

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 372  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.  
No. 372, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO GOVERNMENT SERVICES RELATING  
TO THE LAW,"

begs leave to report as follows:

The purpose and intent of this measure is to require greater  
accountability and transparency in the government's provision of  
law enforcement services by:

- (1) Providing that a law enforcement officer has a duty to  
intervene if the law enforcement officer reasonably  
believes that another law enforcement officer is using  
unnecessary or excessive force on an arrestee;
- (2) Requiring the law enforcement officer to report the  
incident to the fellow law enforcement officer's  
supervisor; and
- (3) Requiring relevant departments to submit annual reports  
to the Legislature.

Your Committee received testimony in support of this measure  
from the Honolulu Police Department and two individuals. Your  
Committee received testimony in opposition to this measure from  
the State of Hawaii Organization of Police Officers.



Your Committee finds that building trust with the community is fundamental to effective policing. However, that integral trust has been shaken recently due to several national high profile killings of unarmed young black men and women by law enforcement officers through the use of excessive and unreasonable force. Your Committee further finds that establishing a duty to intervene for law enforcement officers who observe instances of excessive force will provide accountability for police misconduct. Your Committee finds that, while the county police departments may currently have policies and procedures in place to ensure that law enforcement officers intervene when they reasonably believe that another officer is using unnecessary force, this measure will serve to enshrine that duty in statute and help rebuild public confidence and trust, improve community interactions, and ensure that all citizens are held equal under the law.

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 S.B. No. 372, S.D. 1, and recommends that it pass Third Reading.

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



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KARL RHOADS, Chair



