STAND. COM. REP. NO. 2576

Honolulu, Hawaii

MAR 0 1 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 Commerce, Consumer Protection, and Health, 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 insignia 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 insignia capable of being associated with that of a law enforcement officer employed by a government law enforcement organization.

Your Committee received testimony in opposition to this measure from the Department of Transportation. Your Committee received comments on this measure from the Board of Private Detectives and Guards.

Your Committee finds that private detectives and guards in Hawaii have broad powers, including the powers to detain and

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search individuals; however, they are not law enforcement officers. Therefore, members of the public should be able to clearly distinguish between these different groups. Your Committee further finds that establishing a clear distinction between private detectives and quards and law enforcement officers is important to maintaining public safety and confidence in law enforcement and reduce potential confusion amongst members of the public. Accordingly, this measure prohibits detective agencies, quard agencies, private detectives, and quards from wearing or using 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 such insignia that its licenses or employees of licenses wish to wear or use.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health 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 Third Reading.

Respectfully submitted on behalf of the members of the Committee on Commerce, Consumer Protection, and Health,

ROSALYN H. BAKER, Chair

The Senate Twenty-Ninth Legislature State of Hawai'i

Record of Votes Committee on Commerce, Consumer Protection, and Health CPH

Bill / Resolution No.:*	Committee Referral:			Date:	
SB 2058	PSM, LPH		F :	2/20/18	
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
BAKER, Rosalyn H. (C)					
TOKUDA, Jill N. (VC)					
CHANG, Stanley		/			
ESPERO, Will		/			
IHARA, Jr., Les		/			
NISHIHARA, Clarence K.		_			
RUDERMAN, Russell E.					
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TOTAL		7			
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