



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SIXTH LEGISLATURE, 2011**

ON THE FOLLOWING MEASURE:

H.B. NO. 96, H.D. 1, RELATING TO INTOXICATING LIQUOR.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY

DATE: Thursday, February 17, 2011 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): David M. Louie, Attorney General, or
Mark K. Miyahira, Deputy Attorney General

Chair Keith-Agaran and Members of the Committee:

The Department of the Attorney General supports the intent of the bill but has significant concerns about the amendment to section 281-101.5(e), Hawaii Revised Statutes, and provides the following comments about this measure.

The purpose of the bill is to (1) prohibit minors from using false identification to enter premises of establishments with liquor licenses that exclude minors; (2) authorize a mandatory enhanced sentencing provision relating to fines; and (3) require that 50 percent of revenues from fines imposed be distributed to the counties for anti-underage drinking programs or underage drinking law enforcement programs.

The amendment to section 281-101.5(e), Hawaii Revised Statutes, will authorize a mandatory enhanced sentencing provision relating to fines. The Department has significant concerns that the mandatory enhanced sentencing scheme may prevent young adults, aged 18 to 20 years old, from requesting and receiving a deferred acceptance of a guilty or no contest plea for the offense of prohibitions involving minors.

Section 853-1, Hawaii Revised Statutes, permits the court to defer further proceedings, without accepting the plea of nolo

contendere or entering a judgment of guilt, with the consent of the defendant and after considering the recommendations, if any, of the prosecutor.

In enacting this statute, the Hawaii Legislature stated:

The legislature finds and declares that in certain criminal cases, particularly those involving first time, accidental, or situational offenders, it is in the best interest of the State and the defendant that the defendant be given the opportunity to keep his record free of criminal conviction, if he can comply with certain terms and conditions during a period designated by court order. Especially where youth is involved, a record free of a felony conviction, which would foreclose certain educational, professional, and job opportunities may, in a proper case, be more conducive to offender rehabilitation and crime prevention than the deterrent effects of a conviction and sentence.

Section 1, Act 154, Session Laws of Hawaii 1976.

In State v. Tom, 69 Haw. 602 (1988), the Hawaii Supreme Court ruled that the trial court properly denied the motion for a deferred acceptance of a no contest (DANC) plea on the basis of the sentencing scheme in the DUI statute, as well as for other reasons. In State v. Tom, the Hawaii Supreme Court noted that the DUI statute provides for an enhanced sentencing scheme for multiple offenses within a five year period. "A repeat offender given a DANC plea on the first offense could thus escape enhanced sentencing under the DUI statute by committing a second offense after DANC jurisdiction had expired but within the five year period of the DUI sentencing scheme." Id. At 604.

Based on State v. Tom, the Department believes that the mandatory enhanced sentencing provision in section 281-101.5, Hawaii Revised Statutes, may prevent young adults, aged 18 to 20 years old, from requesting and receiving a deferred acceptance of a guilty or no contest plea. The Department believes that this would lead to an inappropriate disposition as the

Legislature enacted the deferred acceptance statute for just this type of situation.

The Department also does not support this bill's original amendment to section 281-101.5(e), Hawaii Revised Statutes, which proposed to create a permissive sentencing provision relating to fines. Under the current law, persons under 18 years old are subject to the jurisdiction of the family court, which already has the power to impose a fine on a minor. Also, under the current law, a violation of section 281-101.5(b) or (c), Hawaii Revised Statutes, is a petty misdemeanor and the courts are authorized to impose a fine up to \$1000. The original amendment simply created a sentencing guideline which could be disregarded by the court.



THE JUDICIARY, STATE OF HAWAII

Testimony to the House Committee on Judiciary
Representative Gilbert S.C. Keith-Agaran, Chair
Representative Karl Rhoads, Vice Chair

Thursday, February 17, 2011, 2:00 p.m.
State Capitol, Conference Room 325

by
Janice Yamada
Deputy Chief Court Administrator
Client Services Division
First Circuit Court

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 96, H.D. 1, Relating to Intoxicating Liquor

Purpose: To prevent and deter underage drinking.

Judiciary's Position:

The Judiciary takes no position on House Bill No. 96, H.D. 1, which requires the imposition of fines against minors for liquor violations.

For purposes of this law, the term, "minor," includes anyone under the age of 21. Generally, persons under 18 do not have the means to pay fines. Unless this bill expressly gives Family Court the authority to require parents to cover these fines, collection may be difficult. If the Legislature wishes to require parents to be liable for these fines, we note that House Bill No. 18, House Draft 1 includes the following language (p. 3, lines 9-12):

"The parent or legal guardian having control or custody of an unemancipated minor whose conduct violates this section shall be liable for the amount of the fine imposed pursuant to this section."



House Bill No. 96, H.D. 1, Relating to Intoxicating Liquor
House Committee on Judiciary
Thursday, February 17, 2011
Page 2

HRS Chapter 571 generally recognizes the need to give the family court wide discretion to individualize the disposition of minors. A system of mandatory fines is contrary to this recognition. The Judiciary recognizes the importance of combating underage drinking. We recognize that this age group (up to age 21) is over-represented in traffic accidents and fatalities. We are unsure that the efficacy of this system will outweigh curtailing Family Court's discretion.

Thank you for the opportunity to provide testimony on this measure.



Office of the Public Defender State of Hawaii



Timothy Ho, Chief Deputy Public Defender
Testimony of the Office of the Public Defender,
State of Hawaii to the House Committee on Judiciary

February 17, 2011, 2:00 p.m.

RE: H.B. 96, HD1: Relating To Intoxicating Liquor

Chair Keith-Agaran and Members of the Committee:

The Office of the Public Defender opposes this measure.

This measure would amend subsection (c) of Section 281-101.5, Hawaii Revised Statutes by inserting language which make the use of falsified identification to gain entry into an establishment that excludes minors under the age of twenty-one or only admits people twenty-one year or older.

We understand the argument proffered by our law enforcement community that the threat of the loss of driving privileges is a huge deterrent to underage drinking. Section (1) states that Act 203 has been an effective tool because it mandates driver's license suspensions. What evidence have they provided to this committee which would back up these claims? Has there been a reduction in arrests for this offense? How many drivers' licenses have been suspended? We do not believe that Act 203 has had a deterrent effect because most if not all drivers under the age of twenty-one are not aware of the penalties prescribed by this law.

We strongly urge this committee to delete the language proposed in subsection (c) of this measure. We believe that the current language, which prohibits the use of falsified identification for the purpose purchasing liquor is sufficient, and is at least consistent with the rest of the activities proscribed in this statute, which relates to the possession and/or consumption of alcohol by a person under the age of twenty-one. The proposed language is inconsistent with the rest of the offense of Prohibitions Involving Minors. The proposed language has no connection with the illegally obtaining, possessing or using alcohol. For example, a minor may use a falsified identification in order to gain entry into premises restricting entry to those twenty-one years or older for reasons other than drinking alcohol. This person may want to see a musical or comedy act, or simply want to meet others for dancing, or karaoke. This person may have no intention to consume alcohol, and should not be convicted of a criminal offense.

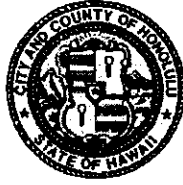
We also strongly oppose the mandatory and progressive sentencing scheme proposed in subsection (3) of this bill. The progressive sentencing scheme will prohibit a defendant from obtaining a deferred acceptance of a guilty or no

contest plea. Many young men and women charged with under-aged drinking have no prior offenses, and are unlikely to ever commit another criminal offense. A deferred plea, which would permit a minor to avoid a criminal conviction, would not be possible if a progressive sentencing scheme is adopted. Currently, a judge has the discretion to impose a sentence of up to six months in jail and/or a thousand dollar fine. We believe that the current penalties are appropriate punishments for this offense.

We oppose the passage of H.B. No. 96, H.D. 1. Thank you for the opportunity to be heard on this matter.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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



PETER B. CARLISLE
MAYOR

LOUIS M. KEALOHA
CHIEF

DELBERT T. TATSUYAMA
RANDAL K. MACADANGDANG
DEPUTY CHIEFS

OUR REFERENCE CO-JM

February 17, 2011

The Honorable Gilbert S. C. Keith-Agaran, Chair
and Members
Committee on Judiciary
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Keith-Agaran and Members:

Subject: House Bill No 96, H.D. 1, Relating to Intoxicating Liquor

I am Janna Mizuo, Major of the Community Affairs Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 96, H.D. 1. The health and welfare of our youth and the consequences of their drinking and driving are of utmost concern to the HPD.

This bill sends a clear message to minors that anyone found in violation of the law will be subject to a license suspension and assessed a fine. It also addresses the prohibition of using a false identification to obtain liquor.

