

STAND. COM. REP. NO. **867**

Honolulu, Hawaii

MAR 03 2017

RE: S.B. No. 421
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committees on Judiciary and Labor and Ways and Means, to which was referred S.B. No. 421, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT CAMERAS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish requirements for body-worn cameras and vehicle cameras for county police officers;
- (2) Establish policy guidelines for the use and discontinuance of use of body-worn cameras by county police officers;
- (3) Establish certain restrictions on the use of body-worn cameras and vehicle cameras by on-duty county police officers;
- (4) Add retention and deletion requirements for body-worn camera footage;
- (5) Prohibit certain uses of body-worn camera video footage;
- (6) Establish violations of recording and retention requirements;



- (7) Appropriate funds as a grant-in-aid to each county for the purchase of body-worn video cameras and vehicle cameras; provided that no funds appropriated to a county shall be expended unless matched dollar-for-dollar by the county;
- (8) Appropriate funds to the Department of Public Safety for the purchase of body-worn cameras and vehicle cameras for state law enforcement officers; and
- (9) Require the county police departments to report costs of implementing and maintaining the body-worn camera and vehicle camera program to the Legislature.

Your Committees received testimony in support of this measure from the Office of Information Practices, American Civil Liberties Union of Hawai'i, State of Hawaii Organization of Police Officers, and fourteen individuals. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources; Department of Public Safety; Police Department, County of Hawai'i; The Civil Beat Law Center for the Public Interest; and one individual. Your Committees received comments on this measure from The Sex Abuse Treatment Center.

Your Committees find that an increasing number of jurisdictions are addressing the issue of body-worn cameras and vehicle cameras being used by law enforcement officers. Body-worn cameras and vehicle cameras are useful for collecting evidence by police officers for use in court, as well as resolving incidents of alleged misconduct by officers. Implementation of this measure will increase public safety and assist law enforcement agencies with training, assessment, and disciplinary decisions.

Your Committees have amended this measure by:

- (1) Deleting references to "vehicle cameras" to limit the scope to body-worn cameras only;
- (2) Deleting an appropriation to the Department of Public Safety for the purchase of body-worn cameras and vehicle cameras for state law enforcement officers;



- (3) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Labor and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 421, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 421, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Labor and Ways and Means,



JILL N. TOKUDA, Chair



GILBERT S.C. KEITH-AGARAN, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

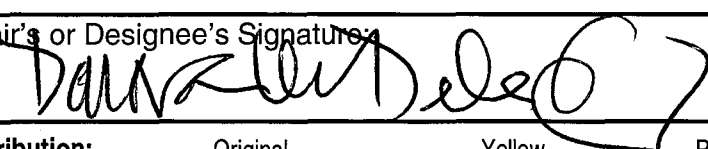
Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB421, SD1	Committee Referral: PSM, JDL/WAM	Date: 2/28/17		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado				✓
THIELEN, Laura H.	✓			
TOTAL	3	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes

The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 421, 501	PSM, SDL/WAM	8/28/17		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	/			
DELA CRUZ, Donovan M. (VC)	/			
ENGLISH, J. Kalani	/			
GALUTERIA, Brickwood				/
HARIMOTO, Breene	/			
INOUE, Lorraine R.	/			/
KAHELE, Kaiali'i	/			
RIVIERE, Gil	/			
SHIMABUKURO, Maile S.L.	/			
TANIGUCHI, Brian T.	/			
WAKAI, Glenn				/
TOTAL	8			3
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes