



*The Judiciary, State of Hawai'i*

**Testimony to the House Committee on Judiciary**  
Representative Karl Rhoads, Chair  
Representative Joy A. San Buenaventura, Vice Chair

Monday, March 28, 2016 2:00 PM  
State Capitol, Conference Room 325

WRITTEN TESTIMONY ONLY

by  
Rodney A. Maile  
Administrative Director of the Courts

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**Bill No. and Title:** House Concurrent Resolution No. 36 Task Force to Consider Body and Dash Camera Implementation Within Hawai'i Law Enforcement Statewide.

**Purpose:** Requesting the Judiciary to Convene a Task Force to Consider Body and Dash Camera Implementation Within Hawai'i Law Enforcement Statewide

**Judiciary's Position:**

The Judiciary takes no position on the merits of convening a Task Force to Consider Body and Dash Camera Implementation Within Hawai'i Law Enforcement Statewide. However, due to the technical aspects of body and dash camera systems and operational issues of concern to law enforcement personnel who will use the systems, we respectfully suggest that this task force would be more appropriately convened by a law enforcement agency among those named in HCR 36.

Further, the list of proposed task force members appears to provide sufficient guidance as to procedures, usage, regulations, training, resources, and so forth, such that the Judiciary's involvement is not essential to the scope of the study.

Thank you for the opportunity to comment on House Concurrent Resolution 36.



**LATE**

Committee: Committee on Judiciary  
Hearing Date/Time: Thursday, March 24, 2016, 2:00 p.m.  
Place: Conference Room 325  
Re: Testimony of the ACLU of Hawaii in Support of H.C.R. 36, Requesting the Judiciary to Convene a Task Force to Consider Body and Dash Camera Implementation Within Hawaii Law Enforcement Statewide

Dear Chair Rhoads and Members of the Committee on Judiciary:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in support of H.C.R. 36. This measure would request the establishment of a Task Force to make recommendations for the use of body-worn and dash cameras for law enforcement.

Body-worn police officer cameras may reduce use-of-force and citizen complaints, and may deter bad behavior of both law enforcement officers and members of the public. A study conducted from 2012 to 2013 found an overall 60% reduction in use-of-force incidents after the body cameras were deployed (thus improving safety both for the individual officers and for the general public), and an 88% reduction in citizen complaints between the year prior to and following deployment.<sup>1</sup> Another study saw a 75% reduction in injuries to suspects at the hands of officers using body cameras.<sup>2</sup> Reducing use-of-force incidents and injuries to suspects would likely increase public trust in our officers, making law enforcement stronger. Additionally, footage captured by police office body cameras can offer exonerating evidence for officers falsely accused of misconduct and help to quickly resolve potential complaints.<sup>3</sup>

Police departments on both Maui and Kauai have begun the process of implementing body-worn cameras. Maui County has already conducted a pilot project, and Mayor Alan Arakawa announced that the Maui P.D. “should be rolling out body cameras by the end of the year.”<sup>4</sup> As

<sup>1</sup> See Lindsay Miller, Jessica Toliver & Police Executive Research Forum, *Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned*, Community Oriented Policing Services, U.S. Dep’t of Justice at 5 (2014), available at <https://www.justice.gov/iso/opa/resources/472014912134715246869.pdf>.

<sup>2</sup> See David Harris, *Study: OPD body cams help reduce complaints, injuries*, Orlando Sentinel (Oct. 9, 2015), available at <http://www.orlandosentinel.com/news/breaking-news/os-opd-body-cameras-research-20151009-story.html>.

<sup>3</sup> See Michael D. White, *Police Officer Body-Worn Cameras: Assessing the Evidence*, Community Oriented Policing Services, U.S. Dep’t of Justice (2014), at 24, available at <https://www.ojpdagnosticcenter.org/sites/default/files/spotlight/download/Police%20Officer%20Body-Worn%20Cameras.pdf>.

<sup>4</sup> *Mayor Arakawa: State of the County is “One of Perpetual Change,”* Maui Now (Mar. 15, 2016), available at <http://mauinow.com/2016/03/14/mayor-arakawa-state-of-the-county-is-one-of-perpetual-change/>; *Maui mayor addresses body cameras, misspending in State of the County*, KHON2 News (Mar. 14, 2016), available at <http://khon2.com/2016/03/14/maui-mayor-addresses-body-cameras-misspending-in-state-of-the-county/>.

Chair Rhoads and Members of the Committee

March 24, 2016

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such, there is an urgent need to implement clear, uniform, state-wide guidance to ensure that law enforcement officers across the state have consistent policies when using body-worn cameras.

Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Mandy Finlay". The signature is written in a cursive, flowing style.

