

Honolulu, Hawaii

FEB 05 2025

RE: S.B. No. 307
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. 307 entitled:

"A BILL FOR AN ACT RELATING TO RECORDINGS OF LAW ENFORCEMENT ACTIVITIES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the right of a person to record law enforcement activities; and
- (2) Establish a private right of action for any violation of the right to record law enforcement activities.

Your Committee received testimony in support of this measure from ACLU Hawai'i, All Hawaii News, Big Island Press Club, League of Women Voters of Hawaii, The Legal Clinic, and three individuals.

Your Committee received comments on this measure from one individual.

Your Committee finds that taking photographs and videos of things plainly visible in public spaces is a constitutional right, including police and other government officials carrying out their duties. However, law enforcement officers have been observed



ordering people to stop recording in public places, and even harassing, detaining, and arresting those who fail to comply. Recording police activity creates an independent record of incidents, free from accusations of bias or faulty memory, and further promotes the mutual interests of law enforcement and the communities they serve by increasing legitimacy and trust in law enforcement activities. This measure will ensure that individuals have the right to record law enforcement activities in public spaces by making this right an express part of state laws and by establishing the ability to seek remedies through civil litigation for violations of this right.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2077, to encourage further discussion; and
- (2) 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. 307, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 307, 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



