

1 (1) Who summons or reports to a law enforcement officer,
2 without reason to suspect a violation of the Hawaii
3 Penal Code, any other criminal conduct, or an imminent
4 danger to a person or property, has occurred or is
5 occurring; and

6 (2) Whose summons or report is based in whole or in
7 substantial part because of that person's belief or
8 perception regarding the race, color, religion, age,
9 sex, including gender identity or expression, sexual
10 orientation, marital status, national origin,
11 ancestry, or disability of another person, regardless
12 of whether the belief or perception is correct,
13 shall be liable in a civil action or proceeding.

14 (b) Any person injured by a violation of subsection (a)
15 may bring a civil action in a court of competent jurisdiction in
16 the State for injunctive relief, damages, or other appropriate
17 relief. If, in the action, the court finds that the defendant
18 is violating or has violated this section, it shall enjoin the
19 defendant from a continuance thereof. It shall not be necessary
20 that actual damages to the plaintiff be alleged or proved in
21 order to obtain the injunction.



H.B. NO. 807

Report Title:

Discriminatory Reporting; Protected Class; Law Enforcement Officer; Civil Remedy

Description:

Establishes provisions relating to civil remedies for discriminatory reporting to a law enforcement officer. Provides that a person who summons or reports to a law enforcement officer, without reason to suspect a crime, offense, or imminent danger has occurred or is occurring, because of that person's belief or perception involving a member of a protected class shall be civilly liable.

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