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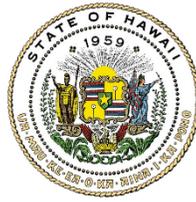
APPELLATE DIVISION
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FAMILY COURT DIVISION
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OFFICE OF THE PUBLIC DEFENDER

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March 4, 2026

HB 1790, HD 2: RELATING TO POLICING:

Chair Todd, Vice-Chair Takenouchi, and Members of the Committee on Finance:

The Office of the Public Defender (OPD) **supports** HB 1790, HD 1 which establishes a comprehensive, standardized framework for collecting and publishing data on law enforcement stops, uses of force, and complaints in Hawai'i.

The OPD represents individuals at the point where law enforcement practices intersect most directly with constitutional rights, liberty interests, and community trust.

In individual cases, disputes often arise about the basis for a stop, the justification for a search, or the necessity of force. Those disputes are typically litigated in isolation, without broader context. Cases are evaluated on single encounters without access to aggregate data that could reveal whether a particular practice is routine, exceptional, or disparate.

This bill addresses that gap. By requiring consistent reporting on the reasons for stops, outcomes, searches, perceived mental health crises, uses of force, and complaints, this bill allows policymakers and the court to better understand how policing functions in practice, not just in theory.

From the OPD's perspective, this information is essential to:

- Evaluating whether stops and arrests are being conducted lawfully and proportionately;

- Identifying potential disparities that may not be visible in individual cases; and
- Informing policy decisions that reduce unnecessary justice system involvement while maintaining public safety.

The OPD is particularly concerned with law enforcement encounters involving individuals experiencing mental health or behavioral crises—situations that frequently lead to arrest or use of force rather than care or diversion. This measure’s requirement that agencies track perceived mental health crises and use-of-force circumstances provides critical data to assess whether current approaches are effective or whether additional resources, training, or alternatives are warranted. These are precisely the types of encounters that place strain on officers, communities, and the justice system alike. Data is a necessary first step toward better outcomes.

The HD2 version of this measure further strengthens the bill by establishing the Hawai‘i Center for Policing and Criminal Justice Research within the University of Hawai‘i’s Social Science Research Institute. The creation of this center helps ensure that the data collected pursuant to this bill will not only be reported, but also analyzed in a rigorous and methodologically sound manner.

By providing technical assistance, developing standardized data practices, and supporting independent research and evaluation, the Center can help ensure that the information collected under this measure meaningfully informs policy decisions and improves transparency. Importantly, the Center’s ability to publish machine-readable datasets and annual reports will allow policymakers, researchers, and the public to better understand trends in policing practices across the State.

The OPD believes that coupling data collection with independent research capacity increases the likelihood that the information generated through this bill will lead to thoughtful reforms, improved training, and evidence-based policy development. The bill also allows Hawai‘i to take advantage of available federal grant funding under Section 1906 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act, supporting data collection without placing the full fiscal burden on the State.

For these reasons, the Office of the Public Defender **supports** HB 1790, HD 2.

Thank you for the opportunity to comment.



TESTIMONY IN SUPPORT OF HOUSE BILL 1790 HD2
RELATING TO POLICING

Ke Kōmike Hale o ka ‘Oihana ‘Imi Kālā
(House Committee on Finance)

Ke Kapitala ‘o Hawai‘i
(Hawai‘i State Capitol)

Malaki 5, 2026

2:00 PM

Lumi 308

Aloha e Chair Todd, Vice Chair Takenouchi, a me Members of Ke Kōmike Hale o ka ‘Oihana ‘Imi Kālā:

The Office of Hawaiian Affairs (OHA) **SUPPORTS HB1790 HD2** which establishes standardized statewide data collection and reporting on law enforcement stops, uses of force, and complaints, and creates the Hawai‘i Center for Policing and Criminal Justice Research within the Social Science Research Institute at the University of Hawai‘i at Mānoa to house and support these efforts.

OHA appreciates that the current version of the bill incorporates key amendments which strengthen Native Hawaiian data visibility and community consultation. Specifically, the measure clarifies race and ethnicity demographic data collection, recognizes Hawaiian identity, prioritizes self-identification where feasible, and requires that publicly available reports present Hawaiian data as a distinct category for all persons identifying as Hawaiian, whether alone or in combination with other racial or ethnic identities. The bill also requires consultation with OHA in the rulemaking process. These changes meaningfully improve the measure and respond to longstanding concerns regarding data aggregation and invisibility.

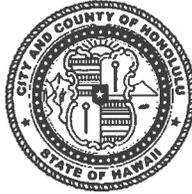
Reliable, disaggregated data is essential to strengthening transparency, accountability, and public trust, especially considering that Native Hawaiians remain disproportionately represented at multiple points within Hawai‘i’s criminal legal system. When demographic data is clear, disaggregated, and publicly accessible, policymakers and communities are better positioned to assess disparities, evaluate reforms, and build trust through accountability. For these reasons, the OHA respectfully urges this Committee to **PASS HB1790 HD2**.

Mahalo nui for the opportunity to provide testimony on this important measure.

HONOLULU POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813
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RICK BLANGIARDI
MAYOR
MEIA



RADE K. VANIC
INTERIM CHIEF
KAHU MĀKA'I KŪIKAWA

AARON TAKASAKI-YOUNG
BRANDON NAKASATO
INTERIM DEPUTY CHIEFS
NĀ HOPE LUNA NUI MĀKA'I KŪIKAWA

OUR REFERENCE **WB-THS**

March 5, 2026

The Honorable Chris Todd, Chair
and Members
Committee on Finance
House of Representatives
415 South Beretania Street, Room 308
Honolulu, Hawaii 96813

Dear Chair Todd and Members:

SUBJECT: House Bill No. 1790, H.D. 2, Relating to Policing

I am William Beckley, Major of the Information Technology Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD opposes House Bill No. 1790, H.D. 2, Relating to Policing.

The HPD supports transparency, accountability, and constitutional policing. However, this is an expansive bill that will reduce data reliability, prolong and complicate lawful encounters, divert limited resources from core public safety work, and create serious privacy and safety risks for the community and for officers.

This bill mandates officers to document unreliable, "perceived" characteristics to include race, gender, age, disability status, mental-health crisis status, and alcohol/drug use categories during brief safety-sensitive encounters. Therefore, the data collected will be based off of perception and yield inconsistent and misleading statistics.

Additionally, this bill will prolong stops and increase intrusiveness, jeopardizing constitutional policing and community cooperation. Stops should be resolved efficiently and lawfully and not expanded into administrative data-collection events. If this bill passes, it will add documentation tasks unrelated to the reason for the stop and expand reporting beyond traffic/pedestrian encounters into call-for-service contacts, sweeping in passengers, bystanders, victims, and witnesses. Lengthening encounters increases tension and discourages cooperation. Critically, adding time to a stop for tasks unrelated to its mission also increases the risk of violating the Fourth Amendment, which requires a stop to not be measurably extended without legal justification.

The Honorable Chris Todd, Chair
and Members
March 5, 2026
Page 2

This would be a major unfunded, operational mandate that would divert resources from public safety. Implementation would require a substantial redesign of citation and records-management workflows, training, supervision, quality control, and ongoing auditing to include additional staffing to meet reporting demands and handle compliance issues. Without full, dedicated appropriations, this bill will pull personnel and funding away from patrol response, investigations, victim services, and community policing and into paperwork and compliance overhead.

Incident-level public release creates serious privacy, safety, and re-identification risks. Even if names are removed, combinations of date/time, approximate location, event details, and other descriptors can enable re-identification, especially in small communities or widely discussed incidents, discouraging victims and witnesses from reporting and cooperating. Publishing officers' names and demographic details connected to incidents may lead to harassment and could further harm recruitment and retention at a time when staffing challenges already exists.

The enforcement scheme incentivizes litigation over technicalities, not better outcomes. Authorizing civil enforcement actions, including private lawsuits with attorney's fees, will predictably shift public resources toward litigation defense and compliance disputes rather than evidence-based improvements in public safety and accountability.

The HPD urges you to oppose House Bill No. 1790, H.D. 2, Relating to Policing.

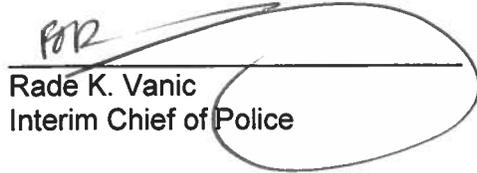
Thank you for the opportunity to testify.

Sincerely,

Handwritten signature of William Beckley in black ink, with the initials "WB" at the end.

William Beckley, Major
Information Technology Division

APPROVED:

Handwritten signature of Radé K. Vanic in black ink, with a large oval scribble over the name.

Radé K. Vanic
Interim Chief of Police



‘ŌNAEHANA KULANUI O HAWAI‘I

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
House Committee on Finance
Thursday, March 5, 2026; 2 p.m.

by
Denise Eby Konan, Dean
College of Social Sciences
and
Vassilis Syrmos, PhD
Interim Provost
University of Hawai'i at Mānoa

HB1790 HD2 – RELATING TO POLICING

Chair Todd, Vice Chair Takenouchi and members of the Committee,

The University of Hawai'i at Mānoa's College of Social Sciences (CSS) support the intent and offers comments on HB1790 HD2. We thank the House Committee on Judiciary and Hawaiian Affairs (committee) for its support, and endorse the recommended amendments to the legislation that include establishment of the Hawai'i Center for Policing and Criminal Justice Research within the Social Science Research Institute in the College of Social Sciences (SSRI)

The CSS/SSRI partnership has historically demonstrated that university-based applied research programs can manage complex, policy-relevant data initiatives and translate them into products used by government and the public.

We agree with the committee that establishing such a center for policing and criminal justice research “will strengthen Hawai'i's ability to implement this Act, leverage available federal and extramural resources, and expand applied criminology and criminal justice training and research opportunities for university students.”

This bill was introduced last year naming the Hawai'i State Office of the Attorney General as the possible repository for crime data but, for various reasons, the legislation did not pass. It would require law enforcement and police oversight agencies to collect and report certain data – including statistics on law enforcement stops, uses of force and public complaints – to the Hawai'i Crime Lab. This legislation would also require the Hawai'i Crime Lab to collect and publish incident-level information, as well as an annual report on the data collected.

The Hawai'i Crime Lab is a faculty project led by Dr. Ashley T. Rubin, an associate professor of Sociology within CSS. Dr. Rubin is a nationally and internationally recognized criminologist in her area of focus. Locating a central reporting function on and about crime within UH has multiple, tangible advantages, including:

- Benefiting from the University of Hawai'i's (UH) historic reputation and mission for unbiased research, learning and public service.

- Expanding applied learning opportunities for students in data analytics, evaluation and policy analysis – skills that are increasingly essential across public-sector and community-serving roles in Hawai'i.
- Increasing applied criminology and criminal justice training and research opportunities for UH students.
- Leveraging available federal and extramural resources.
- Demonstrating UH's willingness and ability to work with county and state agencies in a cooperative, consultative manner.

Accordingly, we encourage passage of HB1790 HD1 along with: (1) stable and sufficient funding for the central reporting entity; (2) clear governance and source-agency responsibility for data quality and privacy protections; and (3) a phased implementation plan aligned with the Attorney General's rulemaking to allow standards, systems and training to be established before full reporting begins. The appropriation in HB 1790, HD1 will support statewide community assets.

Thank you for the opportunity to submit testimony.



POLICE DEPARTMENT

COUNTY OF KAUA'I



DEREK S.K. KAWAKAMI, MAYOR
REIKO MATSUYAMA, MANAGING DIRECTOR

ELLIOTT K. KE, CHIEF OF POLICE
MARK T. OZAKI, DEPUTY CHIEF OF POLICE

March 4, 2026

The Honorable Representative Chris Todd, Chair
And Honorable Members of the Committee on Finance
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

RE: Testimony in Opposition to HB 1790 HD2, Relating to Policing

Chair Todd, Vice Chair Takenouchi, and Members of the Committee:

On behalf of the Kaua'i Police Department, I am submitting testimony in **OPPOSITION** to HB 1790 HD2, which establishes a statewide policing data collection and reporting system requiring law enforcement agencies to collect and report standardized information on stops, uses of force, and complaints to a centralized research center for analysis and public reporting.

We support transparency and evidence-based policymaking; however, we respectfully oppose this measure due to operational, fiscal, and legal concerns—many of which were also raised by the Department of Law Enforcement and the Department of the Attorney General.

HB 1790 HD2 would require standardized statewide reporting on stops, uses of force, and complaints. While well-intentioned, these requirements would create significant administrative burdens for county police departments, including system upgrades, additional officer documentation, supervisory oversight, and ongoing compliance management. Without adequate infrastructure and staffing support, these new requirements would divert limited resources from patrol, investigations, and community policing functions.

Our officers conduct hundreds of vehicle stops each month, and the reporting requirements contemplated in this bill would generate a substantial number of additional reports. For a department already facing significant staffing shortages, the volume of required documentation would create an unsustainable workload and further strain limited personnel resources.

The measure may also require the collection of information beyond the driver, potentially including passengers present during a stop. Doing so could create practical challenges, prolong stops, and raise concerns about the scope of questioning during routine law enforcement encounters. Additionally, requiring officers to record their perceived assessment of an individual's age, race, gender, disability status, cognitive impairment, use of alcohol or drugs, mental health or behavioral crisis, and housing status may result in incomplete or inaccurate data. Such perception-based reporting may ultimately be interpreted as precise or verified information when evaluated by researchers, which could lead to misleading conclusions about law enforcement interactions.

In addition, the bill could require departments to manually extract and compile data from existing records systems in order to meet the reporting requirements. For departments with limited technological integration or analytical staff, manually reviewing and compiling large volumes of data would not be feasible and would significantly divert personnel from operational duties. Although funding is appropriated in the bill to establish and operate the Hawai'i Center for Policing and Criminal Justice Research, the bill does not clearly provide direct and sustained funding to county agencies for implementation costs. As drafted, the measure may function as an unfunded mandate on local agencies.

Further, as highlighted by the Department of the Attorney General, the bill would benefit from clearer statutory definitions and consistent terminology to avoid ambiguity, inconsistent application across counties, and potential legal exposure. County police departments already comply with extensive state and federal reporting requirements. The bill does not clearly address how the proposed reporting structure will align with existing systems or avoid duplicative reporting and inconsistent datasets.

There are also policy concerns regarding whether law enforcement agencies themselves should be responsible for collecting detailed research data intended for academic or policy analysis. Requiring officers to collect data for research purposes may create perceived conflicts of interest or concerns about objectivity in the data collection process.

If the Legislature wishes to pursue additional research in this area, a more practical approach may be to develop voluntary participation methods, such as providing informational cards or links that members of the public may choose to use to participate in surveys or research conducted by independent entities. This would allow research to occur without placing additional reporting burdens on officers during enforcement activities.

We remain committed to transparency and collaboration; however, the operational impacts, funding mechanisms, and statutory clarity issues are significant concerns that may ultimately undermine the intent of this bill.

For these reasons, I respectfully **oppose** and urge you to defer HB1790 HD2. Thank you for the opportunity to provide testimony.

Respectfully submitted,



Elliott K. Ke
Chief of Police
Kaua'i Police Department



JOHN PELLETIER
CHIEF OF POLICE

POLICE DEPARTMENT

COUNTY OF MAUI

55 MAHALANI STREET
WAILUKU, MAUI, HAWAII 96793
TELEPHONE: (808) 244-6400
FAX: (808) 244-6411



WADE M. MAEDA
DEPUTY CHIEF OF POLICE

March 4, 2026

Representative Chris Todd, Chair
Representative Jenna Takenouchi, Vice Chair
and Members
Finance Committee
The Thirty-Third Legislature
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

SUBJECT: Testimony in opposition of H.B. 1790 HD2, Relating to Policing.

