

OFFICE OF INFORMATION PRACTICES

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To: House Committee on Judiciary & Hawaiian Affairs

From: Carlotta Amerino, Director

Date: February 26, 2025, 2:00 p.m.
State Capitol, Conference Room 325

Re: Testimony on H.B. No. 277, H.D. 1
Relating to Relating to Vehicular Pursuit

Thank you for the opportunity to submit testimony on House Bill 277, which would establish a vehicular pursuit policy for law enforcement agencies. The Office of Information Practices (OIP) takes no position on the substance of the bill but offers **comments** on how this bill would affect the public's access to records.

Page 10, lines 11-18, heightens the standard for law enforcement agencies to withhold or redact portions of their vehicular pursuit policy. House Bill 277 proposes to allow law enforcement agencies to redact information only if:

- (1) Allowed under the state's open records law, the Uniform Information Practices Act, chapter 92F, Hawaii Revised Statutes (HRS) (the UIPA);
and
- (2) "The redacted material, if made public, would *substantially and materially undermine ongoing investigations or endanger the life or safety of officers or members of the public.*"

(Emphasis added).

The UIPA provides law enforcement agencies with a limited ability to withhold vehicular pursuit policies. Under the frustration exception at section 92F-13(3), HRS, predominately internal policies may be withheld or redacted only when public disclosure would “significantly risk circumvention” of the policy or law and thus frustrate a legitimate government purpose. Applying the current standard, OIP concluded that only a portion of a police department’s motor vehicle pursuit policy could be redacted on the basis that its disclosure would significantly risk circumvention of the law. OIP Op. Ltr. No. 95-13.

If House Bill 277 passes, it will no longer be enough for law enforcement agencies to show that public disclosure would essentially let persons pursued know what needs to happen to make a police officer stop chasing them. Law enforcement agencies will also have to show that public disclosure would substantially and materially undermine an ongoing investigation, or endanger the life or safety of others. The issue of whether vehicle pursuit policies should be subject to a heightened standard of non-disclosure is a policy decision for the Legislature to decide.

House Bill 277 also makes the reports collected under proposed section 139-__ (e) public. Section 139-__ (h) requires law enforcement agencies to de-identify suspects from the report by leaving out “the name, address, social security number, or other unique personal identifying information of the persons pursued.” This policy is consistent with the UIPA because it allows agencies to protect the suspects’ significant privacy interest in their personal information under section 92F-13(1), HRS, while still allowing for better public understanding of vehicular pursuits.

Thank you for considering OIP’s testimony.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

H.B. NO. 277, H.D. 1, RELATING TO VEHICULAR PURSUIT.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

DATE: Wednesday, February 26, 2025 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Mark S. Tom, Deputy Attorney General

Chair Tarnas and Members of the Committee:

The Department of the Attorney General (Department) provides the following comments.

The purpose of this bill is to establish within the Hawaii Revised Statutes (HRS) a statewide vehicular law enforcement pursuit policy.

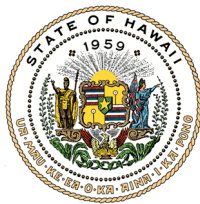
The Department believes this bill may be premature. In 2018 the Legislature passed House Bill No. 2071, which was enacted as Act 220, which statutorily created the Law Enforcement Standards Board (LESB) within chapter 139, HRS. The LESB is an eighteen-member board that is responsible for the certification of county police officers, state public safety officers, and employees of the Departments of Transportation, of Land and Natural Resources, of Taxation, and of the Attorney General with police powers. The powers and duties of the LESB are outlined in section 139-3, HRS, and were subsequently expanded in 2020 through Act 47 with the addition of paragraph (12) requiring the LESB to "[r]eview and recommend statewide policies and procedures relating to law enforcement, including the use of force." The Legislature provided full funding for the LESB's administrator and support staff beginning in Fiscal Year 2023-2024. After a diligent search, the LESB hired Administrator Victor McCraw in June 2024. Administrator McCraw began work for the LESB in October 2024.

Based on the duties already specified for the LESB by the Legislature through section 139-3(12), HRS, the Department recommends that the Committee allow the

LESB and Administrator McCraw to work with stakeholders in creating a more comprehensive statewide vehicular pursuit policy prior to any codification.

Thank you for the opportunity to testify on this matter.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



MIKE LAMBERT
DIRECTOR

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

JARED K. REDULLA
Deputy Director
Law Enforcement

TESTIMONY ON HOUSE BILL 277, HOUSE DRAFT 1
RELATING TO VEHICULAR PURSUIT
Before the House Committee on
JUDICIARY & HAWAIIAN AFFAIRS
Wednesday, February 26, 2025, 2:00 p.m.
State Capitol Conference Room 325 & Videoconference
WRITTEN TESTIMONY ONLY

Chair Tarnas, Vice Chair Poepoe, and members of the Committee:

The Department of Law Enforcement (DLE) opposes House Bill 277, House Draft 1. This bill seeks to establish a comprehensive statewide vehicular pursuit policy for law enforcement agencies, including specific conditions, reporting requirements, and safety protocols for initiating and conducting vehicular pursuits.

The DLE does not believe this legislation is necessary. Chapter 139 already establishes the Law Enforcement Standards Board, which is charged with providing programs and standards for training and certification of law enforcement officers. The Legislature should continue to defer to the work of the Board to set appropriate standards for state and county law enforcement agencies rather than mandating specific policy requirements through statute.

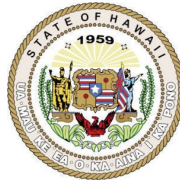
The DLE currently maintains a comprehensive vehicle pursuit policy that complies with standards established by the Commission on Accreditation for Law Enforcement Agencies Inc. and the International Association of Chiefs of Police. While we have not

reviewed all state and county law enforcement agency vehicle pursuit policies, we believe they have similar policies in force that are tailored to their specific jurisdictional needs and circumstances.

We have significant concerns about the implementation timeline and administrative burden this bill would create. The requirement for DLE to adopt rules by January 2026 and for agencies to implement new policies by April 2026 does not allow adequate time for proper development and training. Additionally, the mandatory reporting and public disclosure requirements would necessitate additional staffing and resources not currently provided for in the bill.

Thank you for the opportunity to testify in opposition to this bill.

JOSH GREEN, M.D.
GOVERNOR



STATE OF HAWAII
LAW ENFORCEMENT STANDARDS BOARD
425 QUEEN STREET
HONOLULU, HAWAII 96813

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GARY SUGANUMA
CRAIG TANAKA

VICTOR MCCRAW
ADMINISTRATOR

February 24, 2025

Chair David A. Tarnas
House Committee on Judiciary and Hawaiian Affairs
State Capitol, Room 325
415 S. Beretania Street
Honolulu, Hawaii 96813

Re: H.B. No. 277, H.D. 1, Relating to Vehicular Pursuit.

Chair Tarnas and Members of the Committee:

The Law Enforcement Standards Board (LESB) appreciates the opportunity to submit testimony regarding HB277, which proposes to establish a statewide vehicular pursuit policy for law enforcement agencies in Hawaii. While we recognize the importance of ensuring safe and responsible vehicular pursuits, the LESB believes that HB277 is unnecessary as the Board is already statutorily mandated to review and recommend statewide policies on law enforcement issues, including vehicle pursuits.

The LESB was established in 2018, and in 2020, Act 47 amended HRS §139-3(12) to grant the Board explicit authority to "review and recommend statewide policies and procedures relating to law enforcement, including the use of force." Given this statutory responsibility, the LESB is already tasked with examining issues such as vehicular pursuit policies across all law enforcement agencies in the state.

Rather than adopting a legislative mandate without the benefit of full research and stakeholder input, the LESB respectfully requests the opportunity to conduct a comprehensive, data-driven review of vehicular pursuit policies before any statewide policy changes are codified into law. Each county and state law enforcement agency has existing pursuit policies, and the Board is best positioned to thoroughly assess,

compare, and develop recommendations that reflect best practices and the unique needs of Hawaii's jurisdictions.

For these reasons, the LESB does not support the passage of HB277 at this time. Instead, we will prioritize this issue as part of our ongoing mandate and ensure that any recommended changes to vehicular pursuit policies are made in a way that is consistent, well-researched, and informed by law enforcement professionals and community stakeholders.

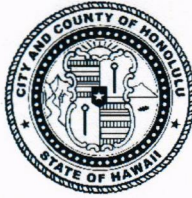
Thank you for the opportunity to provide testimony.

Sincerely,

Hawaii Law Enforcement Standards Board

HONOLULU POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813
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CHIEF
KAHU MĀKA'I

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS
HOPE LUNA NUI MĀKA'I

OUR REFERENCE JS-TK

February 26, 2025

The Honorable David A. Tarnas, Chair
and Members
Committee on Judiciary
and Hawaiian Affairs
House of Representatives
415 South Beretania Street, Room 325
Honolulu, Hawai'i 96813

Dear Chair Tarnas and Members:

SUBJECT: House Bill No. 277, H.D. 1, Relating to Vehicle Pursuit

I am James Slayter, Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD opposes House Bill No. 277, H.D. 1, Relating to Vehicle Pursuit.


The HPD opposes the proposal to establish statewide vehicular pursuit policies. Each county should be able to independently draft a policy based on their specific needs taking into consideration their training curriculum, available equipment, as well as their unique geographical layouts and communities. As it stands, each county has its own police academy with a curriculum based on their county's needs.

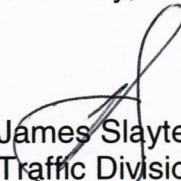
The HPD urges you to oppose House Bill No. 277, H.D. 1, Relating to Vehicle Pursuit, and we appreciate the committee's consideration on these concerns.

Thank you for the opportunity to testify.

APPROVED:

Sincerely,


Arthur J. Logan
Chief of Police


James Slayter, Major
Traffic Division



Committee: Judiciary & Hawaiian Affairs
Hearing Date/Time: Wednesday, February 26, 2025, at 2:00pm
Place: Conference Room 325 & Via Videoconference
Re: **Testimony of ACLU of Hawai'i in SUPPORT of H.B. 277 H.D. 1
Relating to Vehicular Pursuit**

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members:

The American Civil Liberties Union of Hawai'i **SUPPORTS H.B. 277 H.D. 1** which provides a much-needed policy on vehicular pursuit for law enforcement officers, and basic protection against the miscarriage of justice by those entrusted with public safety.

The current lack of standardized pursuit policies across Hawaii's law enforcement agencies creates unnecessary risks and potential for abuse of police discretion. Implementing basic requirements for pursuits to be authorized and for documenting them afterwards are common sense measures to protect citizens against the use of force that officers are entrusted with.

Guidance issued by the Department of Justice and the Police Executive Research Forum found that *"the high-speed chase is not—nor should it be—a routine part of law enforcement work. The safety of fleeing suspects, their passengers, pursuing officers, and uninvolved bystanders are too important to risk on a regular basis."*¹ Across the country, oversight bodies are calling for vehicular pursuit policies that provide standards for how officers engage in pursuits, especially given the tremendous harm these chases pose to officers, suspects, and innocent individuals nearby.² Los Angeles, Phoenix, and Orlando have all reduced police chases without crime escalating.³ Most of the time, police pursuits begin with minor violations rather than violent crimes. Police pursuit fatalities also exacerbate existing racial disparities in the criminal justice system. Black Americans, for example, are disproportionately killed in police pursuits each year and are twice as likely to start over non-violent crimes or minor offenses.⁴

