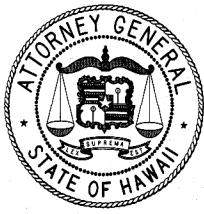




# HB2671 HD2

Measure Title:	RELATING TO CRIMINAL JUSTICE DATA.
Report Title:	Criminal Justice Data; Crime Reporting
Description:	Requires chiefs of police and state and county agencies that have the power of arrest to report crime incident reports and other crime information to the Attorney General. Establishes penalties for state and county agency noncompliance with the requirements. (HB2671 HD2)
Companion:	<a href="#">SB3050</a>
Package:	None
Current Referral:	PSM/JDL, WAM
Introducer(s):	RHOADS, TAKAYAMA



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-EIGHTH LEGISLATURE, 2016**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 2671, H.D. 2, RELATING TO CRIMINAL JUSTICE DATA.

**BEFORE THE:**

SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND  
MILITARY AFFAIRS.

**DATE:** Thursday, March 17, 2016 **TIME:** 1:45 p.m.

**LOCATION:** State Capitol, Room 229

**TESTIFIER(S):** Douglas S. Chin, Attorney General, or  
Lance M. Goto, Deputy Attorney General

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Chair Nishihara and Members of the Committee:

The Department of the Attorney General supports this bill, but does not take a position on the proposed fine penalty provisions.

The purpose of this bill is to require chiefs of police and agencies of state and county government that have the power of arrest to provide crime incident reports to the Attorney General as necessary for the Attorney General to operate a statewide crime reporting program and cooperate with the Federal Bureau of Investigation's Uniform Crime Reporting Program. Counties and state agencies shall be fined for noncompliance by county and state agencies with the reporting requirements prescribed by the Attorney General.

The Department supports the increased reporting requirements that are intended to assist the Department in operating a statewide crime reporting program.

The Department takes no position as to the proposed fine penalty provision, and will need some time to study and address the administrative questions raised by this provision to determine how it would be able to implement this penalty provision. For these reasons, we respectfully request that, if the committee chooses to pass out the bill, it change the effective date to January 1, 2017.

Thank you for the opportunity to testify.

**TESTIMONY OF THE HAWAI`I POLICE DEPARTMENT**

**HOUSE BILL 2671, HD2**

**RELATING TO CRIMINAL JUSTICE DATA**

BEFORE THE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL,  
AND MILITARY AFFAIRS

DATE : Thursday, March 17, 2016

TIME : 1:45 P.M.

PLACE : Conference Room 229  
State Capitol  
415 South Beretania Street

PERSON TESTIFYING:

Police Chief Harry S. Kubojiri  
Hawai`i Police Department  
County of Hawai`i

(Written Testimony Only)

**William P. Kenoi**  
*Mayor*



**Harry S. Kubojiri**  
*Police Chief*

**Paul K. Ferreira**  
*Deputy Police Chief*

## County of Hawai'i

### POLICE DEPARTMENT

349 Kapi'olani Street • Hilo, Hawai'i 96720-3998  
(808) 935-3311 • Fax (808) 961-2389

March 14, 2016

Senator Clarence K. Nishihara  
Chairperson and Committee Members  
Committee On Judiciary  
415 South Beretania Street, Room 229  
Honolulu, Hawai'i 96813

### **Re: House Bill 2671, HD2 Relating To Criminal Justice Data**

Dear Senator Nishihara:

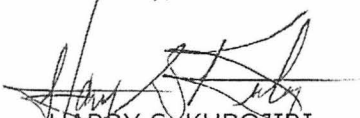
The Hawai'i Police Department supports the intent of House Bill 2671, HD2, Relating to Criminal Justice Data, but not in its current form calling for fines for not meeting certain deadlines. The purpose of this Bill is to require chiefs of police and state and county agencies that have the power of arrest to report crime incident reports and other crime information to the Attorney General. The Bill also establishes penalties for state and county agencies noncompliant with the requirements.

The Hawai'i Police Department is aware of not only the importance of timely reporting of statistical information but also the use of said information in ensuring the appropriate response and contingencies are in place. We are aware there may be circumstances beyond the control of an agency which causes problems with timeline compliance. Our own agency back in 2005, when changing Records Management Systems (RMS), was extremely late in submittals when the expected outcomes of the RMS did not meet the required outcomes. Our late submittals occurred despite our having staff put in untold hours beyond their normal workdays.

We are currently preparing to launch a new RMS and expect to face challenges as that integration takes place. We do not believe a penalty is the appropriate response when an agency utilizing best practices and due care is unable to meet pre-set timelines through no fault of the agency.

