

Honolulu, Hawaii

FEB 05 2025

RE: S.B. No. 112
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Public Safety and Military Affairs, to which was referred S.B. No. 112 entitled:

"A BILL FOR AN ACT RELATING TO POLICE REPORTS,"

begs leave to report as follows:

The purpose and intent of this measure is to allow surviving immediate family members of deceased persons for whom law enforcement initiated an investigation to receive a copy of the closing report prepared by the investigating police department after a specified period of time.

Your Committee received testimony in opposition to this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that families and individuals grieving the loss of loved ones who have died in manners that resulted in police investigations, such as victims of violent crimes, often need closure in the form of accessing information regarding the official efforts made to ensure that justice is served. For many, this information can only be found in the closing report prepared by the investigating police department. This measure establishes procedures for persons requesting these closing reports and rules



for the provision of such reports by the investigating police department.

Your Committee finds that providing access to these closing reports to the immediate family of the deceased may facilitate closure for individuals and increase transparency, but also acknowledges that agencies within the criminal justice system have expressed certain concerns regarding the manner in which the reports are released and the potential effects on ongoing criminal investigations. According to the Department of the Attorney General, it is not uncommon for family members of the deceased to be questioned by police or called as witnesses at trial. The dissemination of police reports to immediate family members while court proceedings or investigations are still pending could result in the closing reports being disclosed to family members involved in the investigation, whose testimony could then be influenced by the contents of these reports. Releasing the police closing reports to immediate family members also creates the risk of broader dissemination to other family members, friends, or even on social media. Once the police reports are made public, they could taint witness testimony, influence jurors, and even result in the perpetrator gaining access to the information, providing them with an opportunity to stall or derail an investigation, destroy evidence, or flee the jurisdiction to escape justice.

Your Committee finds that in order to balance the benefit of providing these reports to family members with reducing the potential risks of distributing sensitive information during an ongoing criminal proceeding, amendments to this measure are necessary.

Accordingly, your Committee has amended this measure by:

- (1) Changing the required timing for the release of a copy of a closing report prepared by the investigating police department from within a specified period of time to upon the conclusion of all criminal proceedings related to the incident;
- (2) Adding language requiring that information pertaining to minors and confidential personal information be redacted from the closing report when it is released; and



- (3) 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 Public Safety and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 112, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 112, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety and
Military Affairs,



BRANDON J.C. ELEFANTE, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety and Military Affairs
PSM

Bill / Resolution No.:* SB 112	Committee Referral: PSM, JDC	Date: 1-24-25		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ELEFANTE, Brandon J.C. (C)	✓			
WAKAI, Glenn (VC)	✓			
FUKUNAGA, Carol	✓			
RHOADS, Karl	✓			
DECORTE, Samantha			✓	
TOTAL	4	0	1	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> 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