

JAN 17 2020

A BILL FOR AN ACT

RELATING TO LESS THAN LETHAL FORCE.

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

1 SECTION 1. The legislature finds that public safety
2 officers, including state deputy sheriffs, provide invaluable
3 societal contributions by risking their lives each day in
4 service to Hawaii's residents. The legislature also finds that
5 public safety officers are in a position of public trust as the
6 guardians and protectors of the State's communities. This role
7 requires extending respect and compassion to the people of the
8 State, while also holding individuals accountable for criminal
9 conduct.

10 The legislature further finds that since 2015, the number
11 of fatal police shootings in Hawaii has more than doubled and
12 that it has risen from being less than one per cent of the
13 national total to being two per cent in 2019. The State ranked
14 forty-fourth among the other states in 2015 in the number of
15 fatal police shootings, but has climbed to ranking thirty-second
16 in 2019. The legislature notes that the majority of these cases
17 involved people who were not armed with a gun.



1 The purpose of this Act is to support the role of public
2 safety officers by:

- 3 (1) Requiring the department of public safety to review
4 its policies and procedures governing the use of
5 force, weapons, and equipment;
- 6 (2) Requiring the law enforcement standards board to
7 review the department's use of force training; and
- 8 (3) Appropriating funds for training, equipment, and
9 related records management for the department.

10 SECTION 2. Chapter 353C, Hawaii Revised Statutes, is
11 amended by adding a new section to be appropriately designated
12 and to read as follows:

13 "§353C- Use of force policies, procedures, and training.

14 (a) The department shall, at least annually, review and update
15 its policies and procedures governing the use of force, weapons,
16 and equipment.

17 (b) The department shall equip each law enforcement
18 officer with less-than-lethal weapons. For less than-lethal
19 weapons, the department shall provide and require adequate
20 annual training.



1 (c) The department's use of force training shall be
2 reviewed by the law enforcement standards board established
3 under section 139-2 and shall include use of force decision
4 making, crisis intervention, de-escalation techniques, and less
5 than lethal alternatives.

6 (d) The deputy director of the law enforcement division
7 shall be included and certified in all weapons training."

8 SECTION 3. The department of public safety shall report
9 its progress regarding compliance with the requirements of
10 section 353C- (a), Hawaii Revised Statutes, to the legislature
11 by November 1, 2021.

12 SECTION 4. There is appropriated out of the general
13 revenues of the State of Hawaii the sum of \$200,000 or so much
14 thereof as may be necessary for fiscal year 2020-2021 for the
15 development and implementation of less than lethal use of force
16 training and related records management for the deputy sheriffs
17 of the department of public safety.

18 The sum appropriated shall be expended by the department of
19 public safety for the purposes of this Act.

20 SECTION 5. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$200,000 or so much



S.B. NO. 2383

1 thereof as may be necessary for fiscal year 2020-2021 for the
2 purchase and maintenance of less than lethal equipment,
3 including weapons, for use by the deputy sheriffs of the
4 department of public safety certified in the less than lethal
5 use of force.

6 The sum appropriated shall be expended by the department of
7 public safety for the purposes of this Act.

8 SECTION 6. New statutory material is underscored.

9 SECTION 7. This Act shall take effect on July 1, 2020.

10

INTRODUCED BY: Kal Rhoad
Clarence K. Mishkin



S.B. NO. 2383

Report Title:

Department of Public Safety; Use of Less Than Lethal Force; Policies; Training; Appropriation

Description:

Requires the department of public safety to review its policies and procedures governing the use of force, weapons, and equipment. Requires the law enforcement standards board to review the department's use of force training. Appropriates funds for training, equipment, and related records management for the department.

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