Dear Chair Todd, Vice-Chair Takenouchi, and Committee Members:

I respectfully submit this testimony in strong opposition to HB 1790 HD2.

While we support transparency and accountability, this measure imposes problematic data collection requirements that will significantly impact frontline officers and public safety.

HB 1790 HD2 requires officers to record numerous "perceived" characteristics during stops, including age, race, gender, and disability status. These requirements are subjective observations made during fast-moving and often high-risk encounters, especially during traffic stops.

Documenting perception rather than verified information creates unreliable data that may later be treated as factual, compromising future policymaking. Asking police officers to assess a perceived disability status of an individual they may be contacting for the first time is particularly concerning. Police officers are not medical professionals and such determinations cannot be accurately made through a brief encounter.

The requirement of collecting of personally identifiable demographic information for officers involved in a stop, creates extreme privacy and safety concerns for those officers, opening them up to potential harassment or retaliation as well as their families.

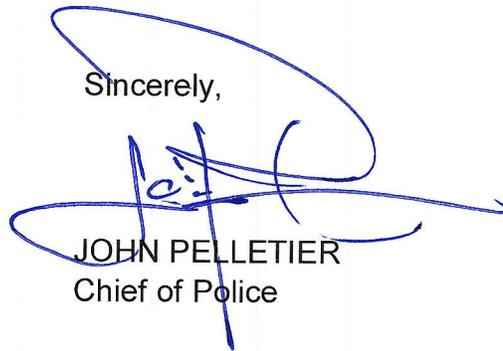
Additionally, HB 1790 HD2 creates a substantial administrative burden, where officers would be required to document up to 18 data elements for every stop, reducing officers' availability to respond promptly to 911 calls, priority cases, and proactive patrol, inevitably affecting overall public safety.

Page 2

Lastly, implementation of HB 1790 HD2 will require extensive training, oversight, and technological upgrades. Smaller and rural districts may struggle to comply consistently, leading to unreliable comparisons between officers or districts without proper context.

Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Pelletier", is written over the typed name. The signature is stylized with a large loop at the top and a horizontal stroke across the middle.

JOHN PELLETIER
Chief of Police



Committee: House Committee on Finance
Hearing Date/Time: Thursday, March 5, 2026, at 2pm
Place: Conference Room 325 & Via Videoconference
Re: **Testimony of the ACLU of Hawai'i in SUPPORT of HB1790 HD2 Relating to Policing**

Dear Chair Todd, Vice Chair Takenouchi, and Committee Members:

The ACLU of Hawai'i (ACLU-HI) is in **support of HB1790 HD2**, which requires law enforcement agencies and police oversight agencies to collect and report certain data regarding law enforcement stops, uses of force, and complaints to the Hawai'i Crime Lab affiliated with the University of Hawai'i. The bill also requires the Hawai'i Crime Lab to collect and publish incident-level information and an annual report on the data collected and requires the Department of the Attorney General to adopt rules in coordination with the Hawai'i Crime Lab.

Accountability and trust require transparency. The public allocates significant responsibility and resources to law enforcement and has a right to know how they are being served. The first step to ensuring that law enforcement officers are complying with their responsibilities is by understanding how they function. The proposed measure provides data that will be critical for police, prosecutors, policymakers, and the public. It will empower law enforcement teams to better evaluate their practices and can reveal to lawmakers and the public where improvement is needed. More information is an opportunity for improvement and for more insightful analysis.

Increased Transparency Builds Trust and Legitimacy

Recent federal guidance has supported the idea that data transparency for policing is a public right, and that “decades of research and practice support the premise that people are more likely to obey the law when they believe that those who are enforcing it have authority that is perceived as legitimate by those subject to the authority.”¹ Keeping the public in the dark on police practices and patterns of behavior will not foster the sense of legitimacy necessary for the public. A 2022 Executive Order elaborates on this: “Public safety therefore depends on public trust, and public trust in turn requires that our criminal justice system as a whole embodies fair and equal treatment, transparency, and accountability... Building trust between law enforcement

¹ 2014 Executive Order: Task Force on 21st Century Policing (Obama)

agencies and the communities they are sworn to protect and serve also requires accountability for misconduct and transparency through data collection and public reporting.”²

Hawai‘i Lacks Consistent and Interpretable Data

Creating standards for how data are gathered, reported, and interpreted is critical to translate county level information into actionable insights for Hawai‘i more broadly. By standardizing data reporting practices, there is an opportunity for gathering more consistent information about race and ethnicity across counties. HB1790 itself will ensure that important information about race, ethnicity, use of force, and department practice are collected.

Data Transparency Enables Reform

The myriad problems that Hawai‘i’s criminal justice system faces flow downstream from initial interactions between police and civilians. This bill establishes baseline requirements for information so that the public and their entrusted officials can evaluate law enforcement practices. By better understanding the starting points of justice involvement, we can better understand and prevent downstream problems. HB1790 HD2 is important because the information that currently exists is concerning:

- Native Hawaiians make up 20% of the general population but 40% of the population are in prison.³ This is a troubling overrepresentation, and it is important to understand where these racial disparities first arise.
- The Honolulu Police Department’s (“HPD”) own reports demonstrate that racial disparities in enforcement, and particularly in use of force, are a persistent problem. In 2019, Native Hawaiians and Pacific Islanders made up only 25.1% of Honolulu’s residents. A report by HPD found that between 2015-2019, 34.5% of uses of force were against and 38.1% of custodial arrests were of Native Hawaiians and Pacific Islanders.⁴

² 2022 Executive Order on Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety (Biden)

³ West, C. (2023). *Native Hawaiians Are Overrepresented In Prisons. Cultural Education Could Help*. Honolulu Civil Beat. <https://www.civilbeat.org/2023/05/native-hawaiians-are-overrepresented-in-prisons-cultural-education-could-help/>

⁴ Jedra, C. & Hofschneider, A. (2021). *‘Significant’ Disparity In Use of Force Questioned By Honolulu Police Commission*. Honolulu Civil Beat. <https://www.civilbeat.org/2021/02/significant-disparity-in-use-of-force-against-some-groups-questioned-by-honolulu-police-commission/>

- A national evaluation of 13,147 police departments found that Hawaii police departments were above average when it comes to racial disparities in deadly force (60%) and racial disparities in drug arrests (72%).⁵

ACLU-HI strongly supports the passage of HB1790 HD2. Transparency into law enforcement is important for building public confidence in our legal system, and to provide a much-needed look into police practice. Without understanding how people get involved in the criminal legal system, it will be difficult to find solutions to help them and their communities. Existing data suggest that something is seriously wrong in the status quo, to the detriment of some of our most vulnerable groups. Data transparency is a necessary measure to shine light into law enforcement and to make improvements. This is a matter of legitimacy, fairness, community safety, and smart reform.

Sincerely,

Josh Frost

Josh Frost

Policy Assistant

ACLU of Hawai'i

jfrost@acluhawaii.org

With more than 4,000 Hawaii-based members, the mission of the American Civil Liberties Union of Hawai'i is to protect the fundamental freedoms enshrined in the United States and Hawai'i State Constitutions through legislative, litigation, and public education work. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving our communities in Hawai'i for over 60 years.

⁵ <https://policescorecard.org/hi>

2026 Hawaii
Leadership Board

Travis Kikuchi, *Chair*
Senior Vice President
Central Pacific Bank

Lori McCarney, *Immediate*
Past Chair Community
Advocate

Tricia Medeiros, *Past Chair*
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The Plaza Assisted Living

Gina Fujikami, *MD*
The Queen's Medical
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Kai Ohashi,
Financial Advisor Edward
Jones

Michael Robinson,
Vice President Hawaii Pacific
Health

Kimberly Soares, *Vice*
President Atlas Insurance

Gino Soquena,
Executive Director
Hawaii Building and
Construction Trade Council

Gordon Takaki, *Past*
President Hawaii Island
Chamber of Commerce

Cary Tanaka,
Past President
Island Insurance
Companies

Caroline Witherspoon,
President Becker
Communications

LJ R. Duenas,
Executive Director
Alzheimer's Association

Testimony to the House Committee on Finance
Thursday, March, 2:00 PM
Hawaii State Capitol, Conference Room 308, and Videoconference

RE: House Bill No. 1790 HD2 – RELATING TO POLICING

Chair Todd, Vice Chair Takenouchi, and Members of the Committee:

My name is Coby Chock, and I am testifying on behalf of the Alzheimer's Association Hawaii Chapter with comments on HB1790 HD2, supporting the intent of the bill as it relates to the safety of those living with dementia.

More than 31,200 Hawai'i residents are currently living with Alzheimer's disease, a number that will continue to grow as our population ages. Alzheimer's disease and other dementias significantly impact behavior, communication, orientation, and judgment.

Critically, approximately 60 percent of people living with Alzheimer's or related dementias will wander at some point. When this occurs, interactions with law enforcement are common—often during moments of vulnerability, confusion, or distress. These encounters may be logged as law enforcement stops, mental health or behavioral crises, or missing person responses, but currently there is no consistent way to identify or analyze when dementia plays a role.

Without this data, Hawai'i cannot:

- Accurately understand how frequently law enforcement interacts with individuals living with cognitive impairment or dementia
- Identify where these encounters are occurring across the state
- Evaluate outcomes, risks, or patterns that may inform prevention or safety strategies

Please support those living with dementia by passing HB1790 HD2, which would collect data on law enforcement encounters with those living with dementia, so we can identify the best ways to keep them safe in our community.

Mahalo for the opportunity to testify. If you have questions, please contact me at 808-451-3410 or ckchock@alz.org



Coby Chock
Director of Public Policy and Advocacy
Alzheimer's Association - Hawaii



Testimony for Hawai'i Appleseed Center for Law and Economic Justice
Support for HB1790 - Relating to Policing
House Committee on Finance (FIN)
Thursday, March 5, 2026 at 2:00PM

Dear Chair Todd, Vice Chair Takenouchi, and members of the FIN committee, Mahalo for the opportunity to express **STRONG SUPPORT for HB1790**, which would require law enforcement agencies and police oversight agencies to collect and report certain data regarding law enforcement stops, uses of force, and complaints to the Hawai'i Crime Lab.

This testimony is being submitted on behalf of the Hawai'i Appleseed Center for Law and Economic Justice. Our organization works to build a Hawai'i where everyone has genuine opportunities to achieve economic security and fulfill their potential. Affordable, accessible, and safe transportation is crucial for fostering economic equality as it enables individuals of all backgrounds to access employment opportunities, education, and essential services.

As part of our work, we seek to minimize the negative social and economic impacts of traffic enforcement. To accomplish such, we must understand which populations in Hawai'i are most impacted by traffic policing. This is currently not possible as local police agencies are not required to collect or report the racial/ethnicity data or the individuals they stop or cite.

Creating standards for how data are gathered, reported, and interpreted is critical to translate county level information into actionable insights for Hawai'i. HB1790 will ensure that important information about race, ethnicity, use of force, and department practices are collected for all stops. By standardizing data reporting practices, there is an opportunity for gathering more consistent information about race and ethnicity across counties.

Furthermore, HB1790 is important because the existing information on policing and incarceration highlights racial and ethnic disparities within our criminal-legal system:

- Native Hawaiians make up 20% of the general population but 40% of the population in prison.¹
- The Honolulu Police Department's ("HPD") own reports demonstrate that racial disparities in enforcement, and particularly in use of force, are a persistent problem. In 2019, Native Hawaiians and Pacific Islanders made up only 25.1% of Honolulu's residents. A report by HPD

¹ West, Charlotte, "Native Hawaiians Are Overrepresented In Prisons. Cultural Education Could Help," Honolulu Civil Beat, May 2023.

<https://www.civilbeat.org/2023/05/native-hawaiians-are-overrepresented-in-prisons-cultural-education-could-help/>

found that between 2015-2019, 34.5% of uses of force were against and 38.1% of custodial arrests were of Native Hawaiians and Pacific Islanders.²

- A national evaluation of 13,147 police departments provided scores to states ranging from 0-100%, comparing states with population. States with higher scores spend less on policing, use less force, are more likely to hold officers accountable and make fewer arrests for low-level offenses. The evaluation found that Hawai'i police departments scored "below" average when it comes racial disparities in deadly force (23%) and deadly force per arrest (11%).³

Transparency in law enforcement is important for building public confidence in our criminal legal system. Without understanding how people become involved in the criminal justice system, it is difficult to identify solutions to support them and their communities. Existing data suggests that certain communities are bearing the brunt of policing impacts. Data transparency is a necessary measure to shine light into law enforcement and to make improvements. This is a matter of legitimacy, fairness, public safety, and smart reform.

Mahalo for the opportunity to testify on this important measure.

² C.Jedra and A. Hofschneider, "Significant Disparity In Use Of Force Questioned By Honolulu Police Commission," Honolulu Civil Beat, February 2021. <https://www.civilbeat.org/2021/02/significant-disparity-in-use-of-force-against-some-groups-questioned-by-honolulu-police-commission/>

³ National Police Scorecard, "Police Scorecard: Hawai'i," accessed January 2026. <https://policesscorecard.org/hi>.



www.AlohaILHawaii.org

Mar 3, 2026

MISSION

Aloha Independent Living Hawaii (AILH) dedicated to providing independent living programs and services for persons with disabilities in Hawaii.

We work together with the community and consumers to improve the quality of life through individual choices and access to services.

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The Honorable Chris Todd, Chair
House Committee on Finance
The Thirty-Third Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

SUBJECT: HB1790 HD2, Relating to Policing.

Chair and Members of the Committee:

Aloha Independent Living Hawaii (AILH) **supports HB1790 HD2**, which establishes standardized statewide data collection and reporting requirements for law enforcement stops, uses of force, and complaints.

AILH works with individuals with physical, sensory, intellectual, developmental, and psychiatric disabilities across Hawaii. We appreciate that HB1790 HD2 includes incident-level reporting on perceived disability status, mental health or behavioral crisis indicators, and cognitive impairment in both stop and use-of-force reporting (pages 10, 13). Standardized data collection in these areas is essential for evidence-based policy evaluation and long-term fiscal planning.

Individuals with nonapparent and psychiatric disabilities are disproportionately represented in crisis-related law enforcement interactions. Without reliable statewide data, it is difficult to assess trends, evaluate training effectiveness, or determine whether alternative response models could reduce high-cost emergency escalations.

AILH respectfully offers the following recommendations to strengthen implementation:

1. Establish Clear and Uniform Disability Reporting Definitions

Because the bill requires reporting of “perceived disability status”, AILH recommends that rulemaking include standardized definitions and training guidance to promote consistent and unbiased reporting practices. Clear standards



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will improve data reliability, reduce misclassification, and support defensible public reporting.

2. Include Disability-Specific Trend Analysis in Annual Reports

HB1790 HD2 requires annual public reporting (pages 16-17). AILH recommends that the annual report include analysis of:

- Stops involving individuals appearing to be in behavioral or mental health crisis;
- Comparative use-of-force rates where disability indicators are present;
- Geographic patterns to inform resource allocation and training needs.

Such analysis will support data-driven decisions regarding crisis response models, de-escalation training, and community-based alternatives.

3. Integrate Findings Into Crisis Response Planning

Data collected under this measure can inform evaluation of non-law enforcement crisis response options and cross-system coordination. Using incident-level data to assess patterns of crisis-related force may support more cost-effective and safer response strategies over time.

4. Reinforce Privacy Protections for Disability Data

AILH supports the bill's protections against public release of personally identifying information (page 17). We recommend that disability-related indicators be published only in aggregate form to ensure privacy and reduce risk of stigmatization.

HB1790 HD2 strengthens Hawaii's ability to make informed, transparent, and fiscally responsible decisions regarding public safety and crisis response. Embedding disability-relevant data into statewide reporting infrastructure will improve evaluation capacity while supporting both community safety and accountability.

Thank you for the opportunity to provide testimony.

Aloha,



www.AlohaILHawaii.org

Roxanne U. Bolden

Roxanne Bolden
Executive Director

MISSION

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HAWAI‘I HOUSE COMMITTEE ON FINANCE

HEARING:

Public Hearing on House Bill 1790 HD2, March 5, 2026

DATE OF TESTIMONY:

March 4, 2026

TESTIMONY OF THE POLICING PROJECT AT NYU SCHOOL OF LAW IN SUPPORT OF H.B. 1790 HD2

Dear Chair Todd, Vice Chair Takenouchi, and members of the House Committee on Finance:

The Policing Project is an organization dedicated to ensuring transparent, effective, and ethical policing. Pursuant to that mission, the Policing Project has worked with states and cities across the country to strengthen their policing data collection laws.¹ The Policing Project submits this testimony in support of H.B. 1790 HD2, which would bring Hawai‘i in line with best practices when it comes to policing data collection and reporting.

Data is essential for identifying the policies that actually advance public safety. But, at present, Hawai‘i does not require its law enforcement agencies to collect (or publish) some of the most fundamental policing data that many other states have been collecting for years. In Hawai‘i, we simply do not know how many people are stopped, injured, or killed each year by police. Nor do we know how many complaints each agency receives per year or the results of any subsequent investigation. In short, there is a massive data vacuum that prevents lawmakers and the public from knowing whether police are effectively promoting public safety with minimal harm to communities.

H.B. 1790 HD2 seeks to fill this data gap. The bill requires the collection of stop, use of force, and complaint data from each of the state’s law enforcement agencies. This bill is also the strongest

¹ As part of its mission to advance democratic accountability in policing, the Policing Project has created a number of model policies, all of which are informed by best practices in existing legislation and vetted by an advisory committee consisting of law enforcement officials, academics, police reform experts, and impacted community members. [Our comprehensive model statute on police data collection and transparency](#) was vetted through this process and it helps form the basis of our testimony.

policy to address Hawai‘i’s data deficiency yet: H.B. 1790 HD2 addresses concerns raised by law enforcement about a similar bill² in the 2025 legislative session.

Data On Officer Encounters, Uses of Force, and Civilian Complaints is Crucial and Can Be Transformative

Traffic stops are one of the most common ways the public interacts with police. Indeed, the Honolulu Police Department alone issues [approximately 400,000 traffic citations annually](#). Yet Hawai‘i has done little to collect information related to these stops. Twenty-three states, including Alabama, California, Montana, Oregon, Texas, and Washington, have laws requiring the collection and publication of traffic stop data (and, in many states, pedestrian stop data)—but Hawai‘i is not among them.

Stop data collection can lead to important improvements in policing outcomes. In Connecticut, for example, which has been collecting traffic stop data since 1999, authorities have used stop data to identify and address policing issues, contributing to [racial disparities falling year over year](#). The data collection efforts have also provided valuable information to police leaders and policymakers in assessing what works. [A 2017 Policing Project study](#) of traffic stop data in Nashville, for example, found that the department’s heavy reliance on stops for minor traffic infractions was not an effective strategy for reducing crime. The robust stop data collected by Nashville and other law enforcement agencies across the country has enabled law enforcement leaders to see which stops are effective—by, for example, turning up evidence of crime or leading to arrests—and which aren’t. This in turn permits leaders to better use officer time by prioritizing the sorts of stops that are likely to further public safety.

In addition, collecting comprehensive data on use of force will enable lawmakers and the public to determine how frequently officers are using force against members of the public, the degree of force used, and whether the force is used disproportionately against particular demographic groups. This information will allow the legislature to focus its efforts on addressing uses of force that are empirically problematic in Hawai‘i, rather than following national trends and regulating tactics that may not be used frequently here.

Indeed, the Honolulu Police Department has already recognized the wisdom of collecting use of force data, [publishing such data annually](#) in tandem with the Public First Law Center from 2021 to 2023. This data revealed that in 2022 33% of all use of force incidents were against Native Hawaiians and 9% were against Black residents even though Native Hawaiians and Black residents only make up approximately 22% and under 4% of the population, respectively. The data required to be collected by H.B. 1790 HD2 could help Oahu disseminate this vital information again, and assist the rest of Hawai‘i with identifying and addressing the sources of these and other troubling disparities.

Police misconduct complaint data can help lawmakers and researchers to determine whether law enforcement agencies (and police oversight agencies) are adequately investigating and imposing discipline on officers who engage in misconduct. It also allows the public and lawmakers to recognize demographic or geographic patterns when it comes to filed complaints. When the public

² H.B. 278 (2025).

is armed with data about their local agency, they can advocate for the solutions that their communities need based on information rather than supposition.

Learning from complaint and use of force data should help reduce the significant police misconduct payouts Hawai'i's cities and counties (and thus, taxpayers) must pay; the City of Honolulu, for example, [spent more than \\$17 million](#) to settle municipal claims, most of which were police misconduct lawsuits, in 2024.

In the past, some of Hawai'i's law enforcement agencies have opposed similar legislation by claiming that they already collect and report information. In many of the states that mandate collection and reporting of a standardized set of data, some of their law enforcement agencies were already collecting some subset of data at the time the legislation was passed. Without unifying state legislation, though, law enforcement agencies may not be collecting important data points, may be collecting different data than other agencies and thus hindering comparison, and may not be sharing data in an accessible way. What's more, absent statewide law, agencies that voluntarily collect and publish data can stop doing so at any time, as the Honolulu Police Department has appeared to do when it comes to use of force data. We applaud agencies that have already taken steps towards transparency; indeed, such agencies should be well positioned for implementing the data collection requirements contemplated by this bill easily and efficiently.

The Data Collection Required by H.B. 1790 HD2 Need Not Be Costly Or Overly Burdensome

The many states that already require their agencies to collect and report policing data have demonstrated that data collection can occur without significant expense or burden.

A number of states, including Connecticut, Oregon, and Maryland, appear to fully fund their policing data collection and analysis programs through the National Highway Traffic Safety Administration's grant program under Section 1906 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act. (They appear to fully fund these programs despite implementing regulations setting forth an 80% federal share cap, *see* 23 C.F.R. § 1300.20). [Section 1906 grants](#) are available to any state that passes a law requiring the publication of demographic data for traffic stops, which H.B. 1790 HD2 would do. Indeed, Connecticut, Oregon, Maryland, and other states annually receive either \$1.15 million or \$575,000 in Section 1906 grant funding, and the amount of funding is not correlated with state size: less populous states like Nebraska and Rhode Island have successfully [applied for and received \\$1.15 million annually](#). And other federal grants besides section 1906 may be available to states to fund policing data collection.³

State data reporting entities in states like Connecticut, Oregon and Maryland use Section 1906 funding to hire additional full-time statistical analysts, to pay third-party vendors for data collection software and associated apps and web forms *that allow officers & local agencies to report data at no-cost*, and to hire staff to train and offer any technical assistance needed to law enforcement agencies and officers.

³ Although H.B. 1790 HD2 currently provides for a state appropriation, Hawai'i, just like other states, should be able to fully fund the data collection and analysis required by this bill with federal Section 1906 funding; thus, a state appropriation should not be necessary.