H.B. 277's reporting requirements will create much needed transparency and allow for meaningful public oversight of pursuit practices. The inclusion of clear limitations on firing weapons at moving vehicles will keep the public safer and provide a check against a "shoot first, ask questions later" mindset that harms uninvolved third parties and threatens due process rights of suspected individuals.⁵ **The ACLU of Hawai'i asks that you support H.B. 277 H.D. 1.**

Sincerely,

Nathan Lee, Policy Legislative Fellow
Carrie Ann Shirota, Policy Director

The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization founded in 1965 that provides its services at no cost to the public and does not accept government funds.

¹ <https://portal.cops.usdoj.gov/resourcecenter/content.ashx/cops-r1134-pub.pdf>

² <https://boltsmag.org/after-deadly-car-chases-san-diego-police-oversight-body-wants-to-restrict-pursuits/>

³ <https://dcjusticelab.org/library/policing/car-chases/>

⁴ <https://www.usatoday.com/pages/interactives/blacks-killed-police-chases-higher-rate/>

⁵ <https://www.nytimes.com/2021/11/06/us/police-traffic-stops-shooting.html>

HAWAI'I HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS**HEARING:**

Public Hearing on House Bill 277, Feb. 26, 2025

DATE OF TESTIMONY:

Feb. 25, 2025

**TESTIMONY OF THE POLICING PROJECT AT NYU SCHOOL OF LAW IN SUPPORT OF
H.B. 277**

Dear Chair Tarnas, Vice Chair Poepoe, and Members of the House Committee on Judiciary and Hawaiian Affairs:

One of the best ways to ensure transparent, effective, and ethical policing is for the public to be democratically involved in setting expectations for police practices *before* police act, instead of *after* something has gone wrong.¹ Currently, though, police pursuits are almost always dealt with after the fact, with little guidance offered to law enforcement officers on the front end. But police vehicle pursuits are highly dangerous, posing risks of serious injury or death to members of the public and police officers, rendering front-end regulation necessary. An increasing number of jurisdictions are setting forth clear rules in advance for agencies and officers to ensure officers are only engaging in pursuits when necessary and when the public safety benefits of such pursuits outweigh the immense risks. Hawai'i should join these jurisdictions and pass H.B. 277 to advance public safety and avoid needless fatalities and injuries.

Vehicle Pursuits Are Dangerous and Costly

A growing body of research indicates that most police vehicle pursuits do not promote public safety, and that far too many pose an unreasonable risk of injury or death to officers and members of the public alike. Indeed, [a recent national study](#) reported that

¹ As part of its mission to advance democratic accountability in policing, the Policing Project has aided numerous states across the country in establishing and strengthening their policing statutes and regulations, and [has published a model state statute](#) on vehicle pursuits. In addition, our testimony is informed by the [American Law Institute's Principles of Policing on police-involved pursuits](#).

more than 3,000 people have died in vehicle pursuits in the past five years, including more than 500 bystanders. Among these tragic incidents was a pursuit-related [crash in Honolulu that killed three innocent bystanders](#) who were waiting at crosswalk. And, according to federal government estimates, police pursuits injured more than 52,000 people from 2017 to 2021. While individuals in the vehicle being pursued or other nearby vehicles are most likely to die, a 2019 study found that officer deaths resulting from pursuit-related collisions accounted for more than five percent of all line-of-duty officer deaths each year.² Although there are scenarios in which police should pursue and apprehend people seeking to avoid a lawful traffic stop, pursuits undoubtedly create extreme risk to police, bystanders, and the public at large.

Importantly, the recent study also found that just one out of fifteen people killed during pursuits were chased for violent crimes. Most of the time, the study explained, officers are conducting chases at high speeds to stop drivers suspected of non-violent crimes or low-level driving infractions, like having a broken taillight or playing loud music. Consistent with the recent study's finding, [a 2021 study our organization conducted](#) found no evidence that restrictive pursuit policies produced more criminal activity.