Mandy Finlay  
Advocacy Coordinator  
ACLU of Hawaii

*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 50 years.*

American Civil Liberties Union of Hawai'i  
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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, March 21, 2016 4:55 PM  
**To:** JUDtestimony  
**Cc:** blockard@iname.com  
**Subject:** \*Submitted testimony for HCR36 on Mar 24, 2016 14:00PM\*

**HCR36**

Submitted on: 3/21/2016

Testimony for JUD on Mar 24, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brodie Lockard	Individual	Support	No

Comments:

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**To:** JUDtestimony  
**Cc:** breaking-the-silence@hotmail.com  
**Subject:** \*Submitted testimony for HCR36 on Mar 24, 2016 14:00PM\*

**HCR36**

Submitted on: 3/21/2016

Testimony for JUD on Mar 24, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dara Carlin, M.A.	Individual	Support	No

Comments:

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**Sent:** Wednesday, March 23, 2016 9:28 AM  
**To:** JUDtestimony  
**Cc:** victor.ramos@mpd.net  
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**HCR36**

Submitted on: 3/23/2016

Testimony for JUD on Mar 24, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Victor K. Ramos	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 23, 2016 9:07 AM  
**To:** JUDtestimony  
**Cc:** julianemoto@googlemail.com  
**Subject:** \*Submitted testimony for HCR29 on Mar 24, 2016 14:00PM\*

**HCR29**

Submitted on: 3/23/2016

Testimony for JUD on Mar 24, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Julia Nemoto	Individual	Support	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, March 22, 2016 4:38 PM  
**To:** JUDtestimony  
**Cc:** pluta@maui.net  
**Subject:** Submitted testimony for HCR29 on Mar 24, 2016 14:00PM

**HCR29**

Submitted on: 3/22/2016

Testimony for JUD on Mar 24, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joseph D Pluta	Individual	Support	No

Comments: I STRONGLY SUPPORT THE AMENDMENT TO THE CONSTITUTION THAT UNLIMITED CAMPAIGN SPENDING IS NOT FREE SPEECH. Allowing Unlimited Campaign spending in essence is an Abuse of Power for the Super Wealthy and a travesty against the Equal Rights of All Citizens. Respectfully Submitted, Joseph D Pluta 808-661-7990

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**To:** JUDtestimony  
**Cc:** sairam2@hawaiiantel.net  
**Subject:** Submitted testimony for HCR29 on Mar 24, 2016 14:00PM

**HCR29**

Submitted on: 3/22/2016

Testimony for JUD on Mar 24, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Geoffrey Lasr	Individual	Support	No

Comments: This needs to happen for the United States to continue NOW!!!!

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, March 22, 2016 12:51 PM  
**To:** JUDtestimony  
**Cc:** marcyfrommaui@gmail.com  
**Subject:** Submitted testimony for HCR29 on Mar 24, 2016 14:00PM

**HCR29**

Submitted on: 3/22/2016

Testimony for JUD on Mar 24, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marcy Koltun-Crilley	Individual	Support	No

Comments: I STRONGLY Support HCR 29. Please pass the proposed amendment to the United States Constitution clarifying that corporations are not people with constitutional rights, and that unlimited campaign spending is not free speech. I feel like it will not matter who we vote for unless we get this done and do not allow big money interests run our country and state. Mahalo Marcy Koltun-Crilley Kihei, HI 96753

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**To:** JUDtestimony  
**Cc:** jdancer@kula.us  
**Subject:** Submitted testimony for HCR29 on Mar 24, 2016 14:00PM

**HCR29**

Submitted on: 3/22/2016

Testimony for JUD on Mar 24, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John NAYLOR	Individual	Support	No

Comments: I am a Hawaii Resident writing in support of SCR 22 SCR 22 and its companion measure HCR 29, enjoys wide bipartisan support. HSAC approved a version of SCR 22/HCR 29 as part of its recommended legislative package for the current session. All Hawaii counties have already passed almost identical resolutions. This bill is part of a state and national grassroots movement to help restore our precious democracy which has been compromised by the corporate and big money domination of the electoral process. Recent US Supreme Court decisions, notably Citizens United vs. FEC; McCutcheon vs. FEC; and Burwell vs. Hobby Lobby have entrenched the mistaken notions that corporations have the Constitutional rights of natural persons, and that campaign spending is a form of free speech which cannot be regulated. The only remedy for this misguided trend is an amendment to the US Constitution, such as that called for in SCR 22/HCR 29. Passage of SCR22/HCR 29 will direct Hawaii's Congressional delegation to support such a Constitutional amendment. As you know, amending the US Constitution is a long and arduous process, but it has been done 27 times. The organization I represent, Move to Amend, is developing a grassroots effort to move forward with the amendment. With affiliates in 20 states, Move to Amend has developed a ten year plan leading to ratification of the amendment. Approval of state resolutions such as SCR 22/HCR 29 is an important step in this process. I urge you to expeditiously approve this bill for passage in your Committee. Sincerely, John Naylor Makawao

