

STAND. COM. REP. NO. 1468

Honolulu, Hawaii

MAR 30 2021

RE: S.C.R. No. 149
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.C.R. No. 149 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THAT THE UNITED STATES CONGRESS PASS A LAW THAT CRIMINALIZES ANY ACT BY A CURRENT OR FORMER LAW ENFORCEMENT OFFICER, MILITARY PERSONNEL, OR POLITICIAN THAT IS CONTRARY TO THEIR OATH TO UPHOLD THE CONSTITUTION,"

begs leave to report as follows:

The purpose and intent of this measure is to request that the United States Congress pass a law that criminalizes any act by a current or former law enforcement officer, military personnel, or politician that is contrary to their oath to uphold the Constitution.

Your Committee received testimony in support of this measure from four individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that, upon enlistment or taking office, law enforcement, military personnel, and elected officials take an oath to support and defend the Constitution against all enemies, to support and defend the Constitution of the United States, and to perform the duties of the office they are about to enter. Your Committee further finds that, despite the potential for harm resulting from the actions of persons in positions of power who



abuse those positions, there are currently no specific criminal offenses nor penalties for the violation by a current or former law enforcement officer, military personnel, or politician of their oath to uphold the Constitution.

Your Committee has amended this measure by:

- (1) Providing for certified copies to be sent to the Speaker of the United States House of Representatives and Majority Leader of the United States Senate; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 149, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 149, S.D. 1.

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



KARL RHOADS, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SCR 149	Committee Referral: JDC	Date: 3/23/2021
---	-----------------------------------	---------------------------


The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)			✓	
ACASIO, Laura	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt			✓	
TOTAL	5	0	2	0

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**