The limited data available on pursuits in Hawai'i is unfortunately consistent with this national data. For example, [a review of pursuits](#) on Oahu found that nearly one-third of pursuits between 2017 and 2019 involved a documented collision and 42% of those collisions caused injury. And Hawai'i police appear to be too often engaging in dangerous chases for low-level offenses: for example, in 2020 on Oahu, only 18% of pursuits started over an alleged felony offense.

To make matters worse, vehicle pursuits are also costly. The recent national study found that, in the past five years, local governments and insurers have paid more than \$80 million in settlements and judgments in lawsuits arising from pursuit-related injuries and death. For example, in Oahu, a 2021 pursuit started because of a noise violation caused a crash, seriously injuring the pursued driver, who endured a six-week coma and suffered traumatic brain injury. This pursuit sparked a settlement in which the City and County of Honolulu [paid the driver \\$12.5 million](#).

² See Michael White, Lisa Dario, & John Shjarback, *Assessing dangerousness in policing: An analysis of officer deaths in the United States, 1970–2016*, 18 CRIMINOLOGY & PUB. POL'Y 11, 18 (2019).

H.B. 277 Would Limit Dangerous and Unnecessary Vehicle Pursuits

There is a better way. In light of the danger posed by vehicle pursuits, [a comprehensive 2023 report on vehicle pursuits by the Department of Justice and Police Executive Research Forum](#) urged police to only pursue vehicles in narrow circumstances. The PERF working group that developed the report's recommendations consisted of the National Highway Traffic Safety Administration's Director of Office of Safety Programs, ten different police chiefs and lieutenants hailing from states as varied as Nevada, South Carolina, and Texas, and an academic expert on vehicle pursuits. The working group determined that the risks of pursuits were only justified when a driver or passenger in the vehicle is reasonably suspected of committing a violent crime, or, in very limited situations, for vehicles driven by reckless or impaired drivers.

Jurisdictions all across the country have taken heed. With [the support of the NYC Police Benevolent Association, NYPD recently adopted](#) a restrictive pursuit policy in which police are prohibited from chasing vehicles unless someone in the vehicle is suspected of having committed a violent crime. A growing number of states and agencies have adopted similarly restrictive pursuit laws and policies, including the state of New Jersey, Washington D.C., the Michigan State Police, and law enforcement agencies in Boise, Boston, Detroit, Miami, and New Orleans.

Following these jurisdictions and agencies' footsteps and recognizing the danger of vehicle pursuits, H.B. 277 would smartly regulate vehicle pursuits, setting forth clear rules that only permit pursuits for particular serious crimes and traffic infractions, where the public safety benefits outweigh the potential harms to officers and members of the public. The bill, too, contains other common-sense measures such as requiring officers engaged in vehicle pursuits to communicate with other officers engaging in the pursuit and receive relevant training before engaging in such pursuits. The bill also laudably requires police departments to collect data on all vehicle pursuits, which would enable departments, lawmakers, and members the public to meaningfully assess the efficacy of this new pursuit policy. H.B. 277 will make permitted pursuits less dangerous.

The bill also follows the lead of many other states and restricts officers from firing a weapon at or from a moving vehicle unless necessary to protect against an imminent threat of serious harm. Firing at a moving vehicle [poses risks of serious injury and death](#) not only to the people in the vehicle targeted but also to other people nearby, including police officers. Accordingly, the bill sensibly only permits firing a weapon when the public safety benefits outweigh the risks.

