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DEPARTMENT OF LIQUOR CONTROL

C O U N T Y O F M A U I

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PHONE (808) 243-7753 • FAX (808) 243-7558

February 7, 2008

Representative Tommy Waters, Chair  
Representative Blake K. Oshiro, Vice Chair  
Committee on Judiciary

Hearing: Thursday, February 7, 2008 ; 5:30 p.m.  
HB 3355; Relating to Electric Guns  
Position: Support and recommend amendment to HB 3355

The Departments of Liquor Control, Counties of Hawaii, Maui, and Kauai, support HB 3355 and recommend an amendment to the definition of "County liquor authorities."

We propose defining "County liquor authorities" to mean **the liquor control officers of the Departments of Liquor Control of the counties of Hawaii, Maui and Kauai, and the City and County of Honolulu Liquor Commission.**

We respectfully request your favorable consideration.

*Franklyn L. Silva*  
Franklyn L. Silva, Director  
Department of Liquor Control, Maui

Janice Pakele, Director  
Department of Liquor Control, Hawaii

Eric Honma, Director  
Department of Liquor Control, Kauai

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**BY FAX: 586-9456**

Committee: Committee on Judiciary  
 Hearing Date/Time: Thursday, February 7, 2008, 5:30 p.m.  
 Place: Room 325  
 Re: Testimony of the ACLU of Hawaii in Opposition to HB 3355, Relating to Electric Guns

Dear Chair Waters and Members of the Committee on Judiciary:

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in opposition to HB 3355, which seeks to permit the investigators of the county liquor authorities to possess electric guns.

The ACLU of Hawaii opposes this bill because of the increasing number of deaths associated with Taser use, the lack of independent studies on several critical safety issues, and the lack of policy governing the use of the weapon. Further, the ACLU of Hawaii urges this Committee to work with law enforcement agencies to impose regulations on Taser use.

The ACLU of Hawaii recommends several policy reforms including the following:

**Pass Legislation.** This Committee should pass a law that allows Tasers to be used solely as an alternative to deadly force. The British Government currently employs such restrictions. Tasers are certainly a safer alternative to firearms, but until more independent safety studies are completed, law enforcement agencies should be restricted from using Tasers in non-life-threatening situations.

**Adopt Stricter Policies.** Local government and local law enforcement should each independently adopt Taser policies. If local law enforcement will not restrict its Taser use to life-threatening situations, agencies should, at a bare minimum, adopt policies to minimize the risk of death such as prohibiting repeated shocks and protecting vulnerable populations such as the very young, the elderly and pregnant women. Further, Taser policies should require more detailed reporting and mandatory medical treatment to those Tased, regardless of whether they were ultimately arrested.

American Civil Liberties Union of Hawaii  
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Hon. Rep. Waters, Chair, JUD Committee  
and Members Thereof  
February 7, 2008  
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**Revise Training Materials.** Local law enforcement agencies should conduct comprehensive reviews of the Taser International training materials, revise them, and retrain all officers that have already completed the Taser International training.

For more information, please see American Civil Liberties Union of Northern California, *Stun Gun Fallacy: How the Lack of Taser Regulation Endangers Lives* (2005), available at [http://www.aclunc.org/issues/criminal\\_justice/police\\_practices/asset\\_upload\\_file593\\_5242.pdf](http://www.aclunc.org/issues/criminal_justice/police_practices/asset_upload_file593_5242.pdf).

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for over 40 years.

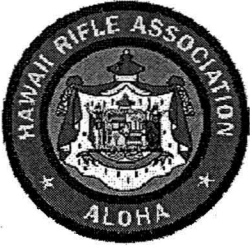
Thank you for this opportunity to testify.

Sincerely,

Laurie A. Temple  
Staff Attorney  
ACLU of Hawaii

American Civil Liberties Union of Hawaii  
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# HAWAII RIFLE ASSOCIATION

State Affiliate of the National Rifle Association  
Founded in 1857

February 6, 2008

House of Representatives  
Committee on Judiciary  
Representative Tommy Waters, Chair  
Representative Blake Oshiro, Vice Chair

Thursday, February 7, 2008, 5:30 PM  
House Conference Room 325

Sergeant at Arms: Please provide 5 copies  
Email: [JUDtestimony@Capitol.hawaii.gov](mailto:JUDtestimony@Capitol.hawaii.gov)

## **HB3355 Relating to Electric Guns**

### **Testimony in Support.**

The Hawaii Rifle Association feels that allowing investigators of the county liquor authorities to possess electric guns in the course of their duties will provide them with an important "less than lethal" alternative to manage situations of aggression.

Stun guns and tasers have been in use throughout the country for several years, and have proven to be an effective deterrent and viable option for law enforcement personnel as well as law-abiding citizens.

Please support the passage of this bill.

Sincerely,

Hawaii Rifle Association  
Legislative Co-chair

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