

# **SB 1335**

## **RELATING TO LAW ENFORCEMENT**

Defines "custody" to mean a person who is stopped by or under the control of a law enforcement officer for official purposes. Prohibits a law enforcement officer from knowingly subjecting a person to sexual contact when making a traffic stop and requesting any identification, license, or registration.

PSM, JDL

DAVID Y. IGE  
GOVERNOR



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No. \_\_\_\_\_

TESTIMONY ON SENATE BILL 1335  
A BILL RELATING TO LAW ENFORCEMENT  
Nolan P. Espinda, Director  
Department of Public Safety

Senate Committee on Public Safety, Intergovernmental and Military Affairs  
Senator Will Espero, Chair  
Senator Rosalyn H. Baker, Vice Chair

Tuesday, February 10, 2015, 1:15 PM  
State Capitol, Conference Room 229

Chair Espero, Vice Chair Baker and Members of the Committee:

The Department of Public Safety supports Senate Bill (SB) 1335, Relating to Law Enforcement. SB 1335 would broaden the definition of "custody" pertaining to sexual assault in the third degree under Hawaii Revised Statutes §707-732. The proposed amendment expands potential situations in which law enforcement officers would be held accountable for their actions. As this Committee is aware, the Department has been striving to comply with the Prison Rape Elimination Act (PREA) and welcomes any clarity provided to current law.

We thank you in advance for your support of this bill and the opportunity to testify.

**From:** mailinglist@capitol.hawaii.gov [mailto:mailinglist@capitol.hawaii.gov]

**Sent:** Friday, February 06, 2015 10:04 AM

**To:** PSMTestimony

**Cc:** wusstig@gmail.com

**Subject:** \*Submitted testimony for SB1335 on Feb 10, 2015 13:15PM\*

**SB1335**

Submitted on: 2/6/2015

Testimony for PSM on Feb 10, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Kenny Wusstig	Individual	Support	No

**From:** Nancy MI [mailto:relaxamommy@yahoo.com]

**Sent:** Monday, February 09, 2015 2:24 PM

**To:** PSMTestimony

**Subject:** SB 1335

This bill should also include that anyone in law enforcement would be arrested if subjecting or coercing a sex worker (no matter his or her age) into any act of sex in order to prevent arrest/or any law officer would be subject to arrest who engages in any sexual act in order to use the excuse to prove that the person is a sex worker so that an arrest can be made.

Testimony by:

Nancy Manali-Leonardo