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March 13, 2017

The Honorable Clarence Nishihara, Chair
Committee on Public Safety, Intergovernmental,
and Military Affairs
The State Senate
State Capitol, Room 214
Honolulu, Hawaii 96813

Dear Chair Takayama:

Subject: House Bill (HB) 1172, House Draft (HD) 2 Relating to Fireworks

I am Manuel P. Neves, Chair of the Hawaii State Fire Council (SFC) and Fire Chief of the Honolulu Fire Department (HFD). The SFC and the HFD support HB 1172, HD 2, which proposes to clarify the probable cause in the arrest of individuals violating the Fireworks Control Law.

This bill enables law enforcement agencies to arrest individuals violating the Fireworks Control Law based on probable cause, eyewitness accounts, photographs, and/or video recordings. Any bill to support and help enforce the existing Fireworks Control Law for the purpose of protecting public safety and property conservation is a step in the right direction.

The SFC and the HFD urge your committee's support on the passage of HB 1172, HD 2.

Should you have questions, please contact SFC Administrator Socrates Bratakos at 723-7105 or sbratakos@honolulu.gov.

Sincerely,

MANUEL P. NEVES
Chair

MPN/LR:cic

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

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CHRISTOPHER D.W. YOUNG
FIRST DEPUTY PROSECUTING ATTORNEY

THE HONORABLE CLARENCE K. NISHIHARA, CHAIR
SENATE COMMITTEE ON PUBLIC SAFETY,
INTERGOVERNMENTAL, AND MILITARY AFFAIRS
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawai`i

March 14, 2017

RE: H.B. 1172, H.D. 2, ; RELATING TO FIREWORKS.

Chair Nishihara, Vice-Chair Wakai, members of the Senate Committee on Public Safety, Intergovernmental, and Military Affairs, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”) submits the following testimony in opposition to Section 3 of H.B. 1172, H.D. 2, with comments regarding Sections 1 and 2.

Section 3 of this bill specifies that probable cause in fireworks offenses may be established from statements of witnesses, and photographs, video or other recordings authenticated by witnesses. Although these proposed amendments appear well-intended, they are unnecessary, as the rules of evidence already address what is competent evidence for purposes of trial. Already, our laws pertaining to fireworks and aerial devices do not require that a police officer personally witness the fireworks or aerial devices being set off, and the forms of evidence enumerated in Section 3 are among those that are acceptable as a basis for arrest and/or conviction (subject to the rules of evidence, caselaw, etc). Thus, the Department is very concerned that the language proposed in Section 3 would confuse existing standards and create negative unintended consequences in court.

As Section 2 of this bill acknowledges, a common issue that arises in criminal cases involving fireworks is proving that a defendant discharged an “aerial device,” as defined in section 132D-2. While the Department appreciates the efforts made in H.D. 1 to address the definition of “Aerial device,” we do note that “Aerial device” is only one of a number of definitions that is routinely encountered in the prosecution of firework related cases. The Department humbly requests this committee to review for possible amendments to the following definitions in section 132D-2 (“Articles pyrotechnics”, “Consumer Fireworks”, “Display fireworks”, and “Fireworks.” Although it is impossible to predict exactly how courts will respond to the proposed amendments, the proposed changes may help to clarify the matter.

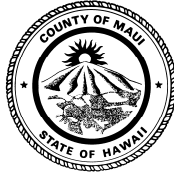
In addition, as noted in prior testimony, another roadblock that the Department faces in effective prosecution is the ability to recover evidence to prove necessary elements of the charge.

Once a device detonates, it is extremely difficult to recover evidence that may be necessary to prove the elements of the charge/definition. It is uncertain if or to what extent the proposed language would address this issue.

While the Department takes no position regarding Section 1 of this bill, we would recommend using a broader term than “owner,” given the size of Hawaii’s rental market, and the difficulty for law enforcement to check property records or other necessary ownership records when issuing citations for this type of charge. Based on our reading of this section’s intent, the following language may provide more clarity for law enforcement purposes: “Any resident of a dwelling who knowingly allows an individual to possess, set off, ignite, or otherwise cause to explode any aerial device while on the property where the dwelling is located...”

For the reasons noted above, the Department of the Prosecuting Attorney of the City and County of Honolulu opposes Section 3 of H.B. 1172, H.D. 2. Thank you for the opportunity to testify on this matter.

ALAN M ARAKAWA
MAYOR



JEFFREY MURRAY
FIRE CHIEF

ROBERT SHIMADA
DEPUTY FIRE CHIEF

COUNTY OF MAUI
DEPARTMENT OF FIRE & PUBLIC SAFETY

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(808) 270-7561
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March 13, 2017

The Honorable Gregg Takayama, Chair
Committee on Public Safety
House of Representatives
State Capitol, Room 323
Honolulu, Hawaii 96813

Dear Chair Takayama:

Subject: House Bill (HB) 1172, House Draft (HD) 2 Relating to Fireworks

I am Jeffrey A. Murray, Member of the Hawaii State Fire Council (SFC) and Fire Chief of the Maui Fire Department (MFD). The SFC and the MFD support HB 1172, HD 2, which proposes to clarify the probable cause in the arrest of individuals violating the Fireworks Control Law.

This bill enables law enforcement agencies the ability to arrest individuals violating the Fireworks Control Law based on probable cause, eyewitness accounts, photographs, and/or video recordings. Any bill to support and help enforce the existing Fireworks Control Law for the purpose of protecting public safety and property conservation is a step in the right direction.

The SFC and the MFD urge your committee's support on the passage of HB 1172, HD 2. Should you have questions, please contact SFC Administrator Socrates Bratakos at 723-7105 or sbratakos@honolulu.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey A. Murray".

JEFFREY A. MURRAY
Fire Chief



improving the quality of lives of pets and their people.

Testimony by Alicia Maluafiti, PDP Board President
In strong support of HB 1172 HD 2 - Relating to Fireworks

Senate Committee on Public Safety, Intergovernmental and Military Affairs
Tuesday, March 13, 1:15 pm, Rm. 229

Aloha Chair Nishihara and members of the Committee,

Poi Dogs & Popoki (PDP) is a nonprofit animal welfare organization with a mission to help people and their pets. We are in strong support of HB 1172 because we believe it will make property owners think twice about whether to allow illegal fireworks on their property.

Illegal fireworks – both aeriels and other legal fireworks used illegally (prior to New Year’s Eve) – started in Ewa Beach on Halloween. By Thanksgiving Day, it became a daily occurrence. It is difficult for people to grasp the fear and stress that some animals experience due to fireworks. Unless you are seeing it first hand, you will fail to understand the chaos it causes in our lives and the lives of our animals.

For the past 2 years, I have called HPD repeatedly to report my neighbors who set off illegal aeriels throughout the month of November and December. I even had video. And each time that they bothered to show up (which was a 50/50 chance), I got a different response from the officer but most often it had to do with the fact that THEY – the HPD – had to see firsthand the violation before they could make an arrest. And more recently, the only thing they would do was give a warning. They did NOT always show up. But I continued to take the video.

2016 was the worst. Bombs every night for 2 months. Day and night. 5 am. 5 pm. Midnight. It was painful and sad to see the animals (all rescues) – with fear in their eyes, panting out of control, and able to climb 6 foot fences just to run, to get away, to hide. Even with medication similar to Xanax, they had no relief. For three weekends leading up to New Years, I resorted to full-on sedation of the largest dogs. All of these “solutions” come with risks. And all of them cost money. I spent over \$500 just to treat the animals. And it still didn’t help on most nights. On New Years Eve, I drove the circuit of Fort Weaver and Ewa Beach Roads (a loop) and saw at least 10 “parties” with people setting off illegal aeriels in the middle of the road. I had to literally stop my vehicle and wait for them to finish lighting the fireworks. Any officer could have made an arrest that night. But none did. The fireworks went on till 4:30 am. They started again at 5:30 am and went all day.

In Ewa Beach, I had to put up with fireworks through the second week of January. And then again on Chinese New Year. And again on Superbowl Sunday. The last bomb went off at 8:30 pm. I could hear it discharge from its container – it was that close. And then the bomb – so loud it rattled the windows. And then my 100 pound mastiff scaled the 6 foot fence of his dog run, panting like it was 120 degrees. When animals are scared, they are capable of anything. And sadly – this mastiff was so scared that 10 days before Christmas, after a series of bombs, he scaled the fence and killed one of my smaller dogs. Markie was in emergency care for 5 days before I had to euthanize him. It cost me \$12,000.

Today – we all have cell phones that take pictures and videos. In fact – you can find a video of Ewa Beach on New Year’s Eve. We need HB 1172 because it at least provides HPD with the tools to make the arrest and hopefully – make a conviction. At a minimum – I understand that the bail is \$2,000 in Weed and Seed districts. We need relief.

And please – I am tired of the “its da cultcha” argument. My family has homestead in Papakolea so I know all about popping fireworks on New Year’s Eve. But I am older. And smarter (I think). And a lot more compassionate about the people and animals around me. Fireworks are out of control. And while our legislative bodies lack the political will to ban all fireworks (both state and county), please at least give us (and HPD) the tools to fight fire with fire. And that is – if my neighbors decide to use illegal fireworks, then they need to pay the consequences. At this point in my life – I have nothing to loose. And nothing to fear. Except another horrible year of illegal fireworks.

Entertainment does NOT trump quality of life. Please pass HB 1172.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 13, 2017 10:21 AM
To: PSMTestimony
Cc: dean@HawaiiGoesFishing.com
Subject: Submitted testimony for HB1172 on Mar 14, 2017 13:15PM

HB1172

Submitted on: 3/13/2017

Testimony for PSM on Mar 14, 2017 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dean Sensui	Individual	Support	No

Comments: Many of the illegal fireworks being discharged in our communities put everyone at risk from fires and from the deadly explosive force of these shells. Allowing video and photographic evidence to help arrest and convict people who are setting these devices off will go a long way toward ensuring everyone's safety.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Aloha Chairman Nishihara,

I am writing in support of HB 1172.

We all know that there will probably never be a complete ban of fireworks on Oahu. The current restrictions of needing a permit to purchase firecrackers and the date/time restrictions of firecracker usage was a compromise that people learned to live with and planned around.

Sadly, the use of illegal aerials and legal fireworks being used illegally (outside the legal time frame), in addition to the house-shaking "bombs", have increased year after year. And the police are simply unable to enforce the current law because they are not a first-hand witness.

There are not many laws that can only be enforced unless seen directly by the police. Speeding. Running red lights. Illegal fireworks. All can be equally deadly.

I have friends who are animal care-givers. They rescue, foster, adopt, and love cats and dogs that are abandoned at the beach, tied up to fence posts, thrown out of moving cars, left in dumpsters. These people give their time, money, energy and heart to the animals. No matter how many animals you have it still breaks your heart when one dies. Especially if it is because of a senseless, illegal act.

Markie was rescued along with his female companion and their puppies; they had all been dumped at a graveyard in Pearl City right before a major storm. Once old enough, the puppies were quickly adopted. Markie was shy, but adorable and plans were being made to find him a loving home. A few days before New Year's Eve, one too many firecracker bombs went off. Terrified, Markie got into a fight with another, equally terrified, dog. Markie did not survive. We cannot and do not blame the other dog, it wasn't his fault. The unpredictability of the firecrackers, especially the bombs, terrifies and traumatizes the innocent animals that have no place to hide.

Knowing that there will be firecrackers at a specific time on a specific night is something that can be planned for; the animals can be sedated if necessary, they can be kenneled and sheltered. It is not the ideal situation, but it is livable and workable.

If we cannot ban firecrackers totally, at least give the police the tools they need that will help them enforce the current law. How many more innocent lives do we need to lose?

My name is Celeste Kato and I can be contacted at ckato1@aol.com.

Jerald E. Farley
16526 Shore Drive Northeast
Lake Forest Park, Washington 98155-5631
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farley@uptime.org

HB 1172 Relating to Fireworks

American Promotional Events, Inc. (APE) is an importer and wholesaler of consumer fireworks.

American Promotional Events, Inc. opposes Section 2 of HB 1172 as it is now written. Essentially, Section 2 destroys the definition of “Aerial devices” in H.R.S. 132D-2. The result is that some aerial devices that are currently illegal would become legal.

The limitation on jumping jacks is eliminated. Many other similar items that are now illegal will become legal, such as all star balls, all leaping/jumping frogs, all chasers, all gyro blooms and all flying bees.

In addition, the specific prohibition of all roman candles is eliminated. Therefore, some roman candles that meet the current definition of “Consumer fireworks” would become legal: those that emit flaming balls that do not go higher than 12 feet above the ground.

Only ground spinners are limited in the definition of “Consumer fireworks” to stay within a 12-foot radius.

All other items must be designed to emit its effects to no higher than 12 feet above the ground.

