



The Senate

Office of Kaiali'i Kahele

July 15, 2020

Statement on HB285 HD1 SD2 CD1 - Relating to Public Safety

On July 6, 2020, [HB285 HD1 SD2 CD1](#) came before the Hawai'i State Senate for a final vote. I voted NO on the measure. While HB285 HD1 SD2 CD1 reflected some changes, in my opinion, it did not go far enough in addressing real comprehensive police reform in Hawai'i.

Although I fully support the intent of this measure, and the many communities that are raising the alarm about police misconduct around the country, my major concern was that this measure was taken up where it left off in the 2019 legislative session, in "conference." By deciding to move forward with this measure, it meant not having a single committee hearing to allow new testimony and meaningful public discussions based on recent events around the country to help shape the necessary reforms this measure could have addressed.

I am also concerned that the proposed measure did not do enough to improve community relations with our local police departments. Throughout the country, people are demanding change. We need to see, hear, and acknowledge what is happening and take bold action to ensure we are creating a system that identifies and responds to questionable officers and fully protects all members of our community. There is no doubt, Hawai'i has many good officers, and it's our duty to help them do their jobs well and rebuild public trust in their important role in ensuring the safety and quality of life of the communities they serve.

On the national level, I strongly support the measure put forward by Senators Cory Booker and Kamala Harris, and their House counterparts Representatives Karen Bass and Jerry Nadler. What the Hawai'i State Legislature needs is a state version of those proposed measures. At a minimum this body should:

- Have a full discussion on the current use of force in our four county police departments.

- Implement a legislative ban on chokeholds and other airway restrictive holds, known here as “vascular neck restraints.” While these neck restraints were “suspended” by the Honolulu Police Department, they need to be banned.
- Create a “Civilian Complaint Authority” that would investigate citizen complaints of police misconduct. Proposed in concept by Ken Lawson, in a recent Honolulu Civil Beat article, [“Here's One Thing We Can Do To Get Better Policing.”](#) Civilian review boards throughout the country have been found to be very successful in building community trust with law enforcement.
- Develop a registry that provides the public access to officers who have been disciplined, suspended and discharged for major infractions of misconduct and/or use-of-force incidents.
- Limit “qualified immunity” for police officers, so legal actions by victims and families can be pursued if an individual’s constitutional rights were violated.

In summary, HB285 HD1 SD2 CD1 did not allow for meaningful public discussions to develop a well thought out comprehensive police reform measure that addressed the recent events throughout our country and Hawai‘i, and for those reasons I could not support the measure as proposed to the Senate.

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