For these reasons we seek consideration that no penalties be imposed on an agency that does not intentionally fail to submit the established statistical data. Thank you for allowing the Hawai'i Police Department to provide comments relating to House Bill 2671, HD2.

Sincerely,

  
HARRY S. KUBOJIRI  
POLICE CHIEF

HB 2671

Greetings Committee Chair Nishihara, my name is John Figueroa and I am writing testimony to **SUPPORT** bill HB2671-HD2 (Criminal Justice Data Reporting Program). This bill is a critical step to reforming the state's criminal justice system. This bill will allow the state to finally begin to understand what the true statistical data is when assessing police services and crime. For over two years criminologists, sociologists, legislators, and other interested parties have asked for police statistics for Honolulu. Being a major tourist destination, and being the 20<sup>th</sup> largest police agency in the United States, statistical data that is generated by these policing agencies is critical to assessing public safety and police policy. I cannot stress the importance of this legislation as it pertains to dealing with the greater problem of understanding crime within the state. This legislation is a critical oversight tool that should be passed. I therefore **support** the passage of this legislation.

Greetings Committee Chair Nishihara, my name is Jessica Agonias and I am writing testimony to **SUPPORT** bill HB2671-HD2 (Criminal Justice Data Reporting Program). This bill is a critical step to reforming the state's criminal justice system. This bill will allow the state to finally begin to understand what the true statistical data is when assessing police services and crime. For over two years criminologists, sociologists, legislators, and other interested parties have asked for police statistics for Honolulu. Being a major tourist destination, and being the 20<sup>th</sup> largest police agency in the United States, statistical data that is generated by these policing agencies is critical to assessing public safety and police policy. I cannot stress the importance of this legislation as it pertains to dealing with the greater problem of understanding crime within the state. This legislation is a critical oversight tool that should be passed. I therefore **support** the passage of this legislation.

Greetings Committee Chair Nishihara, my name is Lorentina Te'i and I am writing testimony to **SUPPORT** bill HB2671-HD2 (Criminal Justice Data Reporting Program). This bill is a critical step to reforming the state's criminal justice system. This bill will allow the state to finally begin to understand what the true statistical data is when assessing police services and crime. For over two years criminologists, sociologists, legislators, and other interested parties have asked for police statistics for Honolulu. Being a major tourist destination, and being the 20<sup>th</sup> largest police agency in the United States, statistical data that is generated by these policing agencies is critical to assessing public safety and police policy. I cannot stress the importance of this legislation as it pertains to dealing with the greater problem of understanding crime within the state. This legislation is a critical oversight tool that should be passed. I therefore **support** the passage of this legislation.

Greetings Committee Chair Nishihara, my name is Paulo O.J Paulo and I am writing testimony to **SUPPORT** bill HB2671-HD2 (Criminal Justice Data Reporting Program). This bill is a critical step to reforming the state's criminal justice system. This bill will allow the state to finally begin to understand what the true statistical data is when assessing police services and crime. For over two years criminologists, sociologists, legislators, and other interested parties have asked for police statistics for Honolulu. Being a major tourist destination, and being the 20<sup>th</sup> largest police agency in the United States, statistical data that is generated by these policing agencies is critical to assessing public safety and police policy. I cannot stress the importance of this legislation as it pertains to dealing with the greater problem of understanding crime within the state. This legislation is a critical oversight tool that should be passed. I therefore **support** the passage of this legislation.



Greetings Committee Chair Nishihara, my name is Robert Ford, and I am writing testimony to **SUPPORT** bill HB2671-HD2 (Criminal Justice Data Reporting Program). This bill is a critical step to reforming the state's criminal justice system. This bill will allow the state to finally begin to understand what the true statistical data is when assessing police services and crime. For over two years criminologists, sociologists, legislators, and other interested parties have asked for police statistics for Honolulu. Being a major tourist destination, and being the 20<sup>th</sup> largest police agency in the United States, statistical data that is generated by these policing agencies is critical to assessing public safety and police policy. I cannot stress the importance of this legislation as it pertains to dealing with the greater problem of understanding crime within the state. This legislation is a critical oversight tool that should be passed. I therefore **support** the passage of this legislation.

Greetings Committee Chair Nishihara, my name is Kenneth Clark and I am writing testimony to **SUPPORT** bill HB2671-HD2 (Criminal Justice Data Reporting Program). This bill is a critical step to reforming the state's criminal justice system. This bill will allow the state to finally begin to understand what the true statistical data is when assessing police services and crime. For over two years criminologists, sociologists, legislators, and other interested parties have asked for police statistics for Honolulu. Being a major tourist destination, and being the 20<sup>th</sup> largest police agency in the United States, statistical data that is generated by these policing agencies is critical to assessing public safety and police policy. I cannot stress the importance of this legislation as it pertains to dealing with the greater problem of understanding crime within the state. This legislation is a critical oversight tool that should be passed. I therefore **support** the passage of this legislation.