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, March 22, 2016 11:49 AM  
**To:** JUDtestimony  
**Cc:** palmtree7@earthlink.net  
**Subject:** Submitted testimony for HCR29 on Mar 24, 2016 14:00PM

**HCR29**

Submitted on: 3/22/2016

Testimony for JUD on Mar 24, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
janice palma-glenie	Individual	Support	No

Comments: Aloha, i'm resubmitting testimony due to a glitch in my computer or website while attempting to send it earlier. i strongly support this bill and its companion measure in the Senate. Without strong campaign finance reform, our democracy is being torn apart and lost in a deluge of corporate and other special interest monies. Please use your integrity to support this bill -- an effort which is supported by a large majority of the American population and the only way to limit the money which is corrupting our government and our nation. Mahalo and sincerely, janice palma-glennie kailua-kona

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**To:** JUDtestimony  
**Cc:** palmtree7@earthlink.net  
**Subject:** Submitted testimony for HCR29 on Mar 24, 2016 14:00PM

**HCR29**

Submitted on: 3/22/2016

Testimony for JUD on Mar 24, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
janice palma-glenie	Individual	Support	No

Comments: Aloha, i strongly support this bill and its companion in the Senate. Without strong campaign finance reform, our democracy is being torn apart and lost in a deluge of corporate and other special interest monies. Please use your integrity to support this bill -- an effort which is supported by a large majority of the American population. Mahalo and sincerely, janice palma-glennie kailua-kona

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**To:** JUDtestimony  
**Cc:** miles@aloha.net  
**Subject:** Submitted testimony for HCR29 on Mar 24, 2016 14:00PM

**HCR29**

Submitted on: 3/22/2016

Testimony for JUD on Mar 24, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Miles Mulcahy	Individual	Support	No

Comments: I am a Hawaii Resident writing in support of HCR 29 HCR 29, enjoys wide bipartisan support. HSAC approved a version of SCR 22/HCR 29 as part of its recommended legislative package for the current session. All Hawaii counties have already passed almost identical resolutions. This bill is part of a state and national grassroots movement to help restore our precious democracy which has been compromised by the corporate and big money domination of the electoral process. Recent US Supreme Court decisions, notably Citizens United vs. FEC; McCutcheon vs. FEC; and Burwell vs. Hobby Lobby have entrenched the mistaken notions that corporations have the Constitutional rights of natural persons, and that campaign spending is a form of free speech which cannot be regulated. The only remedy for this misguided trend is an amendment to the US Constitution, such as that called for in /HCR 29. Passage of HCR 29 will direct Hawaii's Congressional delegation to support such a Constitutional amendment. As you know, amending the US Constitution is a long and arduous process, but it has been done 27 times. The organization I represent, Move to Amend, is developing a grassroots effort to move forward with the amendment. With affiliates in 20 states, Move to Amend has developed a ten year plan leading to ratification of the amendment. Approval of state resolutions such as /HCR 29 is an important step in this process. I urge you to expeditiously approve this bill for passage in your Committee. Feel free to copy and paste this language, or to comment in your own words. Even if you cannot get to this before Thursday (actually Wednesday noon for it to be considered in the Thursday meeting) your comments will be entered as part of the record in support of the bill at the later Committee hearings. Mahalo for your continued support in keeping Hawaii at the forefront of the Movement! to Amend

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**To:** JUDtestimony  
**Cc:** tabraham08@gmail.com  
**Subject:** \*Submitted testimony for HCR36 on Mar 24, 2016 14:00PM\*

**HCR36**

Submitted on: 3/24/2016  
Testimony for JUD on Mar 24, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Troy Abraham	Individual	Support	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 24, 2016 12:50 PM  
**To:** JUDtestimony  
**Cc:** jenniferjangles@gmail.com  
**Subject:** Submitted testimony for HCR36 on Mar 24, 2016 14:00PM

**HCR36**

Submitted on: 3/24/2016

Testimony for JUD on Mar 24, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jennifer Ruggles	Individual	Support	No

Comments: Body camera's will serve both police and citizens by building not only trust between citizens but accountability within the police force so officer's do not have to be questioned as to whether or not they are doing their job. The power to use violent force on the public should not be taken lightly. Body camera's will provide transparency and accountability. According to the Washington Post just last year 965 U.S. citizens were killed by police. That's 2.6 people per day. Public officers paid by the public to serve the public's activities should be public. Please pass this measure.

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