

JAN 18 2013

A BILL FOR AN ACT

RELATING TO POLICE DEPARTMENT REPORTS TO THE LEGISLATURE.

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

1 SECTION 1. The legislature finds that police reports
2 submitted pursuant to section 52D-3.5, Hawaii Revised Statutes,
3 are received prior to the end of the annual reporting period for
4 which the report covers. There is a period, therefore, usually
5 in December, where a disciplinary case may arise but not be
6 reported.

7 The legislature also finds that submitted police reports
8 provide a summary of the facts of each reported incident of
9 misconduct, as required, but the information is insufficient for
10 purposes of public accountability.

11 The purpose of this Act is to clarify the reporting period
12 for report submissions, provide additional time to submit
13 reports so that reports cover the entire reporting period, and
14 require descriptions of each incident of misconduct reported.

15 SECTION 2. Section 52D-3.5, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "[+]§52D-3.5 **Reports to legislature.**[+]" The chief of each
18 county police department shall submit an annual report to the



1 legislature [~~twenty days prior to the convening of the regular~~
2 ~~session in each year.~~] by no later than January 31 of each year.
3 The reporting period of each report shall be from January 1 to
4 December 31 of the year immediately prior to the year of report
5 submission. The report shall include a [~~summary~~] description of
6 the facts and the nature of the misconduct for each incident
7 which resulted in the suspension or discharge of a police
8 officer, the disciplinary action imposed for each incident, and
9 the number of police officers suspended and discharged during
10 the [~~previous year~~] reporting period under the following
11 categories of the department's Standards of Conduct:

- 12 (1) Malicious use of physical force;
- 13 (2) Mistreatment of prisoners;
- 14 (3) Use of drugs and narcotics; and
- 15 (4) Cowardice.

16 The summary of facts shall not be of such a nature so as to
17 disclose the identity of the individuals involved."

18 SECTION 3. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 4. This Act shall take effect upon its approval.

21
INTRODUCED BY: *Je Chang*



S.B. NO. 839

Report Title:

Police Department Reports to the Legislature

Description:

Amends the annual reporting dates for police department reports submitted to the legislature. Changes reporting period to previous calendar year. Requires descriptions of each incident of misconduct reported.

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

