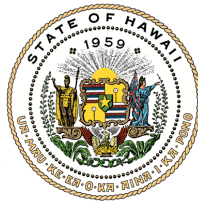


JOSH GREEN, M.D.  
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KE KIA'ĀINA



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Deputy Director  
Administration

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LT GOVERNOR  
KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII  
**DEPARTMENT OF LAW ENFORCEMENT**

*Ka 'Oihana Ho'okō Kānāwai*

715 South King Street  
Honolulu, Hawaii 96813

TESTIMONY ON HOUSE BILL 2458, HOUSE DRAFT 1  
RELATING TO THE DEPARTMENT OF LAW ENFORCEMENT

Before the Senate Committee on  
Public Safety and Intergovernmental and Military Affairs  
Monday, March 11, 2024; 3:00 p.m.  
State Capitol Conference Room 225, Via Videoconference  
Testifier: Jordan Lowe or Michael Vincent

Chair Wakai, Vice Chair Elefante, and members of the Committee:

The Department of Law Enforcement (DLE) **strongly supports**, House Bill 2458, House Draft 1.

This bill clarifies that the Director of Law Enforcement has authority to issue subpoenas as part of the investigative powers of the department.

Act 67, Session Laws of Hawai'i, 2023, established the DLE to consolidate and administer state criminal law enforcement and investigations responsibilities of various state law enforcement agencies. The Director of Law Enforcement currently has subpoena powers for purpose of investigations under the Uniform Controlled Substances Act, (§329-69, HRS), but this bill is necessary to clarify that the Director's subpoena powers extend to other investigations conducted by the DLE.

The subpoena powers addressed by this bill do not eliminate the need for a search warrant in criminal investigations. However, the subpoena powers contemplated by this bill are necessary to competently conduct investigations and are similar to the investigative powers currently given to other officials and agencies in Hawai'i, some of which include: the Attorney General (§§28-2.5(b), 467B-9.3, 480-18 HRS), Crime Victim Compensation Commission (§351-13, HRS), Department of Agriculture (§§159-

8, 486-23, HRS), Director of Commerce and Consumer Affairs (§487-9, HRS), Director of Labor and Industrial Relations (§§371-6, 386-86, 387-10, HRS), Director of Taxation (§231-7(c), HRS), Elections Commission (§11-401, HRS), Insurance Commissioner (§431:11-107), Legislative Auditor (§23-5, HRS), Liquor Commission (§281-21, HRS), Various boards and commissions (§92-16, HRS), and even the President of the Senate and Speaker of the House (§21-8, HRS).

This bill is needed to clarify that the Director of Law Enforcement also has the necessary subpoena powers to conduct investigations.

Thank you for the opportunity to testify in support of this bill.

**HB-2458-HD-1**

Submitted on: 3/11/2024 10:53:12 AM

Testimony for PSM on 3/11/2024 3:00:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael EKM Olderr	Individual	Oppose	Written Testimony Only

Comments:

This seems like an unfair and overreach of powers of the law enforcement department, which can be used to abuse critics and opponents if the director of law enforcement is not a person of moral standing. While I don't know the standing of the person's current director, it would be unwise to assume everyone who has the job will not use the powers for their own benefit. I oppose this bill.

**LATE**

**HB-2458-HD-1**

Submitted on: 3/11/2024 12:54:48 PM

Testimony for PSM on 3/11/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

Only the Court has that Power!!!!