

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



JORDAN LOWE
DIRECTOR

MICHAEL VINCENT
Deputy Director
Administration

JARED K. REDULLA
Deputy Director
Law Enforcement

SYLVIA LUKE
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 SENATE BILL 3147, SENATE DRAFT 1
RELATING TO THE DEPARTMENT OF LAW ENFORCEMENT

Before the Senate Committee on Judiciary

Friday, February 23, 2024; 9:30 a.m.

State Capitol Conference Room 016, Via Videoconference

WRITTEN TESTIMONY ONLY

Chair Rhoads, Vice Chair Gabbard, and members of the Committee:

The Department of Law Enforcement (DLE) **strongly supports**, Senate Bill 3147, Senate 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.

SB-3147-SD-1

Submitted on: 2/17/2024 7:48:32 PM

Testimony for JDC on 2/23/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

Only the Courts should have that athuority!!!!