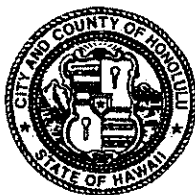


POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
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PETER B. CARLISLE
MAYOR



LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. McCAULEY
DEPUTY CHIEFS

OUR REFERENCE KH-JNB

March 16, 2012

The Honorable Ryan I. Yamane, Chair
and Members
Committee on Health
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Yamane and Members:

Subject: Senate Bill No. 1168, S.D. 1, Relating to Tobacco Products

I am J Pedro, Acting Captain of the Community Affairs Division of the Honolulu Police Department (HPD), City and County of Honolulu.


The HPD opposes Senate Bill No. 1168, S.D. 1. We need to send a strong message to minors that purchasing, possessing, or using tobacco in any form is not acceptable and there are consequences to these actions.

As a result, we prefer Senate Bill No. 1168 in its original form. The consequence for using or possessing tobacco products in Senate Bill No. 1168 is a status offense. It involves community service and monetary fines. Senate Bill No. 1168 does not record a criminal record, and it provides a constructive learning in the "reduction program," which helps our youths to break away from any tobacco addictions that may have developed.

Our youths need to understand that there are consequences for their behavior. By just confiscating cigarettes, our youths do not learn the impact of smoking. Learning is a process that involves education and enforcement. By educating our youths, they learn about the harmful effects of smoking and to make better decisions. Through enforcement, they learn the consequences. Tobacco is a serious addiction and relevant programs are needed to make a difference in our society.

Thank you for the opportunity to testify.

APPROVED:


LOUIS M. KEALOHA
Chief of Police

Sincerely,


J PEDRO, Acting Captain
Community Affairs Division



To: The Honorable Ryan Yamane, Chair, Committee on Health
The Honorable Dee Morikawa, Vice Chair, Committee on Health
Members, House Committee on Health
From: Deborah Zysman, MPH, Executive Director
Hrg: House Committee on Health; March 16, 2012 at 9:30 a.m. in Rm 329
Re: **Support the intent of SB 1168, SD1, Relating to Tobacco Products**

Thank you for the opportunity to comment in support of the intent of SB 1168, SD1 which makes youth use of tobacco products unlawful and allows law enforcement to confiscate any tobacco product being used by a minor. The Coalition for a Tobacco Free Hawaii (Coalition) is the only independent organization in Hawaii whose sole mission is to reduce tobacco use through education, policy and advocacy.

The Coalition supports the intent of SB 1168, SD1 which would make it unlawful for a minor under 18 years of age to use tobacco and allows law enforcement to confiscate the tobacco product in use by a minor. The Coalition has opposed similar measures in the past because the consequence could have resulted in a criminal record for the minor.

Although the Coalition supports the intent of SB 1168, SD1, we continue to urge further consideration of other measures that have proven to decrease youth tobacco use including:

- continued strong funding for tobacco prevention programs and counter-marketing campaigns;
- increasing the taxes on tobacco products, and creating parity between the taxes on other tobacco products and cigarettes;
- restricting the ways tobacco is sold and advertised to young people.

Thank you for the opportunity to testify on this matter.

A handwritten signature in black ink that reads "Deborah Zysman" with a stylized flourish at the end.

Deborah Zysman, MPH
Executive Director

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 14, 2012 4:12 PM
To: HLTtestimony
Cc: tinamoore@linuxmail.org
Subject: Testimony for SB1168 on 3/16/2012 9:30:00 AM

Testimony for HLT 3/16/2012 9:30:00 AM SB1168

Conference room: 329
Testifier position: Oppose
Testifier will be present: No
Submitted by: Tina
Organization: Individual
E-mail: tinamoore@linuxmail.org
Submitted on: 3/14/2012

Comments:

This bill will only make smoking more "dangerous" and "cool" for teens.
This bill should be permanently deferred.

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 14, 2012 7:27 PM
To: HLTtestimony
Cc: susanlarson78@gmx.com
Subject: Testimony for SB1168 on 3/16/2012 9:30:00 AM

Testimony for HLT 3/16/2012 9:30:00 AM SB1168

Conference room: 329
Testifier position: Oppose
Testifier will be present: No
Submitted by: Susan Larson
Organization: Individual
E-mail: susanlarson78@gmx.com
Submitted on: 3/14/2012

Comments:

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 14, 2012 8:31 PM
To: HLTtestimony
Cc: jjw333333@gmail.com
Subject: Testimony for SB1168 on 3/16/2012 9:30:00 AM

Testimony for HLT 3/16/2012 9:30:00 AM SB1168

Conference room: 329
Testifier position: Oppose
Testifier will be present: Yes
Submitted by: Jake J. Watkins
Organization: Individual
E-mail: jjw333333@gmail.com
Submitted on: 3/14/2012

Comments:

