, Department of Hawaiian Home Lands, Department of Public Safety, Hawaii Paroling Authority, Office of Homeland Security, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Government Employees Association, State of Hawaii Organization of Police Officers, and numerous individuals.

Your Committees received written comments in opposition to this measure from the ACLU of Hawaii and one individual.

Your Committees received written comments on this measure from the Judiciary; Department of Budget and Finance; Office of Information Practices; Civil Beat Law Center for the Public Interest; and United Public Workers, AFSCME Local 646.

Your Committees find that consolidating state law enforcement responsibilities into a single state department will improve public safety, enhance decision making, promote accountability, streamline communication, decrease costs, reduce duplication of efforts, provide uniform training and standards, and promote uniform standards of law enforcement services.

Your Committees acknowledge the importance of addressing the existing shortage of law enforcement officers and correctional officers. Your Committees believe that the success of this measure will depend on the successful recruitment and retention of qualified personnel for both the Department of Law Enforcement and Department of Corrections and Rehabilitation.

Your Committees have amended this measure by:

- (1) Amending the contents of the report required upon the death of an inmate or correctional facility employee by:
 - (A) Removing the requirement that the report include the name of the decedent; and



- (B) Authorizing the Director of Corrections and Rehabilitation to disclose the decedent's name and other information that is not statutorily required to be disclosed; provided that the Director does not disclose information protected from disclosure by state or federal law;
- (2) Including among the Director of Law Enforcement's statutory duties the deployment of adequate resources and coordination with county police departments to protect the health and safety of homestead communities on Hawaiian home lands;
- (3) Clarifying that provisions of law that give law enforcement authority to state law enforcement officers does not diminish the authority or responsibility of county police officers to enforce laws or maintain public safety on state lands, in state buildings, or in their respective counties;
- (4) Correcting the text of sections 76-16(b) and 26-52, Hawaii Revised Statutes, to reflect the printed version of the Hawaii Revised Statutes;
- (5) Making additional conforming amendments to various sections of the Hawaii Revised Statutes;
- (6) Appropriating \$4,121,309 to the Department of Law Enforcement for the establishment, hiring, and filling of employment positions and for operation costs;
- (7) Appropriating \$1,000,000 to the Department of Corrections and Rehabilitation for the planning and design of a multi-purpose training and staff development and administrative support facility;
- (8) Appropriating \$1,000,000 to the Department of Law Enforcement for the planning and design of a complex for the Department to consolidate and support headquarters and administrative services, training, and related services and facilities;



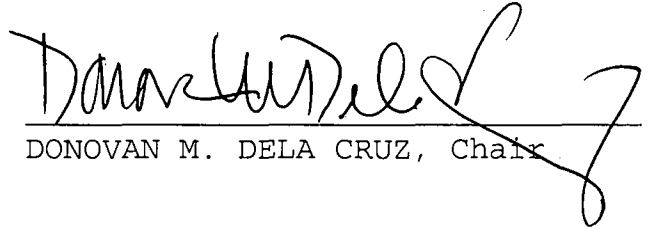
- (9) Appropriating \$1,600,000 to the Department of Law Enforcement to fund pay increases for deputy sheriffs; and
- (10) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2171, H.D. 2, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 2171, H.D. 2, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Ways and Means
and Judiciary,



KARL RHOADS, Chair




DONOVAN M. DELA CRUZ, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* HB 2171, HD2	Committee Referral: PSM, WAM/JDC	Date: 4/7/22		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MISALUCHA, Bennette E.	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
TOTAL	11			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

