

JAN 20 2023

A BILL FOR AN ACT

RELATING TO COUNTY POLICE DEPARTMENTS.

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

- 1 SECTION 1. Section 52D-3.5, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:
3 "(b) The report shall:
4 (1) Summarize the facts and the nature of the misconduct
5 for each incident;
6 (2) Specify the disciplinary action imposed for each
7 incident;
8 (3) Identify any other incident in the annual report
9 committed by the same police officer;
10 (4) State whether the highest nonjudicial grievance
11 adjustment procedure timely invoked by the police
12 officer or the police officer's representative has
13 concluded:
14 (A) If the highest nonjudicial grievance adjustment
15 procedure has concluded, the report shall state:
16 (i) Whether the incident concerns conduct
17 punishable as a crime, and if so, describe



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1 the county police department's findings of
2 fact and conclusions of law concerning the
3 criminal conduct; and

4 (ii) Whether the county police department
5 notified the respective county prosecuting
6 attorney of the incident; or

7 (B) If the highest nonjudicial grievance adjustment
8 procedure has not concluded, the report shall
9 state the current stage of the nonjudicial
10 grievance adjustment procedure as of the end of
11 the reporting period; and

12 (5) Disclose the identity of the police officer upon the
13 police officer's suspension or discharge~~(-)~~ after the
14 following has occurred:

15 (A) The highest nonjudicial grievance adjustment
16 procedure timely invoked by the police officer or
17 the police officer's representative has
18 concluded;

19 (B) A written decision sustaining the suspension or
20 discharge has been issued after the highest



1 nonjudicial grievance adjustment procedure has
2 concluded; and

3 (C) Ninety calendar days have elapsed following the
4 issuance of the decision."

5 SECTION 2. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: ~~AC. Wilder~~



S.B. NO. 1159

Report Title:

County Police Departments; Reports to the Legislature;
Misconduct Incidents

Description:

Clarifies when the identity of a police officer, who has been suspended or discharged following a misconduct incident, is to be disclosed in a county police department's annual report to the legislature.

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

