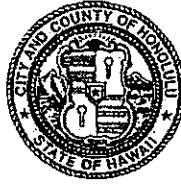


POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813  
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org



PETER B. CARLISLE  
MAYOR

LOUIS M. KEALOHA  
CHIEF

DELBERT T. TATSUYAMA  
RANDAL K. MACADANGDANG  
DEPUTY CHIEFS

OUR REFERENCE GS-SK

February 10, 2011

The Honorable Henry J. C. Aquino, Chair  
and Members  
Committee on Public Safety and Military  
Affairs  
House of Representatives  
State Capitol  
Honolulu, Hawaii 96813

Dear Chair Aquino and Members:

Subject: House Bill No. 551, Relating to Electric Guns

I am Gordon Shiraishi, Captain of the Training Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD strongly opposes the passage of House Bill No. 551. This bill would authorize county liquor authority investigators to acquire and use electric guns.

The safe and proper handling of electric guns requires a great deal of training and knowledge for their intended use. Current training and certification in the use of the electric gun requires its deployment in conjunction with a backup firearm. Currently, county liquor authority investigators are not authorized to carry a firearm while in the performance of their duties.

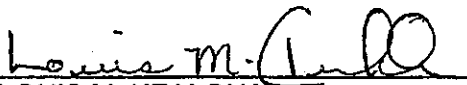
Without the use of a firearm as a backup to a failed electric gun deployment, this could cause a dangerous predicament to an already volatile situation.

The possession and use of electric guns should continue to be limited to the well-trained and properly equipped law enforcement officers who are sworn to protect the community.

Thank you for the opportunity to testify.

APPROVED:

Sincerely,

  
LOUIS M. KEALOHA  
Chief of Police

  
GORDON SHIRAISHI, Captain  
Training Division

*Serving and Protecting With Aloha*

COUNTY COUNCIL  
JAY FURFARO, CHAIR  
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OFFICE OF THE COUNTY CLERK  
Council Services Division  
Elections Division

PETER A. NAKAMURA, County Clerk  
EDUARDO TOPENIO, JR., Deputy County Clerk

Telephone: (808) 241-4188  
Facsimile: (808) 241-6349

TESTIMONY OF DEREK S. K. KAWAKAMI  
KAUAI COUNTY COUNCIL

ON

H.B. 551, RE: ELECTRIC GUNS

House Committee on Public Safety and Military Affairs

February 10, 2011

9:00 a.m.

Conference Room 309

Dear Chair Aquino and Members:

Thank you for the opportunity to submit testimony in support of H.B. 551, relating to Electric Guns. I am providing this testimony in my individual capacity as a member of the Kauai County Council.

The purpose of H.B. 551 is to allow county liquor inspectors to carry electric guns when performing their duties. County liquor inspectors are often exposed to intoxicated, hostile people who may react violently when the inspectors enforce the liquor laws. An electric stun gun would give the inspector a means to fend off or subdue someone who poses a danger to the inspector without using deadly force.

For the foregoing reasons, I support H.B. 551, and I ask for your favorable consideration of the same.

Sincerely,

Derek S.K. Kawakami  
Councilmember

PM: C:\Documents and Settings\Iparongao\Desktop\DESKTOP FILES\HSAC\_NACo\_WIR\_Legislative Packages\LEGISLATION\2011 Legislative Session\_BILLS-TESTIMONIES\TESIMONIES Outside HSAC Pkg

## **PBMtestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 09, 2011 4:50 PM  
**To:** PBMtestimony  
**Cc:** kmills@co.hawaii.hi.us  
**Subject:** Testimony for HB551 on 2/10/2011 9:00:00 AM

Testimony for PBM 2/10/2011 9:00:00 AM HB551

Conference room: 309  
Testifier position: support  
Testifier will be present: No  
Submitted by: Kalani Mills  
Organization: Individual  
Address: 101 Aupuni Street, Suite 230 Hilo, Hawaii  
Phone: (808) 961-8218  
E-mail: [kmills@co.hawaii.hi.us](mailto:kmills@co.hawaii.hi.us)  
Submitted on: 2/9/2011

**Comments:**

I am an investigator with the Department of Liquor Control, County of Hawaii. I have been an investigator for 19 years. In my current position I supervise investigators for the east side of the island, which is 180 miles from one end to the other. I, along with the other investigators in our department, support House Bill 551. In the past year our investigators have been threatened and assaulted. Luckily no one has been seriously hurt. During our inspections and investigations we come in contact with people who are intoxicated and in many cases using illegal drugs. We view electronic guns as a tool that can help to perform our duties.

We request your support in the passage of this bill.

Mahalo!

## PBMtestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 09, 2011 10:15 AM  
**To:** PBMtestimony  
**Cc:** geraldrapozo@yahoo.com  
**Subject:** Testimony for HB551 on 2/10/2011 9:00:00 AM

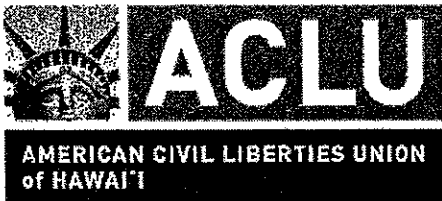
Testimony for PBM 2/10/2011 9:00:00 AM HB551

Conference room: 309  
Testifier position: support  
Testifier will be present: No  
Submitted by: Gerald T. Rapozo  
Organization: Individual  
Address: 4420 Mawaena Street Lihue, HI  
Phone: 808-651-2404  
E-mail: [geraldrapozo@yahoo.com](mailto:geraldrapozo@yahoo.com)  
Submitted on: 2/9/2011

### Comments:

I urge all to support HB 551. Passage will allow Liquor Department Directors to determine whether or not they will have Liquor Control Investigators be trained and allowed to carry tasers. If a Department does not wish to arm their investigators, they won't have to. Passage will allow departments who want to, to be able to do so.

Thank-you.



Committee: Committee on Public Safety and Military Affairs  
Hearing Date/Time: Thursday, February 10, 2011, 9:00 a.m.  
Place: Conference Room 309  
Re: Testimony of the ACLU of Hawaii in Opposition to H.B. 551,  
Relating to Electric Guns

Dear Chair Aquino and Members of the Committee on Public Safety and Military Affairs:

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in opposition to H.B. 551, Relating to Electric Guns, which seeks to allow county liquor authority investigators to use electric guns.

TASERS are potentially lethal weapons. Hundreds of individuals have died after being "tased," with the TASER being the sole or contributory cause in at least forty cases between 2001 and 2008. AMNESTY INTERNATIONAL, 'LESS THAN LETHAL?' THE USE OF STUN WEAPONS IN US LAW ENFORCEMENT 20 (2008).<sup>1</sup> The TASER results in the introduction of a significant amount of electrical current into a person's body and can cause burns and permanent scarring.

TASERS may have a role in supplanting otherwise deadly force; however, because of a lack of clear policies, TASERS are frequently used by law enforcement officers in situations where deadly force would never be contemplated. Consequently, the ACLU of Hawaii recommends that this Committee decline expanding the use of electric weapons and instead reform current electric weapon policies as follows:

- **Pass Legislation restricting officers from using a TASER unless it is used as an alternative to deadly force.** The British Government currently employs such restrictions. Although a TASER is generally a safer alternative to a

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<sup>1</sup> Available at <http://www.amnesty.org/en/library/asset/AMR51/010/2008/en/530be6d6-437e-4c77-851b-9e581197ccf6/amr510102008en.pdf>. See also Chelsea Krotzer, *Officials Release Details Of Sunday Stun Gun Incident*, BILLINGS GAZETTE, Oct. 14, 2010, available at [http://billingsgazette.com/news/local/crime-and-courts/article\\_e2f11334-d7b2-11df-bb9a-001cc4c002e0.html](http://billingsgazette.com/news/local/crime-and-courts/article_e2f11334-d7b2-11df-bb9a-001cc4c002e0.html). For more information on TASER use and abuse, 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). Further, please see NC Taser Safety Project, *Not There Yet: The Need for Safer TASER Policies in North Carolina, 2008*, available at <http://acluofnc.org/files/NotThereYet.pdf>.

American Civil Liberties Union of Hawaii  
P.O. Box 3410  
Honolulu, Hawaii 96801  
T: 808.522-5900  
F: 808.522-5909  
E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
[www.acluhawaii.org](http://www.acluhawaii.org)

Chair Aquino and Members of the Committee on  
Public Safety and Military Affairs  
February 10, 2011  
Page 2 of 2

firearm, law enforcement agencies should be restricted from using electric weapons in non-life-threatening situations until more independent safety studies are completed.

- **Adopt Stricter Policies.** Local government and local law enforcement should each independently adopt TASER policies. 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, policies should require more detailed reporting and mandatory medical treatment to those exposed to electric weapons, regardless of whether they are ultimately arrested.
- **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.

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 45 years.

Thank you for this opportunity to testify.

Sincerely,



Daniel M. Gluck  
Senior Staff Attorney  
ACLU of Hawaii

American Civil Liberties Union of Hawaii  
P.O. Box 3410  
Honolulu, Hawaii 96801  
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E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
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