STAND. COM. REP. NO. 2178

Honolulu, Hawaii

FEB 0 9 2018

RE: S.B. No. 2058

Honorable Ronald D. Kouchi President of the Senate Twenty-Ninth State Legislature Regular Session of 2018 State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and Military Affairs, to which was referred S.B. No. 2058 entitled:

"A BILL FOR AN ACT RELATING TO PRIVATE DETECTIVES AND GUARDS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require review and approval by the Board of Private Detectives and Guards of any badge, uniform, form of identification, emblem, or other accoutrement to be used by detective agencies, guard agencies, private detectives, or guards; and
- (2) Prohibit detective agencies, guard agencies, private detectives, and guards from self-identifying as law enforcement officers, police, or police officers and from wearing or using any badge, uniform, equipment, vehicle, or other accoutrement capable of being associated with that of a law enforcement officer employed by a government law enforcement organization.

Your Committee received testimony in support of this measure from the Maui Police department and one individual. Your Committee received comments on this measure from the Board of Private Detectives and Guards and Libertarian Party of Hawaii.

Your Committee finds that establishing a clear distinction between private detectives and guards and law enforcement officers is important to maintaining public safety and confidence in law enforcement. Private detectives and guards in Hawaii have broad powers, including the powers to detain and search individuals; however, they are not law enforcement officers. Therefore, members of the public should be able to clearly distinguish between these different groups. Accordingly, this measure prohibits private detectives and guards from the wearing or use of any badge, uniform, form of identification, emblem, equipment, vehicle, or other accoutrement capable of being associated with that of a law enforcement officer employed by a government law enforcement organization. Moreover, to ensure compliance with that prohibition, this measure requires the Board of Private Detectives and Guards to review and approve all badges, uniforms, equipment, vehicles, or other accoutrements that private detectives or guards wish to wear or use.

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. 2058 and recommends that it pass Second Reading and be referred to your Committee on Commerce, Consumer Protection, and Health.

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

Clarence K nichel

The Senate Twenty-Ninth Legislature State of Hawaiʻi

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

Bill / Resolution No.:* 5 B 2 0 5 8	Committee PSM	Referral:		ate: 4	5/18
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
NISHIHARA, Clarence K. (C)					
WAKAI, Glenn (VC)		V/	:		
BAKER, Rosalyn H.		//			
IHARA, Jr., Les		V/			
THIELEN, Laura H.		V			
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TOTAL		γ	9	\emptyset	Ø
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes