

THE CIVIL BEAT
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House Committee on Judiciary
Honorable Sylvia Luke, Chair
Honorable Ty J.K. Cullen, Vice Chair

RE: Testimony Commenting on H.B. 1552 H.D. 2, Relating to Public Safety
Hearing: February 21, 2019 at 12:30 p.m.

Dear Chair and Members of the Committee:

My name is Brian Black. I am the Executive Director of the Civil Beat Law Center for the Public Interest, a nonprofit organization whose primary mission concerns solutions that promote governmental transparency. Thank you for the opportunity to submit testimony **with comments on H.B. 1552 H.D. 2.**

As it concerns the proposed correctional system oversight commission, new section -3(c) provides: "The commission may hold public meetings it deems necessary and may exercise the exemptions in section 92-5." The intent of that provision is unclear.

By normal operation of law, the proposed commission would be a "board" under the Sunshine Law. HRS § 92-2. As a consequence, all the requirements and exceptions of the Sunshine Law would apply to the new commission, regardless whether any reference such as section -3(c) is made to the Sunshine Law in the commission's statutory authority.

Section -3(c) should be removed from the bill to avoid potential confusion or clarified as to its intended purpose.

Thank you again for the opportunity to testify concerning H.B. 1552 H.D. 2.