

HB980

# LATE

Monday, March 18, 2013

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### HB980

Submitted on: 3/18/2013

Testimony for TIA/JDL on Mar 18, 2013 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Lt. Michael Oakland	Individual	Support	No

Comments: Aloha Chair, Vice Chair and members of the committee: I am Lt. Michael Oakland and I am in SUPPORT of this measure with a couple of comments and a possible ADJUSTMENT to a part of the bill. First I would like to say that I am very pleased that this is finally getting done as several of us approached the legislature many years ago requesting a bill like this but someone figured there needed to be a study. As a Law Enforcement Officer, I see this as a problem EVERYDAY even with the C&C Ord that was passed because the state didn't act when it was first discussed. Now that the bill has gotten this far I would like to suggest that (even though I like the idea)it will be very hard to enforce the part of youth up to 18 yrs old not being allowed to use a hands free device. How would law enforcement be able to prove that a minor is actually using a hands free device? I see a good defense attorney stating that his/her client was talking in the car to others or if alone singing to a song. How are we going to be able to disprove that even if it's not true? I would just suggest that we keep the law as simple as possible so that it is less likely to be challenged in court and to have all of us look silly trying to defend it. Mahalo Nui Loa for your time and consideration of this potential change in the language. If there are any questions please don't hessitate to contact me and I would be happy to expound. Aloha, Lt. Michael Oakland, Commander Airport Patrol Section, Sheriff Division Honolulu International Airport, Kalealoa and Dillingham Airfields

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