
A BILL FOR AN ACT

RELATING TO LAW ENFORCEMENT OFFICERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that law enforcement
2 officers are authorized to use physical force to enforce laws
3 and should be held to the highest standards to ensure that this
4 authority is not abused. Appropriate disciplinary actions
5 should be taken against law enforcement officers who commit acts
6 of misconduct. The legislature believes that states must take
7 the initiative to address officer discipline, as federal action
8 on this issue has been lacking.

9 The purpose of this Act is to require:

- 10 (1) Law enforcement agencies and the law enforcement
11 standards board to consult the National
12 Decertification Index and ensure the reporting of
13 officer misconduct to the Index; and
- 14 (2) The reporting of certain domestic violence records to
15 the National Decertification Index, notwithstanding
16 any contrary law or court order regarding the sealing
17 of those records.



1 SECTION 2. Chapter 139, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§139- National Decertification Index; participation;
5 reporting. (a) Before certifying or employing any law
6 enforcement officer, the board and the employing law enforcement
7 agency shall consult the National Decertification Index.

8 (b) The board and an employing law enforcement agency
9 shall ensure that each disciplinary action taken against a law
10 enforcement officer is reported to the National Decertification
11 Index.

12 (c) Records relevant to a law enforcement officer's acts
13 of domestic violence shall be included in any report submitted
14 pursuant to subsection (b), to the extent necessary for the
15 purposes of subsection (b), notwithstanding:

- 16 (1) Any other law to the contrary; or
17 (2) Any order by any state court regarding the sealing of
18 those records."

19 SECTION 3. Section 139-1, Hawaii Revised Statutes, is
20 amended by adding two new definitions to be appropriately
21 inserted and to read as follows:



1 ""Law enforcement agency" means:

2 (1) A county police department;

3 (2) The department of law enforcement; or

4 (3) The department of land and natural resources,
5 department of taxation, or department of the attorney
6 general.

7 "National Decertification Index" means the National
8 Decertification Index, or any successor index, as maintained by
9 the International Association of Directors of Law Enforcement
10 Standards and Training, or any successor entity."

11 SECTION 4. New statutory material is underscored.

12 SECTION 5. This Act shall take effect on July 1, 3000.



Report Title:

Police; Law Enforcement Standards Board; National
Decertification Index; Misconduct

Description:

Requires law enforcement agencies and the Law Enforcement
Standards Board to consult the National Decertification Index
and ensure reporting of officer misconduct to the Index.
Requires reporting of certain domestic violence records to the
National Decertification Index, notwithstanding any contrary law
or court order. Effective 7/1/3000. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is
not legislation or evidence of legislative intent.*