Moreover, the reporting burden on agencies and officers is not particularly high. Oregon ran pre-implementation beta-testing of its data collection program to ensure reporting was not too confusing or time consuming for officers. Hawai‘i can do the same. And, as the director of Connecticut’s police data collection, Ken Barone, noted in his testimony before the House Higher Education Committee, Connecticut officers have long typically taken less than ninety seconds to submit stop data similar to what HB 1790 HD2 requires. Indeed, many of the data points are conditional: if there is no search conducted, no weapon drawn, no force is used, or no canine deployed, the data points in those respective categories need not be addressed. And nearly all the data points can be quickly checked off *after* the termination of the encounter, including the reason for the stop, whether a search was conducted, whether the person appeared to be suffering from a behavioral crisis, etc. Officers thus do not and need not extend encounters to collect these data points.

H.B. 1790 HD2 also helps ensure smooth implementation by giving agencies until January 2028 to start collecting data, eight months after the Attorney General’s office, in coordination with the Hawai‘i Crime Lab, issues its implementing regulations. This time buffer will allow Hawai‘i’s law enforcement agencies plenty of time to work through any issues with the Attorney General’s office and the Crime Lab before starting the data collection required by H.B. 1790. It will also allow law enforcement agencies sufficient time to train officers on any new data collection procedures.

H.B. 1790 HD2 Addresses Law Enforcement Concerns Expressed Last Session

Last session, law enforcement expressed concern about one of the enforcement mechanisms in a predecessor policing data bill (H.B. 278) being overly punitive; that provision would have paused state-administered grants to any law enforcement agency that does not comply with the bill’s reporting requirements. That provision has been removed wholesale from H.B. 1790 HD2.

In addition, last session’s bill tasked the Crime Prevention and Justice Assistance Division of the Attorney General’s office, the state’s federally-designated statistical analysis center, as the entity charged with collecting and publishing data from each law enforcement agency. Notwithstanding the possibility of Section 1906 funding, the Attorney General’s office indicated last session that it could not satisfy that statutory role without additional resources and staffing given its other existing statutory obligations. The bill now makes the Hawai‘i Crime Lab at the University of Hawai‘i the central reporting entity, led by Associate Professor Ashley Rubin; the Crime Lab, Dr. Rubin, and the Hawai‘i Center for Policing and Criminal Justice Research (which houses the Crime Lab) have all indicated their willingness to serve this role, and also to coordinate with the Attorney General’s office to develop rules implementing the bill, as the bill provides. A number of other states, including Alaska, Connecticut, Maine, New Mexico, and Washington, task university entities comparable to the Crime Lab/Center with leading policing and/or crime data collection and analysis.

H.B. 1790 HD2 Would Be Bolstered By a Technical Amendment On The Demographic Data Provisions For Stop and Use of Force Data

Based on feedback from stakeholders including the Department of Law Enforcement and organizations representing the interests of Native Hawaiians, we previously recommended amending H.B. 1790 HD1 to collect stop and use of force data on *self-identified* race or ethnicity (for stops and use of force incidents), when possible, instead of *perceived* race or ethnicity. As we explained in our prior testimony, about a quarter of Hawai‘i’s population is multiracial, [far more than any other state](#), and self-identification is likely to yield more accurate information about the race or ethnicity of multiracial residents compared to officer perception. Additionally, for arrests (a type of stop), Hawai‘i’s law enforcement agencies already generally ask subjects for their self-identified race or ethnicity, and so the suggested amendment would align with arrest data agencies are already collecting.

H.B. 1790 HD2 incorporates our suggested amendment (at p. 10 subsection (7) and p. 12, subsection (6)), rightly providing that “[s]elf-identification of age, race or ethnicity, and gender” should be facilitated whenever possible for stop and use of force data. But the opening language of those two subsections still reads “[t]he *perceived* age, race or ethnicity, and gender of each person involved in the stop” Because HB 1790 HD2’s language on self-identification makes clear that self-identification is preferred to officer perception, for clarity, **we suggest amending the two subsections cited above to remove the word “perceived.” As amended, both subsections would read, “[t]he age, race or ethnicity, and gender of each person involved in the stop....”**

In short, the public, lawmakers, and law enforcement all would benefit tremendously from the passage of H.B. 1790 HD2. The bill would allow all three groups to have a significantly better understanding of what furthers public safety and what doesn’t, and would enable lawmakers and law enforcement agencies to pursue evidenced-based reforms informed by the comprehensive data collected. H.B. 1790 HD2, though, would benefit from a technical amendment making clear that self-identified, rather than perceived, race or ethnicity data should be collected when possible.

Thank you for considering our testimony.

March 4, 2026

Dear Chair Todd, Vice Chair Takenouchi, and Members of the Committee on Finance,

I am Dr. Ashley Rubin, Associate Professor of Sociology, and faculty lead of the Hawai'i Crime Lab. I am also a criminologist with nearly two decades of experience analyzing criminal justice data. I submit my testimony **in support** of HB 1790, which would require law enforcement and oversight agencies to collect and report certain data regarding law enforcement stops, uses of force, and complaints.

This law would name the Hawai'i Crime Lab as the central state repository and charge the lab with the important responsibility of producing public annual reports analyzing statewide stop data, use-of-force patterns, and complaint trends so that legislators, agencies, and the public can better understand what is happening across jurisdictions. The law also authorizes a new Hawai'i Center for Policing and Criminal Justice Research, to be housed in the Social Science Research Institute (at the UH Mānoa College of Social Sciences). The new Center would also contain and provide additional support for the Hawai'i Crime Lab.

About the Hawai'i Crime Lab

I launched the Crime Lab in fall 2024 with two goals.

My primary goal was to conduct research that would be directly useful to the state's policymakers, citizens, and visitors. As a professor at a public research university, I personally feel it is important to serve the community by pursuing research questions that are relevant and interesting to them. But to provide trustworthy research, I also feel it is important to set politics aside.

Particularly in our age of political polarization, misinformation, and growing distrust, I created the Hawai'i Crime Lab to be a non-partisan resource for the state and community. To that end, I emphasize that we do not take strong positions on particular criminal justice policies; instead, we focus on data analysis and providing insights based on the data available. Our goal is not to advance any particular agenda, but rather to provide scientific answers to important questions. Sound public policy requires evidence. We cannot know what is working—or what is not—without reliable data. Data have the power to show us that our expectations and assumptions are faulty, they can illuminate new trends that we didn't even suspect, and ultimately they can give us a better understanding of the world around us. Armed with this data, law enforcement, legislators, and other policymakers and practitioners can better safeguard our society.

My second goal in creating the Crime Lab was to serve students. I wanted to provide an alternative source of criminology education for our students. Complementing our lecture- and reading-heavy courses on criminology and criminal justice, the Crime Lab provides experiential learning, so students gain first-hand knowledge of conducting and presenting research. In our weekly lab meetings, the

students present to the group what they have worked on that week. Students pursue a combination of projects, some of which are assigned while students also pick projects for themselves under my supervision. Students also weigh in on each other's projects, offering questions about and challenges to research design and data interpretation, and generally benefit from learning through this interactive, hands-on experience.

In developing the Crime Lab, I have worked to build community trust in and familiarity with the lab. To that end, we began small. Before opening up the lab to students, I wrote monthly blog posts on O'ahu's violent crime trends, helping to distinguish between trends and statistical fluctuations. With my first cohort of four students, I turned the data collection over to them; we also collectively discussed the research analyses we should run and then I performed them. We also read and discussed local crime news, which inspired some of our research projects. Indeed, following a survey showing fear of crime had increased among the public, two of my students and I wrote an op-ed in the spring looking at the decline of violent crime on O'ahu and the increasing homicide rate (which has since declined significantly).

We have also provided comparisons of Hawai'i's crime rates to similar jurisdictions on the continent (Hawai'i tends to have a lower crime rate). Over the last year, I have also been meeting with members of the criminal justice community to enhance awareness about the Crime Lab and seek out new research projects. Just this semester, we received our first contract with a state agency to analyze criminal justice data; I currently employ two undergraduate students on this project with a graduate student expected to join the project over summer. The projects associated with HB 1790 will help employ far more students and provide important data for students to analyze for additional research projects.

Importantly, access to the data expected to result from HB 1790 presents an important opportunity for researchers across the state. Researchers in and beyond the Hawai'i Crime Lab would be able to apply for funding from the National Institute of Justice and Arnold Ventures to produce additional scientific research beyond the requirements of the proposed statute (to be funded with federal dollars). This ability would help fund undergraduate and graduate students and bring more money to the state. Additionally, access to important data, along with the ability to apply for additional academic research grants to analyze it, would help us to attract more high-quality students and faculty to universities across the state.

Plans for a Data Repository and Analysis Responsibilities

Over the last several months, I have been actively preparing for the important role that would be assigned to my lab should HB 1790 pass. I have also been in contact with other research units around the country who have engaged in similar data repository and analysis roles. In particular, I have been in contact with members of the New York University Policing Project, an organization that has been helping states adopt policies similar to those intended in HB 1790, and the University of Connecticut

researcher Ken Barone, who administers the research center that serves a role equivalent to the one envisioned for the Hawai‘i Crime Lab. So far, my goal has been to understand the standard strategies used nationwide for collecting and analyzing state-wide law enforcement data. The next step will be to consult with law enforcement agencies across the state, the Attorney General’s office, and community groups to *customize* these strategies to our *unique local context* in Hawai‘i.

Should HB 1790 and its companion Senate bill pass, and following receipt of the federal grant intended to fund this work, I would work with law enforcement agencies across the state, and their vendors, to understand the reporting process for law enforcement contacts. I would travel to each of the islands and (if granted permission) shadow officers (go on ride-alongs) so I can design a functional, user-friendly data collection system. My goal would be to understand the realities of law enforcement interactions with the public to ensure the reporting system is as seamless as possible so that the resulting data and analyses can be maximally useful in improving public safety.

I realize that there is great anxiety on this issue in particular. It bears emphasizing that a poorly designed reporting system—one that jeopardizes officer safety or is simply onerous to use—would be a failure. An overly clunky, time-consuming data collection process would simultaneously yield unreliable data (more onerous processes create more user error) and jeopardize law enforcement (spending additional time on the road during or after a stop is dangerous). For both scientific and public safety reasons, I am committed to working with law enforcement to design a user-friendly, efficient data collection process.

I also plan to establish both a science advisory committee of fellow researchers with relevant expertise as well as a community advisory committee representing a range of community and government groups (including law enforcement agencies) with strong interests in the data collected and reports produced. The science and community advisory committees would be resources for me and my researchers as they would provide additional opportunities for us to learn about the advice, questions, and concerns of relevant stakeholders. These discussions would inform our data analysis and the construction of our annual reports.

Should HB 1790 and its companion Senate bill pass, the State’s Department of Transportation would apply for federal funds, which would be administered by the Hawai‘i Crime Lab. The responsibilities and obligations specified in HB 1790 are, of course, significant. I greatly appreciate the amendment to authorize a new Center to house and support the Crime Lab. However, as the core statutorily specified responsibilities of the Crime Lab are expected to be funded with federal funds (Sect. 1906 grants), I offer a friendly amendment to specify that the work expected of the Hawai‘i Crime Lab (or its successor) is contingent on funding. Such an amendment could clarify that should federal funding lapse and the state choose not to appropriate replacement funds, the Hawai‘i Crime Lab (or its successor) would be released from the associated statutory obligations until such funds are available again.

Conclusion

In sum, as the lead investigator of the Hawai'i Crime Lab, I would welcome legislative support to expand our work specifically to assist with legislatively identified concerns and reach our goal of helping policymakers, practitioners, and the people of Hawai'i achieve an unbiased, data-driven understanding of crime and criminal justice issues. The federal funding expected for this project should allow the Crime Lab to fulfill the core statutory responsibilities envisioned in HB 1790. Additional state support for the Center would further strengthen its capacity to serve the state and students.

Thank you for your consideration.

###

Hawai'i Committee on Finance

Public Hearing on House Bill 1790, March 5, 2026

Testimony of Kenneth Barone, Manager of the Connecticut Racial Profiling Prohibition Project in Support of H.B.1790

Dear Chair Todd, Vice Chair Takenouchi, and Members of the House Committee on Finance:

Thank you for the opportunity to submit testimony **in strong support of H.B. 1790**, which would require standardized statewide collection, analysis, and public reporting of data related to law enforcement stops, uses of force, and complaints in Hawai'i.

I submit this testimony as a public policy and research director with more than fifteen years of experience designing and overseeing statewide police data collection programs, primarily through university-based research institutions. I currently serve as Associate Director of the Institute for Municipal and Regional Policy at the University of Connecticut, where I direct Connecticut's police data collection and transparency programs, including the statewide traffic stop data system. In that role, I oversee data collection and analysis for more than 100 law enforcement agencies, manage federal grant funding, and co-author annual public reports submitted to the Connecticut General Assembly.

In addition to my work in Connecticut, I have provided technical assistance to multiple states and jurisdictions, including Rhode Island, the District of Columbia, Nevada, Nebraska, Illinois, Colorado, Massachusetts, Maine, Maryland, California, and Oregon, helping them design and implement statewide policing data systems and reporting frameworks. I have also testified before the United States House of Representatives Committee on Transportation and Infrastructure in 2021 on traffic stop data collection and racial profiling.

It is from this perspective that I strongly support both the substance of H.B. 1790 and its decision to designate the University of Hawai'i Crime Lab as the state's central reporting entity.

Comprehensive and standardized policing data is foundational to public trust and evidence-based policymaking. Without reliable, statewide data, policymakers and the public are left to rely on

anecdotes or national trends that may not reflect Hawai'i's unique context. H.B. 1790 closes these gaps by requiring consistent statewide reporting while incorporating strong privacy protections. This approach reflects national best practices and mirrors successful models already operating in many other states, including Connecticut.

In my experience, collecting this type of data does not impose an undue burden on law enforcement when implemented thoughtfully and in a manner consistent with constitutional requirements.

Courts have made clear that a stop may not be prolonged beyond the time reasonably necessary to complete its lawful purpose, and those concerns can be fully addressed through careful system design. I understand that several court cases make clear that a stop may not be prolonged beyond the time reasonably necessary to complete its lawful purpose. These concerns are legitimate, and they can be fully addressed through careful system design.

In Connecticut, we used federal grant funding to fully integrate data collection into existing records management, e-citation, and e-warning systems, automating the process and eliminating duplicative data entry wherever possible. The vast majority of required data elements are automatically populated from systems officers already use during the normal course of a stop. Officers complete only a small number of additional fields—primarily simple checkboxes—which now take less than thirty seconds to finalize. Through continued system refinement and automation, we reduced completion time from approximately ninety seconds to under thirty seconds. Importantly, any remaining data fields are finalized after the enforcement action concludes, as part of clearing the stop in the system. As a result, data collection does not measurably extend the duration of the stop and remains fully consistent with constitutional limitations articulated by the courts.

For jurisdictions that do not yet have fully integrated electronic citation or records systems, federal Section 1906 funding can support modernization and implementation. In Connecticut, it took approximately eighteen to twenty-four months to design, build, test, and deploy our statewide data collection system before reporting requirements took effect. We then required an additional year of data collection before conducting our first comprehensive statewide analysis. That timeline was intentional. It allowed for meaningful stakeholder engagement with law enforcement agencies, technical integration across multiple systems, officer training, and refinement of data definitions and reporting protocols. Thoughtful implementation takes time, but that investment ensures the system is accurate, sustainable, constitutionally sound, and trusted by both agencies and the public.

