

Honolulu, Hawaii

FEB 12 2025

RE: S.B. No. 1149
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. 1149 entitled:

"A BILL FOR AN ACT RELATING TO HATE CRIMES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Define "reported hate crime";
- (2) Require reporting of all possible reported hate crimes to appropriate authorities, including consistent documentation and analysis of such incidents;
- (3) Require law enforcement officers to receive annual training to identify, investigate, and document hate crimes and possible hate crimes; and
- (4) Require the Attorney General to establish or update guidelines, protocols, and training materials for the reporting and investigation of hate crimes and possible hate crimes.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney for the City and County of Honolulu; Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus Commission; Democratic Party of Hawai'i;



Education Caucus of the Democratic Party of Hawai'i; Pride at Work Hawai'i; Stonewall Caucus of the Democratic Party of Hawai'i; Rainbow Family 808; and six individuals.

Your Committee received testimony in opposition to this measure from the Aloha Freedom Coalition, Hawaiian Islands Republican Women, and twenty-six individuals.

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

Your Committee finds that hate crimes not only harm the victim, but also spread fear among everyone belonging to the targeted community. Currently, hate crimes remain vastly underreported and under-documented in the State. This is often due to a lack of clear reporting protocols, insufficient law enforcement training, and the fear of retaliation experienced by victims. Without accurate, standardized data collection, the full scope of hate-motivated violence remains obscured, preventing an effective response and eroding public trust in the justice system. This measure will ensure that victims of hate crimes receive the support and justice they need.

Your Committee notes the following testimony provided by the Department of the Attorney General at the public hearing on this measure:

- (1) The Department of the Attorney General has been working to transition the statistical crime reporting in the State of Hawaii from the Federal Bureau of Investigation's nationwide Uniform Crime Reporting program's traditional Summary Reporting System, which allows the State to collect limited data, to the National Incident-Based Reporting System program, which is a more robust system that includes hate crime data and has the ability to collect and provide circumstances and context for crimes, such as location, time of day, and whether the reported incident was attempted or completed;
- (2) The Department of the Attorney General is developing a user-friendly, public dashboard that should be completed by September 30, 2025, and will provide more



transparency and accessibility to hate crimes data. National Incident-Based Reporting System hate crime reporting is expected to eventually supersede the State's current prosecutor-level reporting program and is evolving to provide the most accurate and accessible hate crime data; and

- (3) National Incident-Based Reporting System training is provided by the Federal Bureau of Investigations several times per year in two-day online courses and is coordinated and documented by state Uniform Crime Reporting program staff. The training is open to all police personnel with key responsibilities for crime reporting, including support staff such as the records and information technology personnel who generate, review, revise, verify, and report National Incident-Based Reporting System data. The Federal Bureau of Investigations also coordinates with the state Uniform Crime Reporting program to audit the police department's crime reporting data and procedures on a tri-annual basis.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2077, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment 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. 1149, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1149, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.



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.:*	Committee Referral:	Date:		
SB 1149	PSM, JDC/WAM	2-3-25		
<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