

JAN 20 2017

A BILL FOR AN ACT

RELATING TO POLICE COMMISSIONS.

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

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

11 The legislature further finds that the Honolulu police
12 department was heavily criticized by lawmakers and the public in
13 the wake of a September 2014 high-profile incident involving an
14 off-duty Honolulu police department sergeant. The sergeant's
15 actions sparked concern about the way police handle domestic
16 violence cases and triggered an informational briefing at the
17 state capitol.



1 The legislature additionally finds that residents in the
2 State should be able to know that the county police departments
3 are being held accountable for the actions of county police
4 officers. Currently, the county police commissions are charged
5 with overseeing conduct of the county police departments or
6 officers. The legislature notes that the county police
7 commissions are a matter of statewide concern, as it was
8 originally a state law that established the commissions.
9 Furthermore, outside oversight and police department
10 transparency are vital to ensuring ongoing community trust in
11 the county police departments, particularly after high-profile
12 incidents such as the one in September 2014. Amending the
13 composition of the county police commissions to include
14 commissioners from a variety of backgrounds will therefore
15 improve transparency, accountability, and efficiency in dealing
16 with police misconduct in the State.

17 The legislature also finds that the Hawaii state commission
18 on the status of women has worked toward equality for Hawaii's
19 women and girls for over fifty years and serves as an
20 informational resource on a broad range of policies and issues.
21 Enabling the executive director or a commissioner of the Hawaii



1 state commission on the status of women to be a member of the
2 county police commissions will ensure that the police
3 commissions have access to the wealth of information, data, and
4 experience that the Hawaii state commission on the status of
5 women can provide.

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

18 Finally, the legislature finds that the county police
19 commissions would be better able to fulfill their missions and
20 serve the residents of the State if a member of each county
21 police commission has previous law enforcement experience.



1 Accordingly, the purpose of this Act is to amend the
2 composition of the county police commissions to require that
3 three commissioners on each police commission have specific
4 backgrounds, including advocating for equality for women,
5 preserving civil rights, and law enforcement experience, for the
6 benefit of the general public.

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

9 "~~[†]~~ §52D-1 ~~[†]~~ **Police commission.** (a) A police commission
10 is created for each of the counties. The ~~[composition,~~
11 appointment, terms of office, staff, powers, duties, and
12 functions of each police commission shall be prescribed by the
13 charter of each county.

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

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



1 (2) The executive director of the Hawaii civil rights
2 commission, or a designated commissioner of the Hawaii
3 civil rights commission; and

4 (3) An individual with prior experience in the field of
5 law enforcement; provided that this individual shall
6 not concurrently serve on a police commission and in a
7 law enforcement position."

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

10 SECTION 4. This Act shall take effect on July 1, 2017, and
11 shall commence applying to the county police commissions upon
12 each police commission's next vacancy; provided that:

13 (1) The first vacancy in each police commission shall be
14 filled with the individual specified in section
15 52D-1(b)(1), Hawaii Revised Statutes, as amended by
16 this Act;

17 (2) The second vacancy in each police commission shall be
18 filled with the individual specified in section
19 52D-1(b)(2), Hawaii Revised Statutes, as amended by
20 this Act; and



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

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S.B. NO. 520

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.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