High-quality data collection benefits law enforcement as much as it benefits the public. Reliable, standardized data enables agencies to assess whether enforcement strategies are improving roadway safety, reducing crime, and making efficient use of officer time. In multiple states, traffic stop data has helped police leaders identify which practices are effective and which are not, allowing them to refine policies, training, and deployment strategies based on evidence rather than assumption. In this way, H.B. 1790 supports not only transparency but also more effective and focused policing.

University-based research centers are uniquely well-suited to serve as central reporting entities for this work. Managing and analyzing statewide policing data requires advanced statistical expertise, strong data governance, and the ability to translate complex findings into accessible public reports—core functions of university research institutions. Housing this work within a university promotes independence, credibility, and sustainability, while allowing the Attorney General to retain appropriate oversight and rulemaking authority. This balanced model has been successfully implemented in multiple states.

H.B. 1790 represents a thoughtful, carefully designed step forward for Hawai'i. It adopts proven national best practices, addresses concerns raised in prior legislative sessions, and places responsibility for complex analytical work with an entity well-equipped to perform it.

For these reasons, I respectfully urge the Committee to pass H.B. 1790. Thank you for the opportunity to submit testimony and for your leadership on this important issue.

Sincerely,

A handwritten signature in black ink that reads "Kenneth Barone". The signature is written in a cursive, flowing style.

Kenneth Barone



Support for HB 1790 – An Act Relating to Policing
Written Testimony – National Police Accountability Project, Eliana Machefsky, Staff Attorney
House Committee on Finance – Thursday, March 5, 2026

Chair Todd, Vice Chair Takenouchi, and members of the Committee,

Thank you for the opportunity to provide testimony on this important issue. The National Police Accountability Project (“NPAP”) is a nonprofit organization dedicated to holding law enforcement and corrections agencies accountable to constitutional and professional standards. NPAP has more than 550 attorney members throughout the United States, including Hawaii, who represent plaintiffs in civil actions alleging misconduct by law enforcement officers. We strongly support HB 1790.

Public access to information about policing activity is a critical component of efforts to enhance public safety and ensure law enforcement accountability. To fully understand the effects of various policing practices, the impact of enacted reforms, and the need for additional reforms, lawmakers and members of the public must have reliable access to comprehensive data on law enforcement interactions with civilians. Data relating to police stops, arrests, and use of force can reveal deficiencies in department policies or practices in need of reform. Similarly, information on citizen complaints and officer discipline enables members of the public to determine whether the law enforcement agencies sworn to protect and serve them are adequately addressing officer misconduct and preventing future harm. HB 1790 would ensure that this critical data is collected and reported to the public.

We are pleased to see the comprehensive data sets relating to traffic and pedestrian stops that HB 1790 would require county police departments and police oversight agencies to collect. The traffic stop is the single most common



reason for contact between police officers and civilians¹ and, consequently, one of the most frequent sites of police misconduct. The data, where properly collected, show that drivers of color are disproportionately stopped for minor traffic violations and disproportionately questioned, searched, and subjected to officer force once stopped.²

In order to address racial disparities and inequities in traffic stops, it is critical that police departments collect data on all traffic stops conducted, including the purported reason(s) for the stop, the race of the stopped driver, and whether a search and/or arrest was made. This data will enable lawmakers and communities to understand how frequently drivers of color are stopped, how often those stops are for highly discretionary, low-danger reasons such as a broken headlight or tinted windows, and how regularly those stops escalate into increasingly intrusive law enforcement contact, such as questioning, search, or even arrest.

We are also pleased to see that HB 1790 would require data collection on officer use of force, including information on the type of force used, the reason for the initial contact with the civilian, and the perceived race, age, gender, and disability status of the civilian. Law enforcement officers possess immense and unique authority—to carry weapons with which they can

¹ BUREAU OF JUSTICE STATISTICS, *Traffic Stops*, <https://www.bjs.gov/index.cfm?tid=702&ty=tp>; Erika Harrell and Elizabeth Davis, *Contacts Between Police and the Public, 2018—Statistical Tables*, BUREAU JUST. STAT. 4, available at: <https://bjs.ojp.gov/content/pub/pdf/cbpp18st.pdf>.

² See, e.g., David A. Harris, *Driving While Black: Racial Profiling On Our Nation's Highways*, ACLU (Jun. 1999), available at: <https://www.aclu.org/report/driving-while-black-racial-profiling-our-nations-highways>; Jordan Blair Woods, *Traffic Without the Police*, 73 STAN. L. REV. 1471, 1475 (2021) (“Several studies show that Black and Latinx motorists in particular are disproportionately stopped by police for traffic violations and disproportionately questioned, frisked, searched, cited, and arrested during traffic stops.”); Ben Poston, *Racial gap found in traffic stops in Milwaukee*, MILWAUKEE JOURNAL SENTINEL (Dec. 3, 2011), <https://archive.jsonline.com/watchdog/watchdogreports/racial-gap-found-in-traffic-stops-in-milwaukee-ke1hsip-134977408.html/>.



threaten or end an individual's life.³ Available data shows that officers disproportionately employ force—both lethal and non-lethal—against people of color.⁴ Similarly, people living with serious mental illness are 16 times more likely to be killed during interactions with law enforcement than civilians without mental illness who are approached or stopped by the police.⁵ HB 1790's data collection on officer use of force will enable Hawaiians to identify any such disparities and take corrective action.

Finally, we applaud HB 1790's inclusion of data relating to agency investigations of civilian complaints and disciplinary actions. Data on civilian complaints is a critical tool that communities can use to identify problematic officers and advocate for their removal to prevent further harm. This data also allows communities to evaluate how rigorously their police departments investigate allegations of officer misconduct and, when allegations are sustained, how departments discipline their officers for violations of law and/or department policy. For example, former Minneapolis police officer Derek Chauvin had at least 17 complaints filed against him before he murdered George Floyd by kneeling on his neck.⁶ Only one of those complaints resulted in any type of discipline, which was a mere two letters of reprimand.⁷

Data on departmental responses to allegations of officer wrongdoing can also

³ See Katherine J. Bies, Note, *Let the Sunshine In: Illuminating the Powerful Role Police Unions Play in Shielding Officer Misconduct*, 28 STAN. L. & POL. REV. 109, 142 (2017) ("police officers have the unique state-sanctioned ability to use force on other citizens").

⁴ See, e.g., Roland G. Fryer, Jr., *An Empirical Analysis of Racial Differences in Police Use of Force*, 127 J. Pol. Econ. 1210 (2019).

⁵ Treatment Advocacy Center, *Overlooked in the Undercounted: The Role of Mental Illness in Fatal Law Enforcement Encounters* 1 (Dec. 2015), <https://www.treatmentadvocacycenter.org/overlooked-in-the-undercounted>.

⁶ John Kelly and Mark Nichols, *We found 85,000 cops who've been investigated for misconduct. Now you can read their records*, USA TODAY (Apr. 24, 2019), <https://www.usatoday.com/in-depth/news/investigations/2019/04/24/usa-today-revealing-misconduct-records-police-cops/3223984002/>.

⁷ *Id.*



reveal deficient training and problematic department policies. An officer who receives little or no discipline for objectively unconstitutional conduct raises concerns about the department's policies and procedures. Similarly, when recidivist officers are regularly assigned additional training as corrective action but continue to engage in misconduct, there is reason to suspect that the department's training is ineffective.

By ensuring access to data on police encounters with civilians, HB 1790 would provide a critical tool for enhancing public safety, fostering public trust of law enforcement, and improving agency policy, procedure, and training. We strongly support HB 1790, and encourage you to pass it out of Committee. Thank you again for the opportunity to provide testimony on this important bill. If you have any questions, please do not hesitate to contact me at eliana.npap@nlg.org.

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