

THE CIVIL BEAT  
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Senate Committee on Public Safety, Intergovernmental, and Military Affairs  
Honorable Clarence K. Nishihara, Chair  
Honorable Glenn Wakai, Vice Chair

Senate Committee on Government Operations  
Honorable Laura H. Thielen, Chair  
Honorable Lorraine R. Inouye, Vice Chair

**RE: Testimony Commenting on S.B. 1424, Relating to Public Safety**  
Hearing: February 5, 2019 at 3:00 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 S.B. 1424**.

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 S.B. 1424.