

Honolulu, Hawaii

APR 22 2021

RE: S.B. No. 726
H.D. 1
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 726, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO POLICING,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Require officers serving a warrant to declare the officer's office and business and wait thirty seconds before entry into a house, store, or other building, subject to certain circumstances; and
- (2) Require officers serving a warrant issued by a district court to do so in an authorized uniform and wear and use a body-worn video camera.

Your Committee on Conference finds that, although a general knock-and-announce rule exists, if the police believe in advance of



executing a search warrant that the threat of physical violence or the destruction of evidence exists, the police may obtain a "no-knock warrant" to allow the police to enter with force into the building without knocking. These raids have led to injury, death, and substantial collateral damage, and feed into the growing sense of community distrust of police. This measure prohibits no-knock warrants.

Your Committee on Conference has amended this measure by:

- (1) Removing language providing that an officer serving a warrant may enter a house, store, or other building before the thirty-second wait period has expired under exigent circumstances;
- (2) Providing that the thirty-second wait period commences at the moment the announcement of presence is made by the officer; and
- (3) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 726, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 726, H.D. 1, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



MARK M. NAKASHIMA
Chair



KARL RHOADS
Chair



Hawai'i State Legislature

CCR 72

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 726, HD 1	Date/Time: 4/22/21 3:05 pm
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
RHOADS, Karl, Chr.	✓				NAKASHIMA, Mark M., Chr.	✓			
LEE, Chris	✓				TODD, Chris	✓			
FEVELLA, Kurt			✓	✗	WARD, Gene			✓	
TOTAL	2	0	1	0	TOTAL	2	0	1	0

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
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