Some opposing the bill may say that we should defer to the county police departments to set their own pursuit policies. But the bill allows departments to customize on tactics; it just sets a floor — an essential floor given that the only Hawai'i county police department that publishes the core provisions of its pursuit policy does not comply with the best practices set forth by the Department of Justice and Police Executive Research Forum.³ For example, [the Honolulu Police Department permits pursuits](#) for any crime or traffic infraction, no matter how low-level, and tasks officers with conducting a complex balancing test on the fly when deciding whether to pursue. In contrast, the policy set forth in H.B. 277 draws the line in advance, creating clarity for officers in fast-moving situations. [One review](#) found that agencies who leave the pursuit decision up to officer discretion, as Honolulu does, engage in eight times as many pursuits as those with a policy that discourages or prohibits certain pursuits.

The tragic result of overly relaxed pursuit policies is more avoidable injuries and deaths. For instance, before 2018, Milwaukee had a restrictive pursuit policy akin to H.B. 277, but in 2018 it loosened its pursuits policy to give officers more discretion. [Pursuits more than doubled](#), increasing from a little over 400 to more than 1,000 per year, with pursuit-related injuries tripling and deaths increasing as well. Similarly, after the Little Rock Police Department relaxed a restrictive chase policy, pursuit-related crashes ballooned, [going from a low of 6 in 2016 to 32 in 2020](#).⁴

We Recommend Tasking the Attorney General's Office with Data Collection

The bill currently tasks the Department of Law Enforcement with collecting and analyzing the pursuit data gathered by the police departments. Although an understandable selection, we instead recommend tasking the crime prevention and

³ The [Hawai'i Police Department pursuit policy](#) is partially publicly available, but we were unable to review its core components because they are redacted. H.B. 277 commendably would require county police departments to publish their policies with limited redactions.

⁴ Others opposing the bill may assert that the Law Enforcement Standards Board (LESB) should set state pursuit standards instead of this legislature. But the LESB does not have the tools this legislature has to enforce the standards or the authority to impose data collection requirements. And though reducing the danger of pursuit policies like Honolulu's requires urgent action, LESB, established in 2018, has yet to even issue its implementing regulations. Nonetheless, H.B. 277 still makes use of LESB's expertise, by tasking the board with issuing a model pursuit policy consistent with the bill's requirements, and providing additional guidance on pursuit intervention tools and tactics.

justice assistance division of the Attorney General's office (the "Division") with that responsibility. The Division already would be tasked with collecting and publishing the policing data required in H.B. 278, and it makes sense to vest this related policing data collection obligation with the same state agency. It will already be in the practice of collecting data from county departments and liaising with relevant department contacts. And the Division can issue common guidance when there is overlap (for example, the guidance for reporting injuries is likely to be the same for use of force data, set forth in H.B. 278, and vehicle pursuit data). Moreover, if H.B. 278 is enacted, the Division can secure [Section 1906 federal funding](#) to hire additional full-time staff and contract with third-party vendors to ease the cost and burden of any data collection.

Conclusion

H.B. 277 would save lives and prevent serious injuries by bringing much-needed clear regulation to police vehicle pursuits in Hawai'i. The bill also wisely would restrict dangerous police tactics like shooting a weapon at or from a moving vehicle. We urge this Committee to pass this bill.



STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS

Robert Cavaco
State Board President

" A Police Organization for Police Officers Only "
Founded 1971

Term of Office
1-2022 to 12-2025

February 24, 2025

The Honorable David A. Tarnas, Chair
The Honorable Mahina Poepoe, Vice Chair
House Committee on Judiciary & Hawaiian Affairs
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: **HB 277 HD1 – Relating to Vehicular Pursuit**

Dear Chair Tarnas, Vice-Chair Poepoe, and Honorable Committee members:

The State of Hawaii Organization of Police Officers (SHOPO) vehemently opposes HB 277 HD1, a dangerous and misguided attempt to legislate vehicular pursuit policies in a way that severely undermines law enforcement's ability to protect the people of Hawaii. This bill is not just an overreach—it is an outright attack on the very individuals sworn to uphold the law, creating unnecessary bureaucratic obstacles that will embolden criminals, endanger public safety, and erode officers' ability to perform their duties effectively. In addition to SHOPO's previous testimony opposing this bill, SHOPO raises the following additional concerns:

Law Enforcement Officers are Highly Trained Professionals—This Bill Ignores That Reality

Police officers undergo rigorous months of training and accumulate years of experience to make split-second, life-or-death decisions in the field. These decisions are not made lightly, nor are they arbitrary—they are the result of extensive training in assessing threats, mitigating risks, and balancing the safety of the public against the necessity of apprehending dangerous criminals.

