
From: Ronald Cahill [mailto:cahillrc@hawaii.rr.com]
Sent: Friday, February 01, 2008 8:04 PM
To: WLHtestimony
Subject: Fwd: Support of HB 3016 Related to Law Enforcement

From: Ronald Cahill <cahillrc@hawaii.rr.com>
Date: February 1, 2008 6:40:07 PM HST
To: testimony@capitol.hawaii.gov
Subject: Support of HB 3016 Related to Law Enforcement

The Honorable Ken ITO, Chair
And Members
Committee on Water, Land, Ocean Resources and Hawaiian Affairs
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Ito and Members:

SUBJECT: House Bill No. 3016, Related to Law Enforcement.

I am Ronald Cahill, DLNR, Division of Conservation and Resources Enforcement Officer, CREO-III, Maui Branch. I strongly support House Bill No. 3016, Related to Law Enforcement.

During my patrol duties, I am usually alone and often in remote areas of Maui County. It is common for me to encounter people that are armed and/or sometimes hiding from law enforcement of any kind. It is not uncommon for these people to be in possession of illegal drugs and/or stolen property. Because I am alone and we are in remote areas, many of these people are inspired to resist and not voluntarily comply with direction and authority. Engaging these people in these situations always lead to the conscious thought of the possibility of a deadly force encounter. This creates a real concern for my safety as well as the safety of the subject(s).

The Taser is a non-lethal, tool available to a Law Enforcement Officer to gain compliance by potentially dangerous or non compliant subject(s). Many times just the sight of a Taser gains voluntary compliance. The proper and justified deployment of the Taser is 95+ per cent effective and rarely results in injuries requiring treatment. Currently we are equipped with pepper spray, a retractable baton, and a firearm. The use

of the baton has been criticized because of the required close proximity to the subject(s) and resulting injuries. Hand to hand type tactics of controlling subjects are often dangerous because it puts the Officer's firearm in close proximity to the subject(s) and often result in injury to the Officer and/or subject(s).

Bottom line, the Taser is a time proven tool that is an effective alternative to hands on type tactics and very often prevents the need to use lethal force. In my opinion the Taser is so effective it is a liability not to train and issue it as standard Law Enforcement Officer gear.

Respectfully, R. CAHILL
CREO-III, DOCARE, Maui

Ronald Cahill
cahillrc@hawaii.rr.com

From: James.K.Kaulukukui@hawaii.gov [mailto:James.K.Kaulukukui@hawaii.gov]
Sent: Saturday, February 02, 2008 11:11 AM
To: WLHtestimony
Subject: HB 3016 Taser Pilot Program

Aloha all,

I am a Conservation Enforcement Officer with DLNR. I am in support of the noted HB 3016. As a law enforcement officer, we need a non-lethal tool for situations that is just short of a lethal confrontation. We have batons and pepper sprays but these have their limitations. The Taser would "immediately" stop an individual from continuing his/her violent course of action that may lead to serious bodily harm and or death.

Nation wide implementation of this instrument has been documented and adopted by many other law enforcement agencies.

Help us do a better job by providing us with better tools.

Mahalo,

James K. KAULUKUKUI JR. #171
CREO III, NH District
DLNR/DOCARE
02-02-08

February 2, 2008

The Honorable Ken Ito, Chair
And members
Committee on Water, Land, Ocean Resources and Hawaiian Affairs
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Ito and Members:

SUBJECT: House Bill No. 3016, Related to Law Enforcement.

Aloha, my name is Gordon G. YEN, a DLNR Enforcement Officer w/ the Division of Conservation and Resources Enforcement (DOCARE) on the island of Maui. I humbly support House Bill No. 3016, Related to Law Enforcement.

Police Departments nationwide have gone to the Taser Conductive Energy weapon as a less than lethal option in law enforcement for reasons of increased officer safety, minimizing injuries to both the suspect and officer.

As a DOCARE officer, we spend much of patrol alone and often in remote places in the forest and hunting areas around the island. Our only lifeline at times may be our portable radios, and even that has its limitations and dead zones.

In society today, the act of violence has increased to the highest levels, and law enforcement officers' face these dangers every day while on & off duty. The Taser Conductive Energy weapon provides us (the officer) with an additional tool within our Use of Force Continuum.

Sincerely,

Officer G. YEN #246
DLNR /DOCARE

From: Dexter.P.Tom@hawaii.gov [mailto:Dexter.P.Tom@hawaii.gov]
Sent: Saturday, February 02, 2008 12:40 PM
To: WLHtestimony
Subject: House Bill No. 3016, Related to Law Enforcement

The Honorable Ken Ito, Chair
And Members
Committee on Water, Land, Ocean Resources and Hawaiian Affairs
House of Representative
State Capitol
Honolulu, Hawaii 96813

Dear Chair Ito and Members:

SUBJECT: House Bill No. 3016, Related to Law Enforcement

I am Dexter Tom, Supervisor for the Department of Land and Natural Resources, Division of Conservation and Resources Enforcement. I support House Bill No. 3016, Related to Law Enforcement, for the following reasons:

Our officers patrol alone in remote areas of Maui. The Taser Conductive Weapon will increase safety for our officers, and allow them to control an aggressive subject while minimizing injuries.

Within the last four years since the Maui Police Department initiated the Taser Program, they have experienced a decrease in injuries to their officers, and subjects who are arrested.

Chief Tom Phillips of Maui Police Department supports our Maui and Hawaii Division, to establish a two year pilot program that allows us to use the taser while performing our duties.

The use of the Taser, affords our officers an alternative to use non-lethal force, versus deadly force.

One of our officers responded to a State Harbor Facility along with a MPD Officer on an alleged harassment complaint. During their investigation, it revealed that the 6'4" male, weighing approximately 300 lbs., had an outstanding warrant. As the male was advised he was going to be placed under arrest, his eyes stared wide open at the officers, as he clenched his two fists. The MPD Officer who stood at 5'6", unsnapped the holster on his taser. The large male subject looked at the officer's taser and immediately responded, "Can I get my t-shirt before we go to the Police Station?" Without the taser, the male's aggressive behavior would have increased, and officers would have to engage in a

physical confrontation, which would have resulted in injuries to all parties involved.

I humbly request that you support this bill, and would like to thank you for allowing me to testify.

Dexter Tom / DLNR-Enforcement Supervisor

February 1, 2008

The Honorable Ken Ito, Chair
And members
Committee on Water, Land, Ocean Resources and Hawaiian Affairs
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Ito and Members:

SUBJECT: House Bill No. 3016, Related to Law Enforcement.

My name is John de Jesus. I am a State of Hawaii Conservation and Resources Enforcement Officer (CREO) assigned to Maui County, and I support House Bill No. 3016, Related to Law Enforcement.

Drugs, specifically methamphetamine or as it is often called, ICE or BATU is continuing to be on the rise. I have personally seen the effects of this drug. It is not uncommon to see the user in a delusional paranoid and often aggressive state. This condition remains as long as he or she is under the influence.

The user would later return to his or her "normal" state of mind after a certain period, depending on the amount and quality of the drug and it is often in this state when the public sets eyes on the person. What is usually seen is a soft-spoken, well-mannered individual, who just got involved with the wrong crowd and was pressured to use drugs.

In most cases, that is what he or she really is, a soft-spoken, well-mannered individual who needs help.

As a Law Enforcement Officer, it is not uncommon to run into folks who are under the influence of drugs. I certainly would not hesitate to use deadly force to protect myself and or another from death or serious bodily injury.

What I would hate is to be forced use deadly force on a person who is under the influence and not in his or her "mental state of mind.

I strongly believe that the Taser Conductive Energy Weapon would give that person another opportunity in life and a chance to get the help that he/she needs.

Thank you for the opportunity to testify.

Sincerely,

/signed/

JOHN P. DE JESUS
MAUI DOCARE CREO II

Representative Ken Ito, Chair
Representative Jon Riki Karamatsu, Vice-Chair
Committee on Water, Land, and Hawaiian Affairs

Conservation and Resources Enforcement Officer III-Randy DeCambra
State of Hawaii/Department of Land and Natural Resources-
Division of Conservation and Resources Enforcement
175 S. Puunene Avenue
Kahului, HI 96732

February 2, 2008

SUPPORT OF HB 3016 RELATING TO LAW ENFORCEMENT

I am and have been a Conservation and Resources Enforcement Officer III with the State of Hawaii/Department of Land and Natural Resources-Division of Conservation and Resources Enforcement for approximately 10 years. I **strongly support HB 3016 RELATING TO LAW ENFORCEMENT.**

Under Hawaii Revised Statutes 199-4 (a), Conservation and Resources Enforcement Officers (thereafter referred to as CREO) are law enforcement officers whom possess all the power and authority of a Police Officer in which we routinely conduct extensive investigations, effect arrests, and issue citations.

CREO's execute their law enforcement activities in a non-traditional law enforcement environment. CREO's often conduct investigations alone in remote areas that often result in the dealings and arrest of multiple armed suspect's. Due to the lack of manpower and the remote work areas that CREO's work in, CREO's usually don't have the luxury of expeditious back-up support enjoyed by other law enforcement agencies. Tasers would provide a very important level of safety for the officer and the public.

Tasers would also provide CREO's with another much needed level of force in assisting the CREO's execution of their duties. Currently, Hawaii County and Maui County Police Departments have reported great success in the use of Tasers, as its use/possession nationwide have resulted in the decrease of Worker's Compensation Claims, decrease in deadly use of force incidents, decrease in suspect/officer injuries, and the decrease of officer sick leave absences arisen from injuries sustained from subduing suspects.

Maui County Police officer's have conveyed to me there overwhelming satisfaction with Taser use. They reported that majority of the time; just the presentation of the Taser accomplishes and promotes suspect compliance in which the suspect is arrested without harm to the suspect and the officer.

I urge your committee to **pass/support HB 3016 RELATING TO LAW ENFORCEMENT** and lets keep CREO's safe, so they can effectively perform their duties in the protection of our invaluable natural resources. Thank you for this opportunity to testify.

To: **Representative Ken Ito, Chair**
Representative Jon Riki Karamatsu, Vice-Chair
Committee on Water, Land, Ocean Resource & Hawaiian Affairs

From: Brooks Tamaye, CREO III, Maui Branch, DLNR-DOCARE
P.O. Box 2266, Wailuku, HI 96793
244-5751

RE: **Hearing on HB 3016---Relating to Law Enforcement**

Monday, February 4, 2008 at 8:30 a.m.

Conference Room 312, State Capitol

Testimony in Support of SB 3016

Dear Chair Ito, Vice-Chair Karamatsu and members:

Thank you for allowing me to submit testimony in favor of HB 3016.

I am a Maui Enforcement Officer with the DLNR, Division of Conservation and Resources Enforcement (DOCARE).

