A BILL FOR AN ACT

RELATING TO POLICE COMMISSIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that domestic violence, also known as intimate partner violence, is a public health epidemic affecting individuals in every community, regardless of age, economic status, race, religion, nationality, or educational background. Intimate partner violence accounts for 15 per cent of all violent crime and is most common among women between the ages of eighteen and twenty-four. However, these domestic violence statistics may be underestimated, as many victims do not report intimate partner violence to police, family, or friends.

The legislature further finds that the Honolulu police department was heavily criticized by lawmakers and the public in the wake of a September 2014 high-profile incident involving an off-duty Honolulu police department sergeant. The sergeant's actions sparked concern about the way police handle domestic violence cases and triggered an informational briefing at the state capitol.
The legislature additionally finds that residents in the State should be able to know that the county police departments are being held accountable for the actions of county police officers. Currently, the county police commissions are charged with overseeing conduct of the county police departments or officers. The legislature notes that the county police commissions are a matter of statewide concern, as it was originally a state law that established the commissions. Furthermore, outside oversight and police department transparency are vital to ensuring ongoing community trust in the county police departments, particularly after high-profile incidents such as the one in September 2014. Amending the composition of the county police commissions to include commissioners from a variety of backgrounds will therefore improve transparency, accountability, and efficiency in dealing with police misconduct in the State.

The legislature also finds that the Hawaii state commission on the status of women has worked toward equality for Hawaii's women and girls for over fifty years and serves as an informational resource on a broad range of policies and issues. Enabling the executive director or a commissioner of the Hawaii
state commission on the status of women to be a member of the
county police commissions will ensure that the police
commissions have access to the wealth of information, data, and
experience that the Hawaii state commission on the status of
women can provide.

The legislature notes that the State is strongly committed
to the protection of civil rights, and accordingly, created the
Hawaii civil rights commission to enforce state laws prohibiting
various forms of discrimination. The Hawaii civil rights
commission is made up of commissioners and staff with knowledge
and experience in civil rights matters and a strong commitment
to preserving the civil rights of all individuals in Hawaii.
Enabling the executive director or a commissioner of the Hawaii
state civil rights commission to be a member of the county
police commissions will enhance the effectiveness of the county
police commissions and ensure greater preservation of
individuals' civil rights in Hawaii.

Finally, the legislature finds that the county police
commissions would be better able to fulfill their missions and
serve the residents of the State if a member of each county
police commission has previous law enforcement experience.
Accordingly, the purpose of this Act is to amend the composition of the county police commissions to require that three commissioners on each police commission have specific backgrounds, including equality for women, civil rights, and law enforcement, for the benefit of the general public.

SECTION 2. Section 52D-1, Hawaii Revised Statutes, is amended to read as follows:

"[§52D-1] Police commission. (a) A police commission is created for each of the counties. The appointment, terms of office, staff, powers, duties, and functions of each police commission shall be prescribed by the charter of each county.

(b) The composition of each police commission shall be prescribed by the charter of each county; provided that three commissioners on each county police commission shall be:

(1) The executive director of the state commission on the status of women, or a designated commissioner of the state commission on the status of women;

(2) The executive director of the Hawaii civil rights commission, or a designated commissioner of the Hawaii civil rights commission; and
(3) An individual with prior experience in the field of law enforcement; provided that this individual shall not concurrently serve on a police commission and in a law enforcement position."

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2015, and shall apply to the county police commissions upon each police commission's next vacancy; provided that:

(1) The first vacancy in each police commission shall be filled with the individual specified in section 52D-1(b)(1), Hawaii Revised Statutes, as amended by this Act;

(2) The second vacancy in each police commission shall be filled with the individual specified in section 52D-1(b)(2), Hawaii Revised Statutes, as amended by this Act; and
(3) The third vacancy in each police commission shall be filled with the individual specified in section 52D-1(b)(3), Hawaii Revised Statutes, as amended by this Act.

INTRODUCED BY:  

[Signatures]
Report Title:
County Police Commissions; Police Commissioners; Composition; Requirements

Description:
Amends the composition of the county police commissions to require that three commissioners on each police commission have backgrounds, including equality for women, civil rights, and law enforcement, for the benefit of the public.

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