

STAND. COM. REP. NO. 2917

Honolulu, Hawaii

MAR 04 2022

RE: S.B. No. 2801
S.D. 2

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

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2801, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to increase accountability and transparency in law enforcement practices.

More specifically, the measure:

- (1) Provides that a law enforcement officer has a duty to intervene if the law enforcement officer reasonably believes that another law enforcement officer is using unnecessary or excessive force on an arrestee;
- (2) Requires the intervening law enforcement officer to report the incident to the other law enforcement officer's supervisor; and
- (3) Requires specified departments to submit annual reports to the Legislature.

Your Committee received written comments in support of this measure from the Department of Transportation and one individual.



Your Committee received written comments in opposition to this measure from the State of Hawaii Organization of Police Officers.

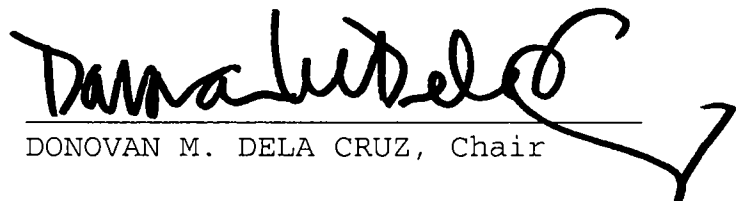
Your Committee finds that this measure will help to clarify the duties of, and expectations for, law enforcement officers who witness another officer using unnecessary or excessive force on an arrestee.

Your Committee has amended this measure by:

- (1) Clarifying, with respect to the intervening law enforcement officer's duty to report an incident to a supervisor as soon as practicable, that the report is to be made to the supervisor of the other law enforcement officer, as provided in the measure's preamble; and
- (2) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2801, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2801, S.D. 2.

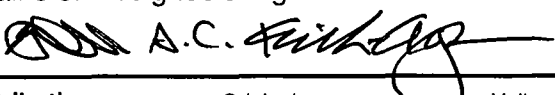
Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,


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.:* SB 2801, SD1	Committee Referral: JDC, WAM	Date: 2/24/22		
<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