Before the Senate Committee on  
PUBLIC SAFETY, INTERGOVERNMENTAL  
and  
MILITARY AFFAIRS

Tuesday, March 17, 2016  
1:45PM  
State Capitol, Conference Room 229

In consideration of  
House Bill 2671-HD2  
RELATING TO CRIMINAL JUSTICE DATA

Aloha Chair Nishihara, Vice Chair Espero, and other distinguished committee members.

Thank you for allowing me to testify on behalf of this proposed amendment. My name is Aaron Hunger and I am a doctoral researcher at the University of Hawaii at Manoa, a former police officer in Florida and California, and a criminal justice instructor for a private college in Honolulu. I have been honored to be engaged in doctoral research involving the Honolulu Police Department, and its oversight mechanisms since 2010. Together with my teaching, I have over 24 years of police experience. Currently, I am engaged in research with the University of Hawaii at Manoa that (among other issues) seeks to understand the unique structure of the criminal justice institutions on Oahu. Based on the unique composition of local policing organizations, one of many questions being answered is what effect (if any) does the absence of critical systemic oversight mechanisms (or their dysfunctionality) produce and how often. Based on the work and research that I have been privileged to be a part of, I would **support** House Bill 2671-HD2 (Relating to Criminal Justice Data).

As a researcher, the Uniform Crime Report (UCR) is a critical informational tool that contributes to (among other issues) assessing police services, evaluating police department managerial efficiency, and ascertaining local crime statistics. The Honolulu Police Department's failure to report data compiled by reported crimes has effectively hampered legislative, academic, and lobbyists attempts to assess service delivery performance during the past three years. When policing services cannot be assessed the result is often that policing policies and programs cannot be assessed. This lack of data also means that crime mapping and other soft technology tools used in modern crime reduction cannot be implemented with maximum efficiency.

Additionally, non-UCR-reporting hides managerial inefficiencies that are strongly suspected at Honolulu Police. Federal prosecutor's investigations into the current Honolulu Police Chiefs management and possible abuses of authority are hampered by not being able to assess whether federally funded resources and services are being applied appropriately. If crime fighting resources are being redeployed to investigate crimes outside the department's jurisdiction (thereby effecting crime rates), non-reporting would cover-up this service mismanagement.

Finally, the information collected by the Federal Bureau of Investigation (FBI) to comprise the UCR allows felony crime trends to be available to concerned citizens. This includes new home buyers, insurance companies, private security agencies, and other private interest groups that focus on justice administration. It is unclear how Honolulu Police have repeatedly pointed to reductions in local crime rates, when no statistics and data has been officially submitted for several years. Considering that the Honolulu Police Department is the 20<sup>th</sup> largest U.S. policing agency, and serves a tourist community of over one million citizens, its crime data and statistics are of national importance and interest.

The Honolulu Police Department is a governmental service agency, and thus is not automatically entitled to self-determine what services they will provide the community. Police Departments are government service agents whose responsibility includes providing data to legislators and policy makers. Based on Honolulu police administrators and managers decision's to avoid participation in a national crime reduction and oversight program that has been ongoing since 1893, this corrective response that mandates reporting seems entirely appropriate.

I fully support a mandate to all Law Enforcement agencies to submit UCR data as prescribed in the bill.

Greetings Committee Chair Nishihara, my name is William Moore and I am writing testimony to **SUPPORT** bill HB2671-HD2 (Criminal Justice Data Reporting Program). This bill is a critical step to reforming the state's criminal justice system. This bill will allow the state to finally begin to understand what the true statistical data is when assessing police services and crime. For over two years criminologists, sociologists, legislators, and other interested parties have asked for police statistics for Honolulu. Being a major tourist destination, and being the 20<sup>th</sup> largest police agency in the United States, statistical data that is generated by these policing agencies is critical to assessing public safety and police policy. I cannot stress the importance of this legislation as it pertains to dealing with the greater problem of understanding crime within the state. This legislation is a critical oversight tool that should be passed. I therefore **support** the passage of this legislation.