DOCARE officers routinely work alone in rugged and remote areas where it may take more than an hour for a back up officer to arrive. During the course of patrols officers encounter persons conducting a variety of activities some of which are legal and others illegal. Many of these people have in their possession weapons or potential weapons (e.g. firearms, machetes, knives, needles, etc.). The temperament of subjects encountered can also vary greatly, from totally cooperative to combative and even suicidal.

Tasers will give officers another less than deadly force option to quickly, effectively and safely control a subject that is actively aggressive toward, or assaults an officer or another person. This will allow the officer to bring the situation under control with minimal injury to all persons involved.

The people and situations that DOCARE officers and all law enforcement encounter today have changed from previous times. The frequency of encounters with weapons being involved or confrontations ensuing are increasing and can be attributed to a number of socioeconomic factors. To deal with a changing world we need to look at new techniques and technologies as they become available. Given the opportunity, Maui Branch officers are willing to evaluate this technology in a pilot program. I humbly ask for your support.

Sincerely,
Brooks Tamaye

Representative Ken Ito, Chair
Representative Jon Riki Karamatsu, Vice-Chair
Committee on Water, Land, and Hawaiian Affairs

Conservation and Resources Enforcement Officer II- HILBERT MANLAPAO
State of Hawaii/Department of Land and Natural Resources-
Division of Conservation and Resources Enforcement
175 S. Puunene Avenue
Kahului, HI 96732

February 2, 2008

SUPPORT OF HB 3016 RELATING TO LAW ENFORCEMENT

As a Conservation and Resources Enforcement Officer II with the State of Hawaii/Department of Land and Natural Resources-Division of Conservation and Resources Enforcement for approximately 11 months, I **strongly support HB 3016 RELATING TO LAW ENFORCEMENT.**

Under Hawaii Revised Statutes 199-4 (a), Conservation and Resources Enforcement Officers (thereafter referred to as CREO) are law enforcement officers whom possess all the power and authority of a Police Officer in which we routinely conduct extensive investigations, effect arrests, and issue citations.

Similar to county police officers, CREO's are involved in dealing with suspects that may be armed and dangerous. Unfortunately, due to lack of manpower, CREO's often conduct investigations alone and in remote areas without the back-up support enjoyed by other law enforcement agencies. Thus, tasers would be an important tool in officer safety because it eliminates the need for close physical contact with an armed and dangerous suspect that a baton or pepper spray would require. Tasers would also reduce injuries sustained by suspects and police officers because suspects are immediately subdued.

My brother who is currently employed as a Maui County Police Officer often reports the effectiveness of having a Taser because just informing the suspect of its presence immediately result in compliance. In addition, Hawaii County and Maui County Police Departments have reported great success in the use of Tasers, as its use/possession nationwide have resulted in the decrease of Worker's Compensations Claims, decrease in deadly use of force incidents, decrease in suspect injuries, and the decrease of officer sick leave absences arisen from injuries sustained from subduing suspects.

Thus, I urge your committee to **pass/support HB 3016 RELATING TO LAW ENFORCEMENT** and, in doing so, you will keep CREO's safe in performing their duties in the protection of our invaluable natural resources. Thank you for this opportunity to testify.

Representative Ken Ito, Chair
Representative Jon Riki Karamatsu, Vice-Chair
Committee on Water, Land, and Hawaiian Affairs

Conservation and Resources Enforcement Officer III Kenneth Bode
State of Hawaii/Department of Land and Natural Resources
Division of Conservation and Resources Enforcement
175 S. Puunene Ave.
Kahului, HI 96732

February 2, 2008

SUPPORT OF HB 3016 RELATED TO LAW ENFORCEMENT

As a State Law Enforcement Officer, and Conservation and Resource Enforcement Officer III with the State of Hawaii Department of Land and Natural Resources, Division of Conservation and Resource Enforcement for approximately Ten Years. **I ask for your support of HB 3016 Related to Law Enforcement.**

Conservation and Resource Enforcement Officers continually come into contact with Misdemeanant and Felony offenders on almost a daily bases and on an ever increasing frequency. Our job requires Officers to patrol solo in areas frequented by these offenders, and commonly in mountainous terrain, isolated beaches, and sparsely populated areas. I myself as well as other Conservation Enforcement Officers have had to arrest, or detained offenders in areas where backup Officers take one to two hours to reach us. Even more concerning is the fact that we are almost routinely outnumbered by suspects.

As State Law Enforcement officers we are trained in intermediate uses of force, PPCT self-defense tactics, and verbal Judo. However when you are detaining multiple suspects in out of the way locations with no back up nearby, it's crucial that they are safely secured or believe that the officer has the means to keep them in custody.

Tasers would add an intermediate level of force to our levels of force continuum. Rather than contemplating the use of deadly force or having to actually resort to Deadly force, the Taser could be deployed.

I ask for your support, and urge your committee to **pass HB 3016 Relating to LAW Enforcement**, and make sure our State Law Enforcement Officers get home safely to their families.

February 2, 2008

The Honorable Ken ITO, Chair
And Members
Committee on Water, Land, Ocean Resources and Hawaiian Affairs
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Ito and Members:

SUBJECT: House Bill No. 3016, Related to Law Enforcement.

I am Russell K. Kapahulehua, a Conservation Resource Conservation III, with the Department of Land and Natural Resources, Division of Conservation Resource Enforcement Maui Branch, East District. I am writing you to support the passing of House Bill No. 3016, Related to Law Enforcement.

I was a Police Officer with the Maui Police Department for twelve years and had the opportunity to be trained as Taser instructor, as well as carry a Taser while on duty. I actually deployed the Taser three times. On one case I was dealing with a combative person who was being arrested. He was emotionally disturbed at the time. He took a glass object and smashed it on his own head causing a large amount of blood to spurt all over the area. After exhausting lower levels of force to gain compliance I eventually used the Taser to subdue him. By using the Taser the suspect was not injured as a result of police action, and myself and the other officers on the scene avoided unnecessary contact with a bio-hazardous material which could have resulted in a workmans compensation type of case.

Sometimes the Taser does not even have to be fired to gain compliance. Sometimes when there is justification for using a Taser in an arrest situation just un holstering the Taser is enough to gain compliance.

It has been proven that departments who have issued the Taser to officers have found a decrease in suspect, and officer injuries. The most compelling reason the Taser has earned a place in law enforcement is the fact that in some cases where deadly force is justified having a Taser gives the officer that less than lethal option.

Thank you for your time and hard work.

Respectfully, R. KAPAHULEHUA
CREO-III, DOCARE, Maui

February 1, 2008

The Honorable Ken Ito, Chair
And Members
Committee on water, Land, Ocean Resources and Hawaiian Affairs
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Ito and Members:

SUBJECT: House Bill No. 3016, Related to Law Enforcement.

I am Erik T. Vuong, Conservation and Resources Enforcement Officer, with the Department of Land and Natural Resources (DLNR) on Maui. I support **House Bill No. 3016, Related to Law Enforcement.**

The purpose of this bill is to establish a two-year pilot project authorizing the Department of Land and Natural Resources, Conservation Resources Enforcement Officers to use Tasers while performing our duties within the Counties of Hawaii and Maui.

Law enforcement agencies throughout the nations have gone to the Taser as a less lethal option in their use of force continuum. Tasers use proprietary technology to incapacitate dangerous, combative, or high-risk subjects who pose a risk to law enforcement officers, innocent citizens, or themselves in a manner that is generally recognized as a safer alternative to other uses of force. Taser technology saves lives every day, and the use of Tasers dramatically reduces injury rates for police officers and suspects.

As a Conservation and Resources Enforcement Officer, I often work alone in remote areas of our county with no backup in the immediate areas. The Taser would increase our safety and enable us to control aggressive subject while minimizing injuries. I have been in law enforcement for approximately 11 years, and there were numerous situations where I have had to engage in hand-to-hand combat with suspects who were actively resisting arrest, which resulted in injuries to me, and the suspect. The Taser would have been a valuable option to minimize injuries to officers and suspects.

The Department of Land and Natural Resources, Conservation Resources Enforcement Officers on Maui urges you to support House Bill No. 3016, Relating to Law Enforcement. Thank you for the opportunity to testify.

Respectfully,

Erik T. Vuong

From: Charles.L.Nahale@hawaii.gov [mailto:Charles.L.Nahale@hawaii.gov]
Sent: Saturday, February 02, 2008 4:57 PM
To: WLHtestimony
Cc: John.P.Kaluau@hawaii.gov
Subject: Testimony

John P. KALUA'U
CREO III, Conservation Resources Enforcement Officer III, Hawaii Island.
Department Of Land & Natural Resources Enforcement State Of Hawaii.
P.O. Box 310 Captain Cook Hi. 96704

Re: TESTIMONY IN SUPPORT

HB 3016, RELATING TO LAW ENFORCEMENT: Establish a two-year pilot project authorizing the Department of Land and Natural Resources, Enforcement Division to use Tazers while performing their duties within the County of Hawaii and Maui.

Dear Representative ITO and Committee Members:

Aloha Representative ITO and Committee Members,

I am submitting testimony in support of HB 3016. This Bill changes the language on the use of ECD's (Electronic Control Device or Tazer). To include the Division of Conservation and Resources Enforcement and its Officers (CREO's) Both the County Police Department and the Sheriffs Department are the only Agencies in Law Enforcement to have this benefit.

Once, a PPCT Instructor for the Departments, force continuum. It should be known that pepper spray or collapsable baton, are some of the tools an Officer carries while on duty. However pepper spray is not always effective and collapsable baton has a high probability of causing serious injuries. With a tazer a non-lethal tool and its track record of incapacitation of a subject without causing permanant injury, should be an added tool for DOCARE Officers.

In some cases DOCARE Officers usually work alone and response time for another officer would probably take hours. Although we are trained hand to hand combat, it is imperative for DOCARE Officers to be equipped with tazers. Especially dealing with high level of drug and alcohol users. This will reduce the injury for Officers as well as suspects. It is import to stress Officer safety as well as his suspects.