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 15, 2012 4:41 AM
To: HLTtestimony
Cc: sbisho@hotmail.com
Subject: Testimony for SB1168 on 3/16/2012 9:30:00 AM

Testimony for HLT 3/16/2012 9:30:00 AM SB1168

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: Sonya Bishop
Organization: Individual
E-mail: sbisho@hotmail.com
Submitted on: 3/15/2012

Comments:

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 14, 2012 9:56 PM
To: HLTtestimony
Cc: cacc@hawaii.edu
Subject: Testimony for SB1168 on 3/16/2012 9:30:00 AM

Testimony for HLT 3/16/2012 9:30:00 AM SB1168

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: Christi
Organization: Individual
E-mail: cacc@hawaii.edu
Submitted on: 3/14/2012

Comments:

I support this bill because I do not want teenagers ruining their health and potentially ruining the health of those around them by exposing others to second-hand smoke. Please support this bill and keep Hawaii a healthier, cleaner, and more enjoyable place!

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 14, 2012 9:50 PM
To: HLTtestimony
Cc: rpasato@gmail.com
Subject: Testimony for SB1168 on 3/16/2012 9:30:00 AM

Testimony for HLT 3/16/2012 9:30:00 AM SB1168

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: Raven
Organization: Individual
E-mail: rpasato@gmail.com
Submitted on: 3/14/2012

Comments:

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 14, 2012 9:42 PM
To: HLTtestimony
Cc: shaunatanaka@hotmail.com
Subject: Testimony for SB1168 on 3/16/2012 9:30:00 AM

Testimony for HLT 3/16/2012 9:30:00 AM SB1168

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: Shauna Hirota
Organization: Individual
E-mail: shaunatanaka@hotmail.com
Submitted on: 3/14/2012

Comments:

Dear Sir and Madam:

I am writing in support of Senate Bill 1168. As a high school teacher, I am able to see firsthand what students really think, feel and do. Six years ago, my freshmen participated in Project Citizen, during which we brainstormed possible issues to focus on. The students eventually decided to support a bill that would prohibit their peers from being able to not only purchase, but more importantly, prohibit the possession and consumption of tobacco products. Part of the process was to do research on their topic focusing specifically on public policy and various viewpoints. Never had I seen my students get more involved and become more dedicated to a "school" project. Every single person in that class participated in this project because it was more than just an assignment. They truly believed that their peers should not be able to possess and consume tobacco. They researched and understood all the ramifications of not only the tobacco products, but also what they were asking our lawmakers to do. They understood that they were asking to be held responsible for breaking this law and all agreed that it was more important to save the lives and futures of their peers. Many adults did not believe that my freshmen were really willing to not only support but create a law that could potentially punish their peers and themselves. My students believed that as teenagers, although they act like they do not want any rules and limitations, they do need and benefit from having clear boundaries. They also felt that not having a law prohibiting consumption and possession sent the wrong message to teens. As an adult who works with teenagers, who I sincerely believe will benefit from this bill's passage, I support the passage of Senate Bill 1168.

Thank you,
Shauna Hirota
Social Studies Teacher
Moanalua High School

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 15, 2012 9:38 AM
To: HLTtestimony
Cc: mz9995@hotmail.com
Subject: Testimony for SB1168 on 3/16/2012 9:30:00 AM

Testimony for HLT 3/16/2012 9:30:00 AM SB1168

Conference room: 329
Testifier position: Oppose
Testifier will be present: Yes
Submitted by: Micheal Zehner
Organization: Individual
E-mail: mz9995@hotmail.com
Submitted on: 3/15/2012

Comments:

I oppose this measure because it won't achieve its' promised aims, as some of the anti-smoking groups have admitted in the past and it is a waste of police time and government funds to go after something like this.

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 15, 2012 11:27 AM
To: HLTtestimony
Cc: marielle.susi@gmail.com
Subject: Testimony for SB1168 on 3/16/2012 9:30:00 AM

Testimony for HLT 3/16/2012 9:30:00 AM SB1168

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: Marielle Susi
Organization: Individual
E-mail: marielle.susi@gmail.com
Submitted on: 3/15/2012

Comments:

It is currently illegal for minors to purchase tobacco products, but purchasing is not the issue. Minors can easily obtain tobacco products through anybody on the street. The issue is that nobody cares about what they do with it once they obtain it. I support the opinion that it should be illegal for a minor to obtain, possess, and consume tobacco products because by doing this, we can save many of our young peoples' lives.

March 16, 2012

3/16/12
9:30 am

Representative Ryan I. Yamane, Chair
and Members
Committee on Health
The House
State Capitol
Honolulu, Hawaii 96813

Dear Chair Ryan Yamane and Members:

Subject: Senate Bill No. 1168, SD 1, Relating to Tobacco Products

My name is Jackie Oshiro. I'm currently a senior at St. Andrew's Priory, and I stand in strong support of Senate Bill 1168, SD 1, which prohibits the use of tobacco products by minors under eighteen.

Under Hawaii's current laws, although a person must be eighteen or older in order to purchase tobacco products, there are no provisions that say one must be the same age to use these products. The eighteen or older purchasing law is so that minors will not abuse these products, and yet the use of them is not condemned under the same law. It simply does not make sense.

As a high school student in Hawaii, I have seen friends and classmates abuse this loophole and take up smoking. I cannot say that I like what it has done to them. Besides the well-known physical effects of tobacco such as cancer, it must be remembered that children under eighteen are still in high school, they still have school to focus on. These should be the things on students' minds. But with friends who smoke, it is less than half a day before they start complaining that they need a cigarette or that they cannot wait until school is over so that they can go off campus and smoke. It is a distraction, and I have seen these friends' grades drop after taking up these bad habits.

In further support of this bill, I believe that people, no matter their age, should be held accountable for their actions. If a minor is smoking and smoking is illegal, then the minor must deal with the consequences. Even though many institutions try to steer people in the right direction, ultimately, the decision to do right or wrong falls on the individual. And just because a person is under the age of eighteen does not mean that they are incapable of making rational decisions. If we are babying children by readily allowing them to do something they ought not to be doing, then we are not helping them in any way, shape, or form to become society-contributing, rational decision-making adults. Although this bill simply makes it so that law enforcement officers may confiscate the tobacco products being used by minor, it is still far more than the law does under status quo.

We all know that smoking is bad and that people, especially children whose bodies and minds are still developing, should not be doing it. It is time to take action, and Senate Bill 1168, SD 1 is a big step in the right decision.

Thank you for your time, and I can only ask for your strongest positive consideration.



Jacqueline Oshiro
Senior at St. Andrew's Priory School

3/16/12
9:30 am

March 16, 2012

Dear Chair Yamane and Members of the House Committee on Health:

Subject: SB1168, SD1 – Relating to Tobacco Products

My name is Melissa Lee and I am a senior at St. Andrew's Priory School. Thank you for your consideration of my testimony in support of SB 1168, SD 1. I understand the importance of encouraging Hawaii's youth to make responsible decisions. In this case, we are considering methods to discourage minors from using tobacco products.

Although it is currently illegal for minors to purchase tobacco products, there are virtually no penalties for minors should they be observed using tobacco. In the end, these laws place too few restrictions on the most self-destructive part of the tobacco market: the consuming of tobacco itself. SB 1168, SD 1 will allow police authorities to confiscate a minor's tobacco products should he or she be found using them, creating a greater level of enforcement to help discourage minors from tobacco use.

Overall, I feel that SB 1168, SD 1 is a positive step towards helping eliminate tobacco use amongst Hawaii's youth. I would like to thank you again for considering my testimony, and I respectfully ask for your support.

Sincerely,

Melissa Lee
St. Andrew's Priory School

3/16/12
9:30am

Representative Ryan I. Yamane, Chair
Committee on Health
The House
State Capitol
Honolulu, Hawaii 96813

March 16, 2012

Dear Chair Yamane and Members of the House Committee on Health:

Subject: Senate Bill No. 1168, SD 1, Relating to Tobacco Products

My name is Wai Sam Lao, and I am a senior at Moanalua High School. I would like to thank you for the opportunity to testify in favor of the bill SB 1168, SD 1.

Ever since I was an elementary and middle school student, I had greatly looked forward to my eventual education at Moanalua High School. Within the community where I live, people place great hope and expectation upon the school, and I am not an exception. Young as I was in elementary school, I knew the detrimental effects of smoking for one's physical, mental, and social health. I also knew that doing drugs was illegal, and if any one of those students got caught even in possession, serious consequences would be in store. I clearly remember my shock when I saw high school students standing just outside campus, casually smoking cigarettes as if the law gave them every right to do so. While the law might not have explicitly encouraged this, the lack of legislation to actively put a foot down on underage smoking sends an unfortunate message that such action may be condoned.

It is conventional wisdom that the use of tobacco products can quickly lead to addiction and spiraling poisoning of the human body. Smoking regularly can potentially shorten a person's lifespan up to 20 years, not to mention causing other ailments such as tooth decay and lung cancer. At the prime of one's youth, it is hard to fathom what would impel one to turn to such detrimental means for pleasure—pleasure, that is, at a mortal price. I personally applaud the efforts of this Legislature to take up this concern which had been brought up six years ago by students who are now alumni of Moanalua High School.

While it is important that schools do their part in promoting awareness about the harmful effects of tobacco use, it is equally, if not more, important that the law also reflects the efforts to ensure Hawaii's youth will have a brighter and healthier future.

Thank you again for your time and consideration.

Sincerely,



Wai Sam Lao
Moanalua High School
Student Association Vice President