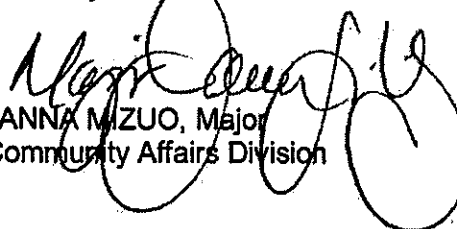
Because driving is a privilege and not a right, having the minor's license, provisional license, and instructor's permit suspended and at the same time imposing a fine, would be a major deterrent factor that may prevent future similar behavior.

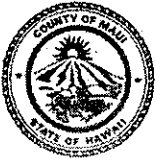
Thank you for the opportunity to testify.

APPROVED:

Sincerely,


LOUIS M. KEALOHA
Chief of Police


JANNA MIZUO, Major
Community Affairs Division



ALAN M. ARAKAWA

MAYOR

OUR REFERENCE

YOUR REFERENCE

POLICE DEPARTMENT
COUNTY OF MAUI

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6400
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GARY A. YABUTA
CHIEF OF POLICE

CLAYTON N.Y.W. TOM
DEPUTY CHIEF OF POLICE

February 16, 2011

The Honorable Gilbert S.C. Keith-Agaran, Chair
and Members of the Committee on Judiciary
The State Capitol
Honolulu, Hawaii 96813

Dear Chair Keith-Agaran and Members of the Committee:

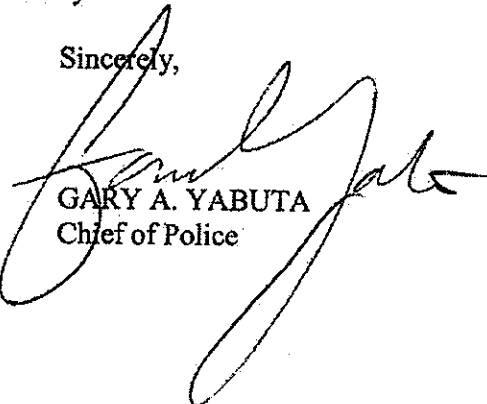
RE: House Bill No. 96, HD1, Relating to Intoxicating Liquor

The Maui Police Department supports the passage of H. B. No. 96 HD1. This bill prohibits use by minors of false identification to enter premises of establishments, carrying liquor licenses that exclude minors. It also establishes a schedule of fines assessed against minors for violations relating to liquor and designates fifty per cent of revenues from fines to county programs to combat underage drinking.

The Maui County Police Department humbly asks for your support for H.B. No. 96, HD1.

Thank you for the opportunity to testify.

Sincerely,



GARY A. YABUTA
Chief of Police

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 16, 2011 8:58 AM
To: JUDtestimony
Cc: traci.villarosa@mauicounty.gov
Subject: Testimony for HB96 on 2/17/2011 2:00:00 PM
Attachments: HB96.doc

Testimony for JUD 2/17/2011 2:00:00 PM HB96

Conference room: 325

Testifier position: comments only

Testifier will be present: No

Submitted by: Traci Fujita Villarosa, Esq.

Organization: County of Maui, Department of Liquor Control; City & County of Honolulu, Liquor Commission

Address:

Phone:

E-mail: traci.villarosa@mauicounty.gov

Submitted on: 2/16/2011

Comments:

The proposed fines are under the jurisdiction of the family court and will be collected by the State. The proposed amendments clarify that it is the State of Hawaii Director of Budget & Finance that will distribute the proposed revenue, not the county directors of finance.

A BILL FOR AN ACT

RELATING TO INTOXICATING LIQUOR.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that the "Use and Lose" law, Act 203, Hawaii Session Laws of 2006, has been an effective tool in curbing teenage drinking because it mandated driver's license suspensions for minors caught violating the liquor laws. The "Use and Lose" law, however, does not have the same deterrent effect on those minors who do not have driver's licenses or a desire to drive.

The legislature further finds that license suspensions sometime present significant hardships to violators and their families in communities that have few or no modes of public transportation.

Moreover, programming in underage drinking awareness is an additional yet non-punitive approach that would educate teens about the dangers of alcohol abuse. Such programs may influence teenagers to make responsible decisions about alcohol use based upon effective

presentations of compelling facts and a rational desire to be safe and healthy.

The purpose of this Act is to:

- (1) Promote youth awareness of alcohol abuse;
- (2) Encourage the enforcement of the liquor laws by directing fifty per cent of the revenue generated from optional fines towards county anti-underage drinking programs; and
- (3) Authorize courts to order additional fines and increase the number of hours of community service required of minors who violate the liquor laws.

