

Honolulu, Hawaii

FEB 05 2025

RE: S.B. No. 116
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. 116 entitled:

"A BILL FOR AN ACT RELATING TO DISCRIMINATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish provisions relating to civil remedies for discriminatory reporting to a law enforcement officer;
- (2) Provide that any person who contacts a law enforcement officer to contact a person on the basis of the person's actual or perceived race, color, ancestry, ethnicity, national origin, place of birth, sex, age, religion, disability, sexual orientation, or gender identity with the specific intent to infringe upon the person's certain rights shall be civilly liable for resulting damages; and
- (3) Require the Department of Law Enforcement, in consultation with the Hawaii Civil Rights Commission, to provide guidance to the public on the enactment of this measure.



Your Committee received testimony in support of this measure from the Department of Law Enforcement, Stonewall Caucus of the Democratic Party of Hawai'i, and three individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that discrimination in the State's communities sometimes manifests in the form of individuals calling the police on others who the individual perceives as belonging to a protected class and who otherwise have a lawful right to be where they are. When discriminatory reporting to law enforcement happens, the subject of the report is targeted for their identity instead of their behavior. The law enforcement reporting system is intended to provide a way for individuals to bring suspicious or criminal activity to the attention of responding police officers so that they can stop or prevent harm; it is not intended for users to cause harm by targeting members of protected classes simply for existing.

Your Committee further finds that it is necessary to address discriminatory reports to law enforcement in order to both protect vulnerable members of society and to reduce the resulting waste of law enforcement resources. This measure will establish paths to remedies for persons harmed by discriminatory reporting which will both signal to the community that discrimination is wrong and deter misuse of the system.

Your Committee has amended this measure by inserting an effective date of July 1, 2077, to encourage further discussion.

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. 116, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 116, 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



