Honolulu, Hawaii

ELNOM 28, 2013

RE: H.B. No. 52 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 52 entitled:

"A BILL FOR AN ACT RELATING TO CIVIL RIGHTS,"

begs leave to report as follows:

The purpose of this measure is to increase civil rights protections by making it a civil rights violation for law enforcement agents and agencies to practice biased-based policing.

The Hawaii State Commission on the Status of Women, American Civil Liberties Union of Hawaii, Community Alliance on Prisons, Domestic Violence Action Center, IMUAlliance, Hawaii State Coalition Against Domestic Violence, County of Hawaii Council Member for District 9, and one concerned individual testified in support of this measure. The Hawaii Civil Rights Commission and Department of Public Safety provided comments on this measure.

Your Committee has amended this measure by:

- (1) Removing enforcement of the prohibition on biased-based policing from the jurisdiction of the Hawaii Civil Rights Commission;
- (2) Adding new provisions prohibiting biased-based policing to the statutory chapters that regulate county police departments and the Department of Public Safety;

- (3) Specifying that the Department of the Attorney General shall enforce the prohibition on biased-based policing pursuant to the Department's existing prosecutorial, investigatory, and public education authority; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 52, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 52, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair



State of Hawaii House of Representatives The Twenty-seventh Legislature

Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee Referral:		Date: 4.51 824 1/25/13	
HB 52	gup		1/ 2 5/13	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR) Nays		Excused
1. RHOADS, Karl (C)	γ.	-		
2. HAR, Sharon E. (VC)	1			
3. BELATTI, Della Au				X.
4. BROWER, Tom				X
5. CABANILLA, Rida T.R.				X.
6. CARROLL, Mele				×
7. ITO, Ken	X			
8. KAWAKAMI, Derek S.K.	\X			
9. LEE, Chris	Y.			
10. TSUJI, Clift	X			
11. WOOLEY, Jessica				X
12. MCDERMOTT, Bob		<u> </u>		
13. THIELEN, Cynthia	χ.			
	·			
TOTAL (13)	7			5
The recommendation is: Adopted Not Adopted did not support recommendation. committee (cronym(s))				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				