

Honolulu, Hawaii

FEB 02, 2024

RE: H.B. No. 1611
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Labor & Government Operations, to which was referred H.B. No. 1611 entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require law enforcement agencies and the law enforcement standards board to consult the National Decertification Index and ensure the reporting of officer misconduct to the Index;
- (2) Require the reporting of certain domestic violence records to the National Decertification Index, notwithstanding any contrary law or court order regarding the sealing of those records; and
- (3) Provide that a law enforcement officer's conviction for promoting a detrimental drug in the third degree or any substantially similar drug-related offense shall not serve as the sole reason to deny certification or employment to that officer.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Hawaii Young Republicans;



and two individuals. Your Committee received testimony in opposition to this measure from the Department of Law Enforcement and Honolulu Police Department. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that law enforcement officers are authorized to use physical force to enforce laws and should be held to the highest standards to ensure that this authority is not abused. Additionally, appropriate disciplinary actions should be taken against law enforcement officers who commit acts of misconduct. This measure ensures that prospective law enforcement officers are properly vetted for any previous officer misconduct prior to hiring and increases accountability for current law enforcement personnel.

Your Committee has amended this measure by:

- (1) Deleting language that would have prohibited a law enforcement officer's conviction for promoting a detrimental drug in the third degree or any substantially similar drug-related offense from serving as the sole reason to deny certification or employment of that officer;
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Judiciary & Hawaiian Affairs, should it deliberate on this measure, to consider an effective date later than July 1, 2024. Your Committee notes that it has requested the Department of Law Enforcement to determine what effective date is feasible for the Department.

As affirmed by the record of votes of the members of your Committee on Labor & Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1611, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1611, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on
behalf of the members of the
Committee on Labor & Government
Operations,



SCOT Z. MATAYOSHI, Chair



Record of Votes of the Committee on Labor & Government Operations

Bill/Resolution No.: <i>HB 1611</i>	Committee Referral: <i>LGO, JHA</i>	Date: <i>1/30/24</i>
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

LGO Members	Ayes	Ayes (WR)	Nays	Excused
1. MATAYOSHI, Scot Z. (C)	✓			
2. GARRETT, Andrew Takuya (VC)	✓			
3. KAPELA, Jeanne	✓			
4. MARTINEZ, Rose	✓			
5. SAYAMA, Jackson D.				✓
6. TAM, Adrian K.	✓			
7. ALCOS III, David	✓			
TOTAL (7)	6	-	-	1

The recommendation is: Adopted Not Adopted
If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: _____

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