

Honolulu, Hawaii

APR 04 2018

RE: H.B. No. 1849
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1849, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require police departments to disclose to the Legislature the identity of a police officer upon the officer's suspension or discharge; and
- (2) Allow disclosure under the Uniform Information Practices Act of employment misconduct information that results in a county police officer's suspension.

Your Committee received testimony in support of this measure from the Office of Information Practices, American Civil Liberties Union of Hawai'i, Civil Beat Law Center for the Public Interest, Society of Professional Journalists Hawaii Chapter, and Young Progressives Demanding Action. Your Committee received comments on this measure from the League of Women Voters of Hawaii.

Your Committee finds that the Uniform Information Practices Act (UIPA) recognizes a government employee's significant privacy interest in information about possible misconduct up to a point.

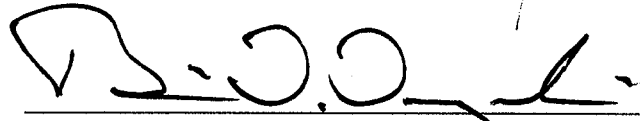


Under the UIPA, all government employees' misconduct information becomes public if the misconduct resulted in suspension or termination, except police officers, who retain a statutory privacy interest even in information about misconduct that results in suspension.

This measure will increase transparency and accountability in state law enforcement by treating information about a county police officer's suspension the same way as information about any other government employee's suspension, and require police departments to identify officers receiving a suspension in the department's annual reports to the Legislature.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1849, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>HB 1849, HD2, SD1</i>	<i>PSM/LBR, JDC</i>	<i>3/29/2018</i>		
<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 checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
TOTAL	<i>4</i>	<i>0</i>	<i>0</i>	<i>1</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Karl Rhoads</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes