

STAND. COM. REP. NO.

1617

Honolulu, Hawaii

, 2023

MAR 29

RE: S.B. No. 372
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 372, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO GOVERNMENT SERVICES RELATING TO THE LAW,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require 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) Require the law enforcement officer to report the incident to the other law enforcement officer's supervisor; and
- (3) Require relevant departments to submit annual reports to the Legislature.

Your Committee received testimony in support of this measure from the Honolulu Police Department, American Civil Liberties Union of Hawai'i, Policing Project at NYU School of Law, and seven individuals. Your Committee received testimony in opposition to

2023-2676 SB372 HD1 HSCR HMSO



this measure from the State of Hawaii Organization of Police Officers.

Your Committee finds that this measure will reduce the number of violent and even fatal interactions between police and community members, keep law enforcement officers accountable, and help improve public confidence and trust in law enforcement.

Your Committee has amended this measure by:

- (1) Making it effective upon approval; and
- (2) 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 S.B. No. 372, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 372, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

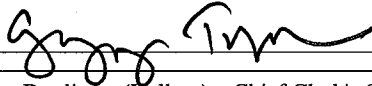
Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: SB 372, SD 1	Committee Referral: JHA	Date: 3/16/2023		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	/			
2. TAKAYAMA, Gregg (VC)	/			
3. GANADEN, Sonny	/			
4. HOLT, Daniel				/
5. HASHIMOTO, Troy N.	/			
6. ICHIYAMA, Linda	/			
7. ILAGAN, Greggor	/			
8. KONG, Sam Satoru	/			
9. MIZUNO, John M.	/			
10. SOUZA, Kanani	/			
TOTAL (10)	9	-	-	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				