Greetings Committee Chair Nishihara, my name is \_\_\_\_\_ and I am writing testimony to **SUPPORT** bill HB2671-HD2 (Criminal Justice Data Reporting Program). This bill is a critical step to reforming the state's criminal justice system. This bill will allow the state to finally begin to understand what the true statistical data is when assessing police services and crime. For over two years criminologists, sociologists, legislators, and other interested parties have asked for police statistics for Honolulu. Being a major tourist destination, and being the 20<sup>th</sup> largest police agency in the United States, statistical data that is generated by these policing agencies is critical to assessing public safety and police policy. I cannot stress the importance of this legislation as it pertains to dealing with the greater problem of understanding crime within the state. This legislation is a critical oversight tool that should be passed. I therefore **support** the passage of this legislation.

Greetings Committee Chair Nishihara, my name is Christina R Badua and I am writing testimony to **SUPPORT** bill HB2671-HD2 (Criminal Justice Data Reporting Program). This bill is a critical step to reforming the state's criminal justice system. This bill will allow the state to finally begin to understand what the true statistical data is when assessing police services and crime. For over two years criminologists, sociologists, legislators, and other interested parties have asked for police statistics for Honolulu. Being a major tourist destination, and being the 20<sup>th</sup> largest police agency in the United States, statistical data that is generated by these policing agencies is critical to assessing public safety and police policy. I cannot stress the importance of this legislation as it pertains to dealing with the greater problem of understanding crime within the state. This legislation is a critical oversight tool that should be passed. I therefore **support** the passage of this legislation.

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [PSMTestimony](#)  
**Cc:** [leuluniuotineru@yahoo.com](mailto:leuluniuotineru@yahoo.com)  
**Subject:** Submitted testimony for HB2671 on Mar 17, 2016 13:45PM  
**Date:** Tuesday, March 15, 2016 8:49:17 AM

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**HB2671**

Submitted on: 3/15/2016

Testimony for PSM on Mar 17, 2016 13:45PM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
leuluniu otineru	Individual	Support	No

Comments: Greetings Committee Chair Nishihara, my name is Leuluniu Otineru and I am writing testimony to SUPPORT bill HB2671-HD2 (Criminal Justice Data Reporting Program). This bill is a critical step to reforming the state's criminal justice system. This bill will allow the state to finally begin to understand what the true statistical data is when assessing police services and crime. For over two years criminologists, sociologists, legislators, and other interested parties have asked for police statistics for Honolulu. Being a major tourist destination, and being the 20th largest police agency in the United States, statistical data that is generated by these policing agencies is critical to assessing public safety and police policy. I cannot stress the importance of this legislation as it pertains to dealing with the greater problem of understanding crime within the state. This legislation is a critical oversight tool that should be passed. I therefore support the passage of this legislation.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Greetings Committee Chair Nishihara, my name is Roy Lovell and I am writing testimony to **SUPPORT** bill HB2671-HD2 (Criminal Justice Data Reporting Program). This bill is a critical step to reforming the state's criminal justice system. This bill will allow the state to finally begin to understand what the true statistical data is when assessing police services and crime. For over two years criminologists, sociologists, legislators, and other interested parties have asked for police statistics for Honolulu. Being a major tourist destination, and being the 20<sup>th</sup> largest police agency in the United States, statistical data that is generated by these policing agencies is critical to assessing public safety and police policy. I cannot stress the importance of this legislation as it pertains to dealing with the greater problem of understanding crime within the state. This legislation is a critical oversight tool that should be passed. I therefore **support** the passage of this legislation.

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [PSMTestimony](#)  
**Cc:** [lotulucky@gmail.com](mailto:lotulucky@gmail.com)  
**Subject:** \*Submitted testimony for HB2671 on Mar 17, 2016 13:45PM\*  
**Date:** Tuesday, March 15, 2016 8:52:56 AM

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**HB2671**

Submitted on: 3/15/2016

Testimony for PSM on Mar 17, 2016 13:45PM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
lucky	Individual	Support	No

Comments:

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Greetings Committee Chair Nishihara, my name is Tim Baker and I am writing testimony to **SUPPORT** bill HB2671-HD2 (Criminal Justice Data Reporting Program). This bill is a critical step to reforming the state's criminal justice system. This bill will allow the state to finally begin to understand what the true statistical data is when assessing police services and crime. For over two years criminologists, sociologists, legislators, and other interested parties have asked for police statistics for Honolulu. Being a major tourist destination, and being the 20<sup>th</sup> largest police agency in the United States, statistical data that is generated by these policing agencies is critical to assessing public safety and police policy. I cannot stress the importance of this legislation as it pertains to dealing with the greater problem of understanding crime within the state. This legislation is a critical oversight tool that should be passed. I therefore **support** the passage of this legislation.