

ORIGINAL

STAND. COM. REP. NO. 1584

Honolulu, Hawaii

April 7, 1995

RE: S.B. No. 171

S.D. 1

H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Eighteenth State Legislature  
Regular Session of 1995  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 171, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO UNIFORM INFORMATION PRACTICES,"

begs leave to report as follows:

The purpose of the bill is to prevent the disclosure of the names of administratively disciplined police officers, unless they have been discharged from the force.

Testimony in support of the bill was received by your Committee from the Chief of Police of the City and County of Honolulu and a representative of the State of Hawaii Organization of Police Officers.

Testimony in opposition to the measure was received by your Committee from representatives of the Office of Information Practices, the Society of Professional Journalists, Hawaii Chapter, Common Cause Hawaii, and from private individuals.

Your Committee finds that police officers, unlike most government and private employees, are subject to para-military discipline which manifests itself in the form of frequently applied suspensions from duty for misconduct or violation of departmental rules. Your Committee further finds that the use of such tough disciplinary measures is accepted by most officers



STAND. COM. REP. NO. 1584

Page 2

because they realize the necessity for strict regulation of the broad powers they wield.

Your Committee also finds that, unlike most government agencies, there is an independent body set up outside of the police department which is specifically charged with overseeing the conduct of the department and its officers. The county police commissions perform this function, and, in addition, have the power to remove the Chief of Police should the Chief fail to meet his or her obligation to appropriately supervise and discipline police officers.


Your Committee has concluded that the release of police officers' names simply because they have been suspended is not appropriate since they are subject to more stringent standards and tougher discipline than most other government employees, and their conduct is overseen by the county police commissions.

Because the reporting requirements in the measure seem unnecessary as the information requested is already being provided, your Committee has amended the measure to delete the annual report to the Legislature.

In addition, your Committee has added a purpose clause and limited the statutory revisions to subsection (b) of §92F-14.

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. 171, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 171, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

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

  
TERRANCE TOM, Chair