STAND. COM. REP. NO.

Honolulu, Hawaii

APR 0 5 2019

H.B. No. 285 RE:

> H.D. 1 S.D. 2

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 285, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require county police departments to disclose to the Legislature the identity of an officer upon the officer's suspension or discharge; and
- (2) Amend the Uniform Information Practices Act to allow for public access to information about suspended officers.

Your Committee received testimony in support of this measure from the Office of Information Practices, Civil Beat Law Center for the Public Interest, League of Women Voters, Hawaii Chapter of the Society of Professional Journalists, Common Cause Hawaii, American Civil Liberties Union of Hawai'i, Young Progressives Demanding Action, O'ahu County Democrats Legislative Priorities Committee, and two individuals.

Your Committee finds that requiring disclosure of the identities of suspended or discharged county police officers to the Legislature will improve oversight of police departments in

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cases of severe misconduct. Your Committee further finds that providing public access to records of suspended police officers, similar to the information required regarding the suspension of other government employees, will likewise increase transparency in law enforcement. However, your Committee additionally finds that law enforcement agencies require time to adjust their information practices to the new requirements and allowing disclosure and public access to be retroactive may not be practicable.

Accordingly, your Committee has amended this measure by:

- (1) Specifying that county police departments are required to disclose to the Legislature the identity of an officer upon the officer's suspension or discharge beginning with the annual report of 2021;
- (2) Allowing for public access to information about suspended officers for suspensions occurring after March 1, 2020; and
- (3) Changing the effective date to March 1, 2020.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 285, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 285, H.D. 1, S.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair

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## The Senate Thirtieth Legislature State of Hawai'i

## Record of Votes Committee on Judiciary JDC

HB 285 HD/SDI	Committee PSM,		Da 3		19
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
RHOADS, Karl (C)	A.				
WAKAI, Glenn (VC)	J. J. J.	MEZ/	V		
GABBARD, Mike		V			
KIM, Donna Mercado					V
FEVELLA, Kurt				V	
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TOTAL		2		1	
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					

<sup>\*</sup>Only one measure per Record of Votes