

STAND. COM. REP. NO. 1004

Honolulu, Hawaii

MAR 25 2015

RE: H.B. No. 456
H.D. 1
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and Military Affairs, to which was referred H.B. No. 456, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO POLICE DEPARTMENTS,"

begs leave to report as follows:

The purpose and intent of this measure is to establish that citizen complaints against a police officer that involve allegations of domestic abuse against a family or household member on the part of the police officer are not required to be in writing or sworn to by the complainant.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, Domestic Violence Action Center, Hawaii State Democratic Women's Caucus, Hawaii Women's Coalition, and one individual. Your Committee received testimony in opposition to this measure from the State of Hawaii Organization of Police Officers and three individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that as part of the police union's collective bargaining agreement, all external complaints against a police officer, including domestic violence complaints, must be in writing and sworn to by the complainant. This requirement may discourage individuals involved in a domestic dispute with a police officer from reporting the abuse and re-victimizes a



complainant by forcing the complainant to swear to something in writing. Domestic violence victims should not have to go through a stringent process with little anonymity to make a complaint. Implementation of this measure provides domestic violence victims with a mechanism to make a domestic violence complaint and avoid re-victimization.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 456, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 456, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Labor.

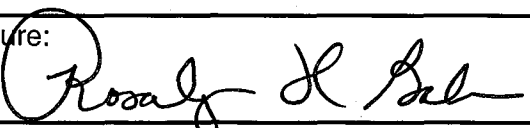
Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental and Military
Affairs,



WILL ESPERO, Chair



Record of Votes
Committee on Public Safety, Intergovernmental and Military Affairs
PSM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 456 HD1	PSM, JDL	3-17-2015		
<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
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood	✓			
KEITH-AGARAN, Gilbert S.C.				✓
SLOM, Sam	✓			
TOTAL	4	-	-	1
Recommendation:				
<input checked="" type="checkbox"/>	Adopted	<input type="checkbox"/>	Not Adopted	
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes