

STAND. COM. REP. NO.

219

Honolulu, Hawaii

FEB 18 2015

RE: S.B. No. 389  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and  
Military Affairs, to which was referred S.B. No. 389 entitled:

"A BILL FOR AN ACT RELATING TO POLICE COMMISSIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the composition of the county police commissions to require three commissioners on each police commission to include the Executive Director of the State Commission on the Status of Women, or a designated commissioner; Executive Director of the Hawaii Civil Rights Commission, or a designated commissioner; and an individual with prior experience in law enforcement.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, Domestic Violence Action Center, League of Women Voters, Hawaii State Coalition Against Domestic Violence, and thirteen individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee has heard the testimony from the Department of the Attorney General expressing certain constitutional concerns regarding this measure. Your Committee finds that this issue merits further consideration and requests that your Committee on Judiciary and Labor further examine the concerns raised by the Department of the Attorney General.



Your Committee finds that the county police commissions are charged with overseeing conduct of the county police departments or officers. In the wake of a September 2014 high-profile domestic violence incident involving an off-duty Honolulu Police Department sergeant, it is clear that residents in the State should have confidence that the county police departments are being held accountable for the actions of county police officers. The inclusion of commissioners with experience or backgrounds pertaining to women's issues, civil rights, and law enforcement on the county police commissions will greatly benefit the general public. Implementation of this measure will improve transparency, accountability, and efficiency in dealing with police misconduct.

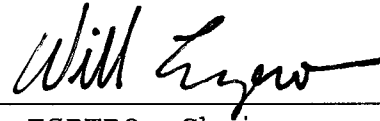
Your Committee has amended this measure by:

- (1) Deleting the requirement that the police commissions include the specified individuals and instead requiring that there are commissioners on each police commission that have experience or backgrounds pertaining to women's issues, civil rights, and law enforcement;
- (2) Amending the purpose section accordingly;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 389, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 389, S.D. 1, and be referred to the Committee on Judiciary and Labor.



Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,  
Intergovernmental and Military  
Affairs,

A handwritten signature in black ink, appearing to read "Will Espero", written over a horizontal line.

WILL ESPERO, Chair



The Senate  
Twenty-Eighth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Public Safety, Intergovernmental and Military Affairs**  
**PSM**

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 389</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">PSM, JDL</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2-10-15</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312         </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311         </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310         </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313         </div> </div>				
<b>Members</b>	<b>Aye</b>	<b>Aye (WR)</b>	<b>Nay</b>	<b>Excused</b>
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood	✓			
KEITH-AGARAN, Gilbert S.C.				✓
SLOM, Sam				✓
<b>TOTAL</b>	3	-	-	2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted         <input type="checkbox"/> Not Adopted         </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-top: 10px;">Rosalyn H Baker</div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

**\*Only one measure per Record of Votes**