I ask for your support on HB 3016

Respectfully submitted:
John P. Kalua'u
DLNR-DOCARE
West Hawaii District

From: Charles.L.Nahale@hawaii.gov [mailto:Charles.L.Nahale@hawaii.gov]
Sent: Saturday, February 02, 2008 6:49 PM
To: WLHtestimony
Cc: Lawrence.L.Terlep@hawaii.gov
Subject: Testimony HB 3016

Charles L. Nahale
Conservation & Resources Enforcement, District Supervisor, Island of Hawaii
Division of Conservation and Resources Enforcement
Department of Land and Natural Resources
State of Hawaii
P.O. Box 310
Captain Cook, Hi. 96704

RE: Testimony in support of HB 3016

**Committee Chair, Representative Ken ITO,
Vice Chair, Representative Jon Riki Karamatsu
Committee Members: Representative's, Mele Carrol, Michael Magaoay,
Hermina Morita, Roland Sagum III,
Scott Saiki, and Cynthia Thielen.**

Honorable Members of the Water, Land, Ocean Resources and Hawaiian Affairs Committee. My name is Charles Nahale, I am a Conservation and Resources Enforcement, District Supervisor with the Department of Land and Natural Resources, on the Island of Hawaii. I am proud to say that I have served the Big Island and State Of Hawaii, in the Law Enforcement field for the past 33 years. I may be an old geezer, to some of our new Officers, but I still have a lot of fighting spirit, and aloha left in me. I have submitted testimony to your Committee members, but I am now submitting my testimony to your Committee. I seek your support on HB 3016 for some of the following reasons:

- *Police and Sheriffs Department have tested and proven its positive uses as a non lethal form of gaining compliance
- *DOCARE Officers patrol areas which are desolate, isolated and in most cases, with little or no communication
- *DOCARE Officers are usually outnumbered or are challenged because of the isolation of area he is working in.
- *Increase in drug and alcohol uses on our public lands, parks and beaches elevate the risk of confrontations with people who are intoxicated, high or under the influence.
- *Confrontations with illegal hunters, who are usually carrying high powered rifles or shotguns.

*Use of pepper spray or broadcast of pepper spray may incapacitate fellow officers, or innocent bystanders in the immediate vicinity

*Use of collapsible baton may cause more soft tissue or even bone damage as compared to the use of a tazer.

*Lastly, our use of force continuum, is to gain compliance of an uncooperative and dangerous suspect. Each of the steps of the use of force continuum increases with the escalation of continued non compliance. The last resort for the Officers protection and those around him is use of deadly force. The tazer has proven its effective uses by our Brother Officers as

a tool for gaining immediate compliance and control, without the need for use of deadly force.

It is with these facts and the safety and future of my fellow Officers that I come before you today, to thank you for hearing me and my fellow comrades, and I ask for your support.

Mahalo nui loa, for your time and support.

From: James.F.Weller@hawaii.gov [mailto:James.F.Weller@hawaii.gov]
Sent: Saturday, February 02, 2008 7:25 PM
To: WLHtestimony
Subject: Testimony for HB 3016

James F. Weller Jr.
Conservation & Resources Officer III, Hawaii Island
Division of Conservation & Resources Enforcement
Department of Land & Natural Resources
State Of Hawaii
35 Holomua St. Hilo, Hi. 96720
(email) james.f.weller@hawaii.gov

WLH, JUD, FIN Committees

Date: Monday, February 4, 2008
Time: 8:30 a.m.

Re: TESTIMONY IN SUPPORT

HB 3016, RELATING TO LAW ENFORCEMENT.

This bill would establish a two-year Pilot project authorizing the Department of Land and Natural Resources, Conservation and Resources Enforcement Officers to possess and lawfully use tasers while performing their duties within the counties of Hawaii and Maui.

Aloha kako Distinguished Representative Ito and Committee Members,

My name is James F. Weller Jr.; I am a 23 year Conservation and Resources Enforcement Veteran Officer with the Department of Land and Natural Resources, (DLNR) State of Hawaii. I have been a Law Enforcement Officer for over 28 years, serving the Big Island and State of Hawaii. I am submitting testimony in support of HB 3016. This bill changes the language on the use of ECD's (Electronic Control Devices or Tasers) to include the Division of Conservation and Resource Enforcement (DOCARE) and it's Officers (CREO's) of Hawaii & Maui County.

County Police and the Sheriffs department are the only Law Enforcement agencies in the State of Hawaii that have this benefit. This pilot program would enhance the safety of DOCARE Officers as the conditions we work in

are quite unique, but also similar in many ways to those experienced by other law enforcement agencies. It is not uncommon for a DOCARE Officer to work alone and in very remote areas. We are often out numbered when contacting various resource users, as most outdoor activities involve groups of two or more. While on duty, it's not unusual for an officer to contact resource users legally in possession of shot guns, pistols, long rifles, trail knives, bows & arrows, hunting spears, pocket & large knives, spear guns, pronged spears and bang sticks.

Contacts with resource users under the influence of alcohol, and or illegal drugs while at State beaches, Parks, Small Boat Harbors, Forest Reserves, Game Management areas, unencumbered state lands, Marine life conservation districts, Fish management areas, State ocean fishing & recreational waters continue to increase. Many locations in the Hawaii County have zero to limited radio & cell phone communications, thus making calling for back not an option. Due to the limited amount of DOCARE officers, there are times when no another officer is available or on duty when backup maybe needed.

Presently in our use of force continuum we are subject to physical and possibly lethal confrontations, hand to hand combat if the suspect(s) are unarmed and violent. Presently contacts with resource users under the influence of drugs or alcohol, both of which could lead to non-compliant, violent and combative behavior are increasing. Our current non-lethal tools are pepper spray and a collapsible baton. Neither of these have a predictable effect upon a subject who is under the influence of an intoxication compound. Pepper spray is not always effective and the baton has a high probability of causing serious injury. The taser is a non-lethal tool which would drastically reduce the hand to hand combat which may occur in violent situations. It has a proven track record of incapacitation of a subject without causing permanent injury. Statistically, nation wide surveys have revealed dramatic reductions in Officer and Suspect injuries, workers compensation cases and civil lawsuits filed against Police Officers and their Departments while making arrests.

Mahalo Nui Loa, for your valuable time and support.

Verl T. Nakama
Conservation Enforcement Officer
Division of Conservation & Resources Enforcement
Department of Land & Natural Resources
State Of Hawaii
35 Holomua St. Hilo, Hi. 96720

Verl.t.nakama@hawaii.gov

Re: TESTIMONY IN SUPPORT

HB 3016, RELATING TO LAW ENFORCEMENT. Establishes a two-year pilot project authorizing the Department of Land and Natural Resources Conservation and Resources Enforcement Officers to use tasers while Performing their duties within the counties of Hawaii and Maui.

Dear Representative Ito and Committee Members:

My name is Verl Tadashi Nakama. I have had the privilege to serve for the last ten years as a law enforcement officer on both the county and state levels.

As a defensive tactics instructor for my division, I ask that you please consider approving this bill.

The results of using TASER technology nationwide have been very positive. The research is showing dramatic reductions in injuries to both suspects and law enforcement. There are 18,000 law enforcement agencies in the United States. 11,000 of these agencies are deploying TASER devices.

If this tool can be used to better protect our officers and at the same time reduce injuries to combative suspects, it definitely warrants our attention.

I believe that this pilot program is a very responsible way for us to determine if this technology will be beneficial to our division and whether or not it should be implemented. Thank you for your time.

The Honorable Ken Ito, Chair
And members
Committee on Water, Land, Ocean Resources and Hawaiian Affairs
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Ito and Members:

SUBJECT: House Bill No. 3016 to Law Enforcement.

My name is Chad Kahoopii, I am an Enforcement Officer with the Department of Land and Natural Resources, Maui Branch. I am in support of House Bill No. 3016, related to Law Enforcement.

The purpose of this bill is to authorize us as Conservation and Resource Enforcement Officer commissioned and appointed with full police powers, the use of tasers in the performance of or duties for the State of Hawaii and the County of Maui.

The taser has proven to be a useful tool , and is used by Law Enforcement Officer's throughout the nation. This energy conductive tool is considered a less lethal option and its effects are temporary unlike a firearms effect which is permanent. Nation wide statistics gathered by department's using the tasers has seen a dramatic drop in officer and suspect injuries, workmen comp claims, departmental liability , and above all the use of lethal force.

As an Enforcement Officer for the Department of Land and Natural Resources I work alone and quite often in remote locations where communications are non-existent. For us officer safety is paramount, having the tasers will allow us to achieve the ability to defuse most situations without resorting to physical contact. I have observed situations were all it took was the display of the taser resulting in de-escalation and suspect compliance. Tasers have also been successfully used in the prevention of suicide attempts.

For Law Enforcement Officer's it is not if an assault will happen, but rather when it will happen. We are faced with a dynamic ever changing world, having said that a tool has been created for us to better protect and serve our communities. I humbly as for your support in House Bill No.3016That relates to Law Enforcement.

The Honorable Ken Ito, Chair
And committee members on
Water, Land, Ocean Resources and Hawaiian Affairs
House of Representatives

Good afternoon, my name is John Yamamoto. I am a law enforcement officer with the land and natural resources division, Maui branch. I am here today on my day off to speak on behalf of House Bill 3016.

Under section 199 of the HRS statutes, conservation enforcement officers have full police powers to execute arrests, write citations, and enforce state, county ordinances within the state of Hawaii.

Our mission is to protect and preserve the valuable resources found in our state of Hawaii. The Taser would be beneficial and safer for the officer, the public and a great benefit alternative to the lethal force needed today.

After having being an instructor for Taser international the company who makes the Taser, I have used it for 3 years in my prior Police Department in Washington State.

By having first hand experience of using the Taser, and experiencing the effects of the use of the Taser it proved to have a dramatic decreased in Officers injuries, which in turn saves the Department a substantial amount of money due to loss of work hour due to Officers injuries.

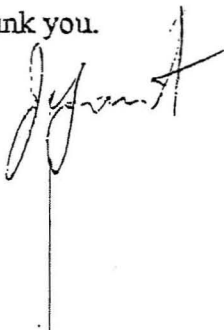
Injuries to the suspects that the Taser was used on showed no long time effects due to the Taser. Suspects returned back to normal state prior to having the Taser used on them after the Taser was turned off.

Total injuries reported in my prior department for persons who had the Taser used on them: **None to date.**

An important fact about the Taser is since its deployment in existence and its use by over 11,000 law enforcement departments throughout the nation the compliance level of suspects to law enforcement Officers has shown a great increase thus less lethal force is needed to apprehend and control violent suspects that pose great danger to all Law enforcement, the Public and themselves.

I am here today to ask the House to please consider the Taser for Conservation resource officers. House Bill 3016.

Thank you.



Larry Geller
1515 Nuuanu Ave. #153
Honolulu, HI 96817

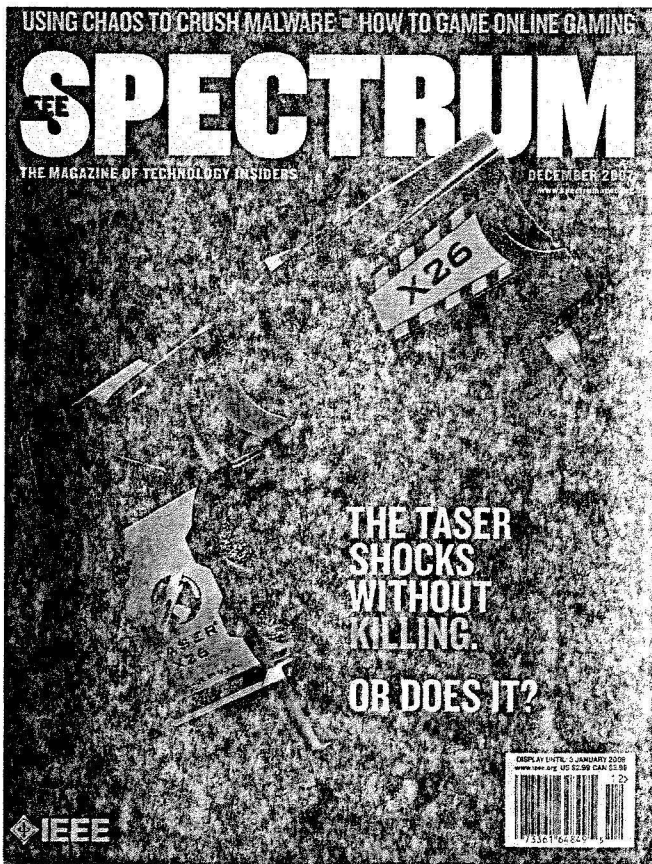
HR3016
WLH
Monday February 4, 2008
8:30 a.m.
Room 312
5 copies

COMMITTEE ON WATER, LAND, OCEAN
RESOURCES & HAWAIIAN AFFAIRS
Rep. Ken Ito, Chair
Rep. Jon Riki Karamatsu, Vice Chair

February 4, 2008

Re: HR 3016—Establishes a two-year pilot project authorizing Department of Land and Natural Resources' Conservation and Resources Enforcement Officers to use tasers

In Opposition



The Taser is a weapon that can kill. At present, approximately 307 people in the USA have been killed by Tasers.

It also been condemned by Amnesty International due to human rights abuses.

Tasers would make DLNR enforcement officers into judges and juries, inflicting severe pain and possibly death on a person who has not been tried and found guilty of any crime.

Officers, particularly those with little training or who have triggerhappy tendencies, use Tasers without regard to the consequences for the victim.

And yes, people are regularly killed by Tasers. There have been five known deaths in this country in the month of January 2008 alone:

- Jan 4th: Brandon Smiley, 27, Mobile County, Alabama, after becoming violent with the crew of an ambulance taking him to the hospital for treatment for a suspected drug

overdose.

- Jan 4th: Ryan Rich, 33, Las Vegas, Nevada (unidentified in original article), after driving erratically, crashing into a wall, and trying to resist police removing him from his vehicle.

- Jan 9th: Otis C. Anderson, 36, Fayetteville, North Carolina, asked police for help, then ran, encountered police again, become combative, was shocked, then stopped breathing during his arrest.
- Jan 11th: Xavier Jones, 29, Coral Gables, Florida, "became unresponsive" after police responding to calls about a man at a party being disruptive shocked him for resisting arrest.
- Jan 15th: Mark C. Backlund, 29, Fridley, Minnesota, unidentified in the original article, shocked after he "became uncooperative" with police after a car accident.

Given the number of these incidents, tasing in many cases becomes a first resort rather than a next-to-last resort, even when the number of officers outnumbers the alleged perpetrator by a large margin.

And doesn't this make you sick?:

A Halifax Youth Court judge criticized three police officers Tuesday for their arrest of a teenage girl, who was tackled in her own bed and shocked twice with a stun gun last February.

"The spectacle of a 17-year-old girl being Tasered in her bedroom is a very disturbing and disconcerting one," Halifax Youth Court Judge Anne Derrick said in her ruling on the charges of resisting arrest and assaulting a police officer.

You may have heard of the man who didn't speak English and was shouting for help, only to be killed by a Taser at a Canadian airport. It goes on and on.

Officer uses Taser to tame Best Buy customer

Sides split on what happened; review begins

Fri., Dec. 21, 2007

DAYTONA BEACH, Fla. - A review is under way in the case of a Florida police officer who used a stun gun on a woman who had yelled at her.

Last month's incident began as Elizabeth Beeland, 35, tried to buy a CD player at an electronics store, and stepped outside to talk on her phone, leaving her credit card behind. A store clerk became suspicious, and suspected Beeland was using a stolen card. When police officer Claudia Wright approached, she said Beeland became "verbally profane" and "abusive."

Wright said she warned Beeland to calm down or face arrest. The officer hit Beeland in the stomach with the Taser darts and arrested her on charges of disorderly conduct and resisting arrest.

In a video, the customer is seen backing away, then crumpling to the ground after being tasered. Police later verified that Beeland was using her own credit card, but she was arrested for disorderly conduct and resisting a police officer without violence. She has since pleaded not guilty.

Two sides to story, video Daytona Beach Police Chief Mike Chitwood defended the officer's actions, which he said avoided use of other weapons.

"Even if you look at the video, when the officer stepped toward her after announcing she's under arrest, she's flailing her arms and retreating from the officer," Chitwood said.

"Police work isn't pretty. It doesn't look pretty, but from where we sit, interviewing civilian witnesses and people may or may not agree, but she followed our policy, she followed FDLE (Florida Department of Law Enforcement) guidelines."

Cop Watch's George Crosley sees the incident in a different way. His group polices police actions. He said he is stunned by the store surveillance video.

"This is wrong, this shouldn't have happened that way," Crosley said. "When the officer starts toward her, you don't see her threatening the officer, you see her backing off with her hands up," he said. "If she couldn't figure out how to handle it, she should have called for back up. The truth of the matter is, people have died as a result of being tased."

State prosecutors are reviewing whether to pursue the case against Beeland. Beeland's attorney is also reviewing the incident.

We should restrict the use of this weapon in Hawaii, and we can start right now by keeping it out of DLNR hands.

I recommend to the Chair and to the Committee that this bill should not be passed.


Larry Geller

February 2, 2008

The Honorable Ken Ito, Chair
And Members
Committee on Water, Land, Ocean Resources and Hawaiian Affairs
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Ito and Members:

SUBJECT: HOUSE BILL No. 3016, Related to Law Enforcement

I am Clarence M. Yamamoto, Field Supervisor-West District of the State of Hawaii, Division of Conservation and Resources Enforcement, Maui Branch. I support House Bill No. 3016 Related to law Enforcement.

The purpose of this bill is to establish a two year pilot project authorizing the department of Land and Natural Resources, Conservation and Resources Enforcement Officers to use tasers while performing their duties within the Counties of Hawaii and Maui.

As a Field Supervisor one of my primary concerns is to ensure the safety of our officers while conducting their assigned duties in the field. Our duties routinely take our officers into very remote areas that at times are only accessible by four wheel drive vehicles. Officers may find themselves alone when confronting a suspect who is armed with a dangerous weapon, as in the case with hunters, spear fishermen and drug users.

Allowing our officers to use the tasers in the performance of their duties will provide the officer with another tool, that will not only make his job safer but also helps to minimize the potential risk of injury to the officer and the suspect should the suspect become aggressive towards the officer. In talking with Police Officers who already carry the tasers, it is my understanding that the mere display of the Taser will often de-escalate an intense situation allowing the officers to gain compliance and avoid a possible physical confrontation.

With the escalating violence in today's society and the dangers faced daily by our officers I respectfully request that you support this bill and allow us to use another tool to properly do our jobs safely and continue to actively protect the environment that we all cherish.

Thank you for allowing me the opportunity to testify in support of this bill.

Sincerely,



Clarence M. Yamamoto
Field Supervisor-West District
State of Hawaii, DLNR - DOCARE Maui Branch

February 1, 2008

The Honorable Ken Ito, Chair
And Members
Committee on Water, Land, Ocean Resources and Hawaiian Affairs
House of Representatives

SUBJECT: House Bill # 3016, Related to law Enforcement

Aloha Mr. Ken Ito and Members:

My name is Randy Awo. I am the Branch Chief for the Division of Conservation and Resources Enforcement for Maui Nui. We are the Enforcement Division for the Department of Land and Natural Resources are granted full police powers as provided via the Hawaii Revised Statutes, Chapter 199-4.

I support House Bill 3016, which establishes a two year pilot program that authorizes DOCARE Officers on the islands of Maui and Hawaii to use tasers while performing their duties in their official capacity.

Throughout the nation, law enforcement agencies have transitioned to the “Taser Conductive Energy Weapon” recognizing its value as a *less than deadly force option* when dealing with volatile situations. National studies show that this tool has reduced injuries to Officers as well as the public. This in turn has led to a reduction in Departmental liability. The Maui Police Department began its pilot program in October of 2004. Since its inception, the M.P.D. has observed “a consistent drop in injuries to their Officers as well as suspects”.

Our Officers are often required to work in remote areas under challenging conditions. The use of force options available to DOCARE Officers are their hands, pepper spray, the baton and the firearm. The taser is classified at the same level of force as pepper spray. However it has proven to be safer and more effective at controlling aggressive subjects than pepper spray, the baton and in many instances the firearm.

Therefore, I strongly urge the committee to pass HB 3016 as it will increase our Officers ability to safely neutralize combative situations without having to use force options that could incur further injuries and/or death.

In addition, the Maui Police Department not only supports this Bill, they have also offered to provide training as well. It is our hope that by working closely with the Maui and Hawaii Police Departments, while subjecting our operations to legislative over site as part of a test pilot program, it will set the stage for expanding this program to the entire Division.

Mahalo for allowing me the opportunity to testify in favor of HB 3016.

**Testimony of The Nature Conservancy of Hawai'i
Supporting H.B. 3016 Relating to Law Enforcement
House Committee on Water, Land, Ocean Resources & Hawaiian Affairs
Monday, February 4, 2008, 8:30AM, Room 312**

The Nature Conservancy of Hawaii supports H.B. 3016 Relating to Law Enforcement.

Many who care about the state's natural resources have long called for more enforcement of regulations to protect those resources. A 2006 State Auditor's report concludes that the state's environmental enforcement officers are spread too thin, inadequately trained, and lack the equipment they need to do their jobs. To address the auditor's concerns, the Legislature has supported a dramatic increase in the number of trained enforcement officers.

In addition to funding and manpower, DLNR conservation and resource enforcement officers need the proper equipment to allow them to be effective. Last year, the Legislature authorized DLNR conservation officers to use blue and red lights on their vehicles to serve several important purposes such as a deterrent to unlawful behavior, identification to those in need of assistance, and allowing enforcement officers to quickly and safely get through traffic in emergency situations.

With conservation officers often carrying out their duties in remote locations and during a variety of hours of the day and night, this bill would provide an appropriate pilot demonstration project for a protection device for the officers.

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