

STAND. COM. REP. NO.

627

Honolulu, Hawaii

FEB 13 , 2025

RE: H.B. No. 278
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 278 entitled:

"A BILL FOR AN ACT RELATING TO POLICING,"

begs leave to report as follows:

The purpose of this measure is to require:

- (1) County police departments and police oversight agencies to collect and report certain data regarding police stops, uses of force, and complaints to the Crime Prevention and Justice Assistance Division of the Department of the Attorney General; and
- (2) The Crime Prevention and Justice Assistance Division of the Department of the Attorney General to collect and publish incident-level information and an annual report on the data collected.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Hawai'i Applesseed Center for Law & Economic Justice; ACLU Hawai'i; Policing Project; Center for Policing Equity; Drug Policy Forum of Hawaii; National Police Accountability Project; and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Police Department; Maui Police Department; State of Hawaii

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Organization of Police Officers; and one individual. Your Committee received comments on this measure from the Department of the Attorney General and Honolulu Police Department.

Your Committee finds that this data will help inform administrative decision-making regarding police practices, augment deliberations by police commissions, support academic analyses of the operation of the State's criminal legal system, and provide the public with a clearer picture of how each department is fulfilling its stated mission and values.

Your Committee has amended this measure by:

- (1) Clarifying the information that must be included in the report on police stops related to electric guns and vehicle stops;
- (2) Requiring that the reports on use of force incidents and complaints use the nearest cross street or block number to avoid revealing specific residential addresses that are associated with the persons involved;
- (3) Prohibiting county police departments and police oversight agencies from disclosing unique personal identifying information about persons stopped, whom use of force was directed against, or who submitted the complaint or are the complainant;
- (4) Deleting language that would have made a county police department's or police oversight agency's eligibility to receive any state law enforcement funding or state-administered federal grant contingent upon the annual certification that the department or agency complied with the police data requirements;
- (5) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the National Highway Traffic Safety Administration administers a grant program under Section 1906 of the Safe, Accountable, Flexible, Efficient Transportation Equity



Act to encourage states to maintain and allow public inspection of statistical information on the race and ethnicity of the driver for all motor vehicle stops made on public roads. The grant program, which was reauthorized through the Infrastructure Investment and Jobs Act in November 2021, may be a possible source of funding for this measure.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 278, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 278, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



