STAND. COM. REP. NO. 2696

Honolulu, Hawaii

MAR 0 4 2016

RE: S.B. No. 2196 S.D. 2

Honorable Ronald D. Kouchi President of the Senate Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2196, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE LAW ENFORCEMENT OFFICER INDEPENDENT REVIEW BOARD,"

begs leave to report as follows:

The purpose and intent of this measure is to establish a law enforcement officer independent review board within the Department of the Attorney General to review criminal investigations of incidents of officer-involved death or serious bodily injury conducted by law enforcement agencies and make recommendations to the respective county prosecuting attorney.

This measure also appropriates funds to establish the review board.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources and one individual. Your Committee received written comments in opposition to this measure from the Civil Beat Center for the Public Interest and one individual.

Your Committee finds that this measure will promote greater transparency of law enforcement operations and more accountability for law enforcement actions taken by law enforcement officers. The establishment of an independent review board will provide an additional layer of independent review of those law enforcement actions.

SB2196 SD2 SSCR LRB 16-1664.doc

Your Committee also notes that as this measure crosses over to the next body of the Legislature, further work should be done to address the concerns raised in the prior hearing by the Department of the Attorney General and the Department of the Prosecuting Attorney of the County of Maui. Specifically, their concerns related to the scope of the review board's review, the review process, the nature and effect of the review board's recommendation, and confidentiality issues.

Your Committee has amended this measure by changing the effective date to July 1, 2076, to facilitate further discussion on the matter.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2196, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2196, S.D. 2.

Respectfully submitted on behalf of the members of the Committee on Ways and Means,

JILL N. TOKUDA, Chair

The Senate Twenty-Eighth Legislature State of Hawai'i

Record of Votes Committee on Ways and Means WAM

Bill / Resolution No.:*	Committee Referral: Date:				
5B 2196,5DI	PSM/JDL, WAM 2/29/16				
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)		1			· -
DELA CRUZ, Donovan M. (VC)					,
CHUN OAKLAND, Suzanne					
ENGLISH, J. Kalani					
GALUTERIA, Brickwood					
HARIMOTO, Breene					
INOUYE, Lorraine R.					
RIVIERE, Gil					
TANIGUCHI, Brian T.			-		
WAKAI, Glenn					
SLOM, Sam					
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TOTAL	<u></u>	10			1
Recommendation:				<u></u>	<u> </u>
Adopted Not Adopted					
Chair's or Designee's Signature:					
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File with Committee Re	eport Cl e rk	rs <u>office</u> L	rafting Agenc	y Committe	е ніе Сору

*Only one measure per Record of Votes