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LATE TESTIMONY

February 11, 2008

Representative Tommy Waters, Chairman
Representative Blake Oshiro, Vice-Chair and Members of the
Committee on Judiciary
State Capitol
Honolulu, Hawaii, 96813

February 12, 2008 at 2:05 pm.
Conference Room 325, State Capitol

Testimony in Support of HB 3016 HD1

Dear Chair Waters and Committee Members:

SUBJECT: Hearing on HB 3016 HD1, Relating to Law Enforcement.

Thank you for hearing my testimony in support HB 3016 HD1. Aloha, my name is Gordon YEN, and I've been with DLNR-DOCARE as a field officer for the past 11 years. With the escalating violence in today's world and the everyday dangers we have to face, we need an alternative tool to avoid having to use Deadly Force.

Please provide us with the proper tools to do our job of protecting the natural resources of Hawaii that will make it not only safer for the officer but also for the persons that we may have to take enforcement action against in a violent situation. Please pass this bill.

Sincerely,
Gordon YEN
Field Officer / West District
State of Hawaii - DLNR DOCARE
175 S. Puunene Ave., Kahului, HI 96732

LATE TESTIMONY

To: **Representative Tommy Waters, Chair**
Representative Blake Oshiro, Vice-Chair & Members of the
Committee on Judiciary

From: **BRIAN M. YOSHIKAWA**
WAIKAPU, MAUI HAWAII 96793

Re. **Hearing on HB 3016 HD1---Relating to Law Enforcement**

February 12, 2008 at 2:05pm.

Conference Room 325, State Capitol

Testimony in Support, with recommendation for amendment.

Dear Chair Waters, Vice-Chair Oshiro and members:

Thankyou for hearing my testimony in support of **HB3016—Relating to Law Enforcement**. This bill will provide personal protection for our enforcement officers and will enable them to safely carry out their duties in protecting the public. Our DOCARE officers need a way to safely apprehend suspects in the field. As you are aware, they are often short on manpower, and often work in very remote areas where the task of safely (for themselves as well as their suspects) controlling a volatile situation may come to the option of having to use deadly force. The availability and use of TASERS in this situation will make their job much safer for both the officers and the public.

Please pass this bill.

Sincerely,

BRIAN M. YOSHIKAWA
52 KAMA STREET
WAIKAPU, MAUI HAWAII 96793
msg@aloha.net

LATE TESTIMONY

2-12-08

TO: Representative Tommy Waters, Chair Judiciary Com

FROM: John Silberstein
41-1363 Waikalua St.
Waimanalo, Hi. 96795
808-259-9955

SUBJECT: Testimony in regard to: **HB 3016**. Relating to the ca
by DLNR/DOCARE Law Enforcement Officers

DISCLAIMER


I John Silberstein am currently employed as a Conservation Enforce
the State of Hawaii, Department of Land and Natural Resources (D
Conservation and Resources Enforcement (DOCARE). I wish to st
and/or opinions expressed here in this testimony do **NOT** necessari
position of DLNR or DOCARE and are submitted by me as an indi
concerned with the issue.

1. It is my opinion that DOCARE is woefully behind the natio
functions/areas when compared to recognized law enforcem
procedures throughout the country. With that said, it is my l
Committee will recognize that embracing HB 3016 will allc
to possess the latest technology designed to enhance officer
safety and survivability of a resistant and/or combative subj
2. The carry of less than lethal Tasers by DOCARE officers w
addition tool in the use of force continuum when offensive c
expandable baton have failed in defending an aggressive att
provides for an enhanced survivability alternative in certain
to the use of deadly force (firearm).
3. The carry of Tasers by DOCARE Law Enforcement Officer
police powers), will give them parity with the County Polic
well as National Park Law Enforcement Rangers who are ex
the State of Hawaii.
4. There is a rapidly growing trend in Hawaii of both law-abid
otherwise training in a dangerous form of mixed martial arts
to as MMA. The techniques based on highly effective Jujits
to attack a person suddenly in close proximity and take then
them. This is extremely dangerous for law enforcement offi
attacked. If taken to the ground, an officer is extremely vuln
firearm taken from him/her and ultimately used against then
may provide the officer an effective defensive weapon that

deployed from a distance to thwart such an attack. The Taser the ground as a defensive weapon without deploying the pr most cases inflicts no permanent damage to the assailant.

5. No law enforcement officer wants to seriously injure or take person. Living with the post traumatic stress of such an encounter. National statistics show that Taser incidents leave few physically or emotionally on either the officer or the subject
6. Those opposed to law enforcement possessing and using Taser few hundred deaths attributed to Taser incidents and bring a liability issue. Currently there is no conclusive data to prove viable nexus to being tased and may have been the result of poor health or drug/alcohol intoxication. Not having the Taser is now common and standard for modern day law enforcement vicarious liability for the employing agency if it opposes the officers as an additional safety measure. It seems far less of carrying and using firearms.
7. Many of our DOCARE officers are senior in age largely due to practices and the advanced age required for retirement. The officer can be very physically demanding. They often work remote terrain, in all types of weather conditions and sea state is non-existent and the radio communications are poor at best. There is no radio on Oahu, period! For these reasons the Taser and threat of using a Taser on a non compliant subject greatly enhances safety during such an encounter.
8. In the 90's, a National Park Service Law Enforcement Ranger was attacked, subdued and ultimately shot and killed with his assailant. He was highly trained at the Federal Law Enforcement in the use of both lethal and non-lethal weapons. He was physically later determined that he applied his defensive tactics training, pepper spray and a collapsible baton to resist the attack. Still killed by the deranged man when he simply told the man to rumored that DOCARE officers on the Big Island had prior same assailant. The National Park Service now issues many Enforcement Rangers with Tasers as an additional tool designed for officers in such a situation.

Mahalo for your continued service to the State of Hawaii and especially of Waimanalo, as well as taking the time to acknowledge and consider favor of passing House Bill 3016


John Silberstein

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February 12, 2008 at 2:05 pm.
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Testimony in Support of HB 3016 HD1

Dear Chair Waters and Committee Members:

SUBJECT: Hearing on HB 3016 HD1, Relating to Law Enforcement.

Thank you for hearing my testimony in support HB 3016 HD1. I have been in the Law Enforcement field for 15 years, 13 years with the Maui Police Department and 2 years with the DLNR DOCARE Maui Division. The passing of this bill makes sense. With the escalating violence in today's world and the everyday dangers we have to face, we want to have an alternative to avoid having to use Deadly Force.

Police Chief Thomas Phillips in his support testimony letter of this bill, stated that the Maui Police department started its Taser program in 2004 and has since fully implemented this tool to its officers and they have seen a consistent drop in injuries to both officers and subjects.

I humbly request that you remove the appropriation designated for this bill as it will take us some time to form policy and create a training program before any funding is needed. Next year will be our biennium budget year and we can pursue the funding needed at that time.

Please provide us with the proper tools to do our job of protecting the natural resources of Hawaii that will make it not only safer for the officer but also for the persons that we may have to take enforcement action against in a violent situation. Please pass this bill.

Sincerely,
Howard RODRIGUES
West District
State of Hawaii -- DLNR DOCARE
175 S. Puunene Ave., Kahului, HI 96732
Phone: (808) 264-1807