SECTION 2. Section 281-101.5, Hawaii Revised Statutes, is amended to read as follows:

"§281-101.5 Prohibitions involving minors; penalty.

- (a) Any adult who provides or purchases liquor for consumption or use by a person under twenty-one years of age shall be guilty of the offense under section 712-1250.5.
- b) No minor shall consume or purchase liquor and no minor shall consume or have liquor in the minor's possession or custody in any public place, public gathering, or public amusement, at any public beach or public park, or in any

motor vehicle on a public highway; provided that notwithstanding any other law to the contrary, this subsection shall not apply to:

(1) Possession or custody of liquor by a minor in the course of delivery, pursuant to the direction of the minor's employer lawfully engaged in business necessitating the delivery;

(2) Possession, custody, or consumption of liquor by a minor in connection with the minor's authorized participation in religious ceremonies requiring such possession, custody, or consumption; or

(3) Any person between the ages of eighteen and twenty, who is participating in a controlled purchase as part of a law enforcement activity or a study authorized by the department of health to determine the level of incidence of liquor sales to minors.

c) No minor shall falsify any identification or use any false identification or identification of another person or of a fictitious person for the purpose of buying or attempting to buy liquor, for the purpose of obtaining employment to sell or serve liquor on licensed premises, or for the purpose of gaining entry to the premises of a licensee that excludes minors or admits only a person who produces identification to prove the person is

twenty-one years of age or older.

(d) Any person under age eighteen who violates this section shall be subject to the jurisdiction of the family court. Any person age eighteen but under twenty-one years of age who violates subsection (b) or (c) shall be guilty of a petty misdemeanor. The court shall order that any person under twenty-one years of age found to be in violation of this section shall have, in addition to any other disposition or sentencing provision permitted by law, the person's license to operate a motor vehicle, or the person's ability to obtain a license to operate a motor vehicle, suspended as follows:

(1) For licensed drivers, the driver's license shall be suspended for not less than one hundred and eighty days with exceptions to allow, at the discretion of the sentencing court, driving to and from school, school-sponsored activities, employment, or for other reasons when lack of alternative transportation presents an undue hardship;

(2) For persons with a provisional license, the provisional license shall be suspended for not less than one hundred and eighty days with exceptions to allow, at the discretion of the sentencing court, driving to and from school, school-sponsored activities, employment, or for

other reasons when lack of alternative transportation presents an undue hardship;

(3) For persons with an instruction permit, the instruction permit shall be suspended for not less than one hundred and eighty days with exceptions to allow, at the discretion of the sentencing court, driving to and from school, school-sponsored activities, employment, or for other reasons when lack of alternative transportation presents an undue hardship; or

(4) For persons not licensed to drive, eligibility to obtain a driver's license, provisional license, or instruction permit shall be suspended until the age of seventeen or for one hundred and eighty days, at the discretion of the court; and

(5) Chapter 571 notwithstanding, in any case where a person under the age of eighteen violates this section, the family court judge may suspend the driver's license, provisional license, or instruction permit, or suspend the eligibility to obtain a driver's license, provisional license, or instruction permit in accordance with this section;

provided that the requirement to provide proof of financial responsibility pursuant to section 287-20 shall not be

based upon a sentence imposed under paragraphs (1) and (2). In addition, all persons whether or not licensed, found to be in violation of this section shall be sentenced to at least seventy-five hours of community service work, and an eight to twelve hour program of alcohol education and counseling the costs of which shall be borne by the offender or the offender's parent or guardian.

(e) In addition to any other penalties authorized by law, any minor who violates subsection (b) or (c) may be fined as follows:

(1) For a first violation, by a fine of not less than \$100 and not more than \$250;

(2) For a violation that occurs within three years of a prior violation under subsection (b) or (c), by a fine of not less than \$250 and not more than \$500; and

(3) For a violation that occurs within three years of two or more prior violations under subsection (b) or (c), by a fine of not less than \$500 and not more than \$1,000.

The State of Hawaii, director of budget & finance shall distribute fifty per cent of the revenues from the fines imposed under this subsection to the county in which the violation occurred. The funds shall be used for anti-underage drinking programs or underage drinking law enforcement programs.

(f) As used in this section, "consume" or "consumption" includes the ingestion of liquor."

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect on July 1, 2011.

INTRODUCED BY: _____



Representative Gilbert Keith-Agaran, Chair
Representative Karl Rhoads, Vice Chair
Committee on Judiciary

HEARING Thursday, February 17, 2011
 2:00 pm
 Conference Room 325
 State Capitol, Honolulu, Hawaii 96813

RE: HB96 HD1, Relating to Intoxicating Liquor

Chair Keith-Agaran, Vice Chair Rhoads, and Members of the Committee:

Retail Merchants of Hawaii (RMH) is a not-for-profit trade organization representing 200 members and over 2,000 storefronts, and is committed to the support of the retail industry and business in general in Hawaii.

RMH supports HB96 HD1, which prohibits use by minors of false identification to enter premises of establishments carrying liquor licenses that exclude minors, establishes a schedule of fines assessed against minors for violations relating to liquor, and designates 50% of revenues from fines to county programs for underage drinking awareness and prevention.

As concerned citizens, we most assuredly support all endeavors to prevent underage drinking and the subsequent damaging effects on our children and society.

For retailers, a significant provision of HB96, HD1 is strengthening the prohibition of and penalties for a minor's use of false identification. Modern technology has facilitated the proliferation of fraudulent kinds of identification that are virtually undetectable to all but the trained professional. These counterfeit documents are prevalent in the marketplace, and are key components in various offenses, not the least of which are check and credit card fraud and identity theft. Creating consequences for the use of fraudulent documents at any and all levels is a major step to containing these criminal activities.

As evidenced by the results of the anti-smoking / anti-tobacco programs, education and information are critical components of substance abuse prevention. The fines generated from this provision will provide an important source of funding for this preventive tool at the county levels.

We respectfully urge your passage of HB96 HD1. Thank you for your consideration and for the opportunity to submit testimony.

Carol Pregill, President

RETAIL MERCHANTS OF HAWAII
1240 Ala Moana Boulevard, Suite 215
Honolulu, HI 96814
ph: 808-592-4200 / fax: 808-592-4202

GOODSILL ANDERSON QUINN & STIFEL

A LIMITED LIABILITY LAW PARTNERSHIP LLP

GOVERNMENT RELATIONS TEAM:
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TO: Representative Gilbert S.C. Keith-Agaran
Chair, Committee on Judiciary
Via Email: JUDtestimony@Capitol.hawaii.gov

FROM: Christina Zahara Noh

DATE: February 16, 2011

RE: **H.B. 96, H.D. 1 – Relating to Intoxicating Liquor**
Hearing: Thursday, February 17, 2011 at 2:00p.m., Room 325

Dear Chair Keith-Agaran and Members of the Committee on Judiciary:

I am Christina Zahara Noh, appearing on behalf of the Distilled Spirits Council of the United States (“DISCUS”). DISCUS is a national trade association representing producers and marketers of distilled spirits sold in the United States. Through the efforts of the Century Council, a not-for-profit organization funded solely by America’s leading distillers, the distilled spirits industry develops innovative programs used by communities nationwide to combat drunk driving and illegal, underage drinking.

H.B. 96, H.D.1 prohibits minors from using false identification to purchase liquor, establishes a schedule of fines assessed against minors for violations relating to liquor, and designates fifty percent of revenues from fines to county programs to combat underage drinking. Under the present penalty scheme, minors who violate this law would be subject to license suspension. Under the proposed penalty scheme in H.B. 96, H.D.1, however, minors who violate the law by using false identification would be subject to a series of fines in addition to the mandatory penalties of license suspension, community service work, and alcohol education and counseling.

DISCUS supports H.B. 96, H.D. 1 because it seeks to supplement effective and enforceable penalties to deter underage drinking with the imposition of fines. DISCUS believes that penalties such as license suspension, community service and alcohol education for underage drinkers who purchase, possess or consume alcohol are effective measures that can help to curb incidents of underage drinking. For this reason, DISCUS

February 16, 2011

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supports supplementing those types of penalties with mandatory fines, but asks that the existing mandatory penalties for underage drinking be kept in place.

Thank you very much for this opportunity to present testimony on H.B. 96, H.D.1. We look forward to participating in further discussion on this measure.

JUDtestimony

From: Dara Carlin, M.A. [breaking-the-silence@hotmail.com]
Sent: Monday, February 14, 2011 1:43 PM
To: JUDtestimony
Subject: HB96 HD1 to be heard, Thursday, 02/17/11 at 2:00pm in Room 325

TO: Representative Keith-Agaran, Chair
Representative Rhoads, Vice Chair
Judiciary Committee Members

FROM: Dara Carlin, M.A.
Domestic Violence Survivor Advocate
881 Akiu Place
Kailua, HI 96734

DATE: 02/17/11

RE: SUPPORT for HB96 HD1

Good Afternoon Representatives and thank you for this opportunity to provide testimony in SUPPORT of HB96 HD1.

I was in New York recently talking with a college friend of mine and his wife who are the parents of two teens. They told me about a horrific motor vehicle accident where all but one of the teens were killed. (Clip from an article about it below.)

Teen in fatal crash didn't have license

Crash kills 4 teens, 1 critical

Updated: Wednesday, 08 Dec 2010, 9:57 PM EST
Published : Wednesday, 08 Dec 2010, 9:38 AM EST

Griswold, Conn. (WTNH) - As the Griswold community grieves so many questions are being asked about how four young lives could have been cut short and a fifth teen left fighting for his life in the hospital. The 16-year old driver who killed himself and three others in the crash only had a learner's permit, not a driver's license.

Killed in the crash were 16-year old John Clapper, who was driving, 16-year old Sativa Cornell, 15-year old Steven Szklarz, and Dillon Clifford, who would have turned 17 on Friday. 16-year old Joel Gallup remains in critical condition Wednesday night at Yale-New Haven Hospital.

The police have not yet determined whether alcohol was a factor in the crash or not, but even without the involvement of drugs or alcohol, this accident reflects the decision-making ability of many teens. In another article about this tragic accident, it says the driver took his mother's car without her consent and even if consent had been given, he was still not legally allowed to be driving - but he took the car anyway and this decision cost him his life, the life of his girlfriend and two of his friends.

Decision-making becomes impaired for adults who are under the influence and the risk is clearly doubled for teens. Alcohol has no place in a growing teen's life so let's do what we can to ensure that teens and alcohol are kept apart.

Sadly, as I was looking for the article on this particular accident, the front headline in today's (02/14/11) New York *Newsday* read:

"Suffolk police are investigating the death of an East Moriches teen who they say was discovered dead Sunday morning after a night of drinking with friends."

From: higameli@hawaii.edu
Sent: February 16, 2011 1:50 AM
Subject: Intoxicating Liquor; Minor, Fines

I strongly support HB 96, that there should be a strict law that prohibits minors from entering establishments with false identification and carrying liquor license. As a former night club bartender, I have seen much false identification (fake id's) that minors try to use to buy alcohol. Many of the larger clubs have security checking id's before entering the establishment, but it is not a requirement by the state. Many minors try to enter use real ids from family members or friends to enter establishments serving alcohol. As a bartender you are required to attend liquor classes which teach you not serve underage patrons and how to identify false ids. Minors are allowed to serve alcohol if they obtain a server card from the Liquor Commission. If a minor is not allowed to consume or buy alcohol, then they shouldn't be allowed to serve it as well. The service industry is a fast past environment where minors have slipped through the cracks. If restrictions and fines are placed on minors, the battle to combat underage drinking will become much easier.

Strongly Support

Thank you for your time and consideration on this bill.

Sincerely,
Melissa Higa

David Cayton
2421 Ala Wai Boulevard, #805
Honolulu, HI 96815
808-352-7422
dmcayton@aol.com

February 16, 2011

Hawaii State Legislature
Attn: Gilbert S.C. Keith-Agaran
Chair, House Judiciary Committee
Hawaii State Capitol
Honolulu, HI 96813

Aloha Mr. Keith-Agaran and House Judiciary Committee Members:

My name is David Cayton and I am writing to in support of HB 96 – Relating to Intoxicating Liquor. Currently, I am a paralegal studies student at Kapiolani Community College. I also hold a master's degree in Counseling from the University of Hawaii at Manoa. From my experiences working in academic administration and counseling settings, I have observed the negative consequences that can accompany minors' consumption of alcohol and believe that there should be deterrents to engaging in violations of the law. I agree that the "Use and Lose" law has resulted in an effective deterrent to those minors who possess driver's licenses, but it has not had a significant impact on those who chose not possess a driver's license or do not have the intention to drive. I believe that assessing fines to minors who engage in liquor law violations can have a much greater impact upon discouraging negative behaviors. The revenue generated from the fines also provides the necessary funding for developing or restructuring programs to specifically combat underage drinking. I believe that early intervention is an integral part of reducing the use of alcohol and other substances by citizens of the State of Hawaii. Mahalo for your time and attention.

Aloha,

David Cayton