

STAND. COM. REP. NO. 2171

Honolulu, Hawaii

FEB 09 2022

RE: S.B. No. 2780

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

Sir:

Your Committee on Public Safety, Intergovernmental, and
Military Affairs, to which was referred S.B. No. 2780 entitled:

"A BILL FOR AN ACT RELATING TO THE POWER OF ARREST,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Update the list of federal agencies whose law enforcement officers may make arrests for certain offenses under state law by adding United States Immigration and Customs Enforcement-Homeland Security Investigations and deleting United States Citizenship and Immigration Services from the list; and
- (2) Update references to the titles of the heads of the district offices for the listed federal agencies and the names of these agencies, including United States Customs and Border Protection.

Your Committee received testimony in support of this measure from the U.S. Department of Homeland Security Immigrations and Customs Enforcement-Homeland Security Investigations, Department of the Attorney General, Department of Public Safety, Hawai'i Police Department, Honolulu Police Department, and Kauai Police Department.



Your Committee finds that federal law enforcement agencies work extensively with state and county law enforcement targeting transnational organized criminal activity. These investigations often involve violations of both federal and state criminal law. However, United States Immigrations and Customs Enforcement-Homeland Security Investigations special agents do not currently have limited arrest powers under state law, meaning that they are often able to observe suspicious activities but are not authorized to take action pursuant to state law. Your Committee believes that the grant of limited arrest powers, under state law, to agents of United States Immigration and Customs Enforcement-Homeland Security Investigations would promote enhanced collaboration with state law enforcement counterparts to protect national security, prevent crimes of exploitation, combat financial crimes, investigate cybercrime and other threats, and ensure public safety.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2780 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental, and Military
Affairs,


Clarence K. Nishihara

CLARENCE K. NISHIHARA, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

Bill / Resolution No.:* SB 2780	Committee Referral: PSM, JDC	Date: 2/3/2022		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
DECOITE, Lynn (VC)	✓			
BAKER, Rosalyn H.				✓
RIVIERE, Gil	✓			
FEVELLA, Kurt		✓		
TOTAL	3	1	0	1
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