Yet, HB 277 HD1 absurdly presumes that politicians and bureaucrats—many of whom have never faced a dangerous suspect in the field—are better suited to dictate how and when officers should engage in vehicular pursuits. This is a fundamental misunderstanding of police work. Criminals do not abide by laws, and any hesitation forced upon officers in the heat of a pursuit can mean the difference between a criminal escaping justice or being apprehended—between saving innocent lives or allowing tragedy to strike.

This Bill Endangers Public Safety and Empowers Criminals

The bill places unrealistic and dangerous restrictions on when an officer can engage in a pursuit, requiring officers to conduct a risk assessment in the moment, consult with a supervising officer, and weigh multiple safety factors—all while a suspect speeds away and evades capture. These impractical mandates handcuff law enforcement and allow criminals to exploit the system, knowing that officers will be hesitant to engage in pursuit for fear of violating bureaucratic red tape.

Further, HB 277 HD1 directly contradicts the goal of making Hawaii safer. Instead of addressing the real threats to our communities—brazen robberies, drug trafficking, violent

to punish officers not for corruption, not for misconduct, not for violating their oath—but simply for making a split-second judgment call in pursuit of justice.

Does This Bill Mean Officers Will be Charged for Doing Their Job?

If an officer misjudges the conditions of a pursuit, is HB 277 HD1 suggesting that law enforcement officers should be arrested and charged? If a pursuit is deemed “unauthorized” under this new law, are officers supposed to fear criminal prosecution for trying to catch a dangerous suspect? This legislation opens the door for politically motivated prosecutions, creating a chilling effect where officers will second-guess their actions—not because they are uncertain of the right course, but because they fear the consequences of enforcing the law.

It is unacceptable to place Hawaii’s officers in a lose-lose situation:

1. Hesitate to pursue a suspect? The criminal escapes and public safety is compromised.
2. Engage in pursuit? Risk being punished or even prosecuted for violating an arbitrary checklist of restrictions.

This is not how law enforcement works, and this is not how we keep Hawaii safe.

This Bill Ignores the Fact that Bad Actors are the Exception, Not the Rule

SHOPO acknowledges that rare instances of misconduct should be addressed. However, penalizing all officers due to a few isolated incidents is irresponsible, unjust, and dangerous. Law enforcement officers risk their lives daily to serve and protect our communities. They do not deserve to be demonized, micromanaged, and legally targeted for making split-second decisions in good faith.

HB 277 HD1 does not enhance public safety—it erodes it by systematically dismantling the authority and discretion of trained professionals. If we continue down this road of attacking our police instead of supporting them, we will find ourselves in a Hawaii that is less safe, more lawless, and governed by fear—fear of criminals and fear of officers being punished for doing their jobs.

Our Opposition is Unwavering—HB 277 HD1 Must be Stopped

SHOPO stands in absolute opposition to this bill, as it represents a reckless attack on law enforcement, the integrity of the profession, and the safety of the people of Hawaii. We urge the Legislature to reject this dangerous and unnecessary proposal and instead work with law enforcement professionals—not against them—to ensure sensible policies that support public safety rather than hinder it.

Hawaii cannot afford to become a state where officers are too afraid to act, too burdened by red tape, and too hesitant to pursue criminals. We must stand firm in support of our police and against this blatant attempt to politicize policing at the expense of public safety.

Respectfully submitted,
ROBERT CAVACO
SHOPO President

RC: ja