Federal safety messages are found in the regulations of the United States Consumer Product Safety Commission (CPSC) in Title 16 Code of Federal Regulations and in the regulations of the United States Department of Transportation (DOT) in Title 49 Code of Federal Regulations.

These CPSC safety messages are preemptive. States may not require or allow alterations to the required safety message. For larger items, the message must be printed on the item. For smaller items, the message must be on the box that contains the items. Again, no state may deviate from the federal requirement.

Roman candles are more dangerous than cone and fountains. They are long, slender tubes. Rather than emits colored sparks as cones and fountains do, they emit flaming balls. The CPSA safety message specifically states “Shoot flaming balls).

There is nothing in this safety message that says anything about how high above the ground the flaming balls may shoot. So, there is no way to properly and legally label different roman candles so that anyone would know or could know which one they have.

Enforcement officials would be unable to determine which roman candles are legal and which are not either before they are ignited or afterwards. Prosecution would be more difficult if not impossible.

We believe that Section 2 should be removed from HB 1172, Section 1 kept, Section 3 be renumbered as Section 2 and the bill passed.

“Aerial device” means any fireworks [~~containing one hundred thirty milligrams or less of explosive materials~~] that produces an audible or visible effect and is designed to rise into the air and explode or detonate in the air or to fly about above the ground, and that is prohibited for use by any person who does not have a permit for display issued by a county under section 132D-16. “Aerial devices” shall include, but shall not be limited to, devices classified as fireworks under UN0336 and UN0337 by the United States Department of Transportation as set forth in Title 49 Code of Federal Regulations [~~include firework items~~] as containing one hundred thirty milligrams or less of explosive materials, and which are commonly known as bottle rockets, sky rockets, missile-type rockets, helicopters, torpedoes, daygo bombs, roman candles, flying pigs, and jumping jacks that move about the ground farther than a circle with a radius of twelve feet as measured from the point where the item was placed and ignited, aerial shells, and mines.

March 1, 2017

Dennis and Edith Tingey
Kapolei, HI 96707
Email testimony Pueonani@aol.com

State Legislature

Subj: Support HB 1172

Dear State Legislature:

We are writing to bring up our concerns that the current enforcement of illegal aerial fireworks laws by HPD is ineffective in providing a deterrent to curb illegal fireworks usage. Subsequently if you measure by results the enforcement efforts are unsatisfactory and in need of improvement.

Background:

As previous Neighborhood Watch area coordinators for upper Makakilo we sought to work directly with the Kapolei Police Department to curb illegal aerial fireworks in our particular area. We dialoged directly with a Sergeant and a Lieutenant of the Kapolei Police department. For the last two years we provided HPD several addresses that could be used as landmarks for enforcing the fireworks laws. We got these locations from observing illegal fireworks that started going off as early as Thanksgiving and progressively increasing to the big blow on New Year's Eve.

HPD reps said they would alert and patrol areas provided. On New Year's Eve we made numerous 911 calls reporting many of the pre-provided addresses. In checking with HPD reps after New Year's, both 2015 and this past year 2016 not one of our pre-reports were cited for illegal fireworks violations. Officers (SGT and LT) were polite and professional but it was apparent that they lacked any solutions to the illegal fireworks problem and in our opinion were even a little embarrassed by the low number of citations made to the number of call in complaints.

A call to HPD Patrol Assistant Chief was made to complain about the lack of effectiveness of fireworks enforcement. The assistant Chief was polite and listened to our suggestions such as:

1. HPD management needs to define what success in fireworks enforcement should be. In our opinion for enforcement to be a deterrent, about 50% or more of the calls ins should result in citations.
2. HPD take the lead and initiative to list what they would need to be more successful at enforcing fireworks laws (such as more staff and overtime during fireworks season and what specific changes to the current fireworks laws need to be made to make it realistic to cite). Once done to bring these needs and recommendations to the City Council and/or State Legislature.

Unfortunately the assistant chief appeared overwhelmed, gave what in our view was an excuse that they had other things to attend to and had almost a defeatist attitude to the problem. He over dramatized the problem by saying that if they had an officer on every corner during new year's eve they still could not curb the usage.

Discussion:

Anecdotally, it appears the use of illegal aerals is on the increase. Such activities raise havoc and mayhem for peace seeking residents and their pets. They are deadly (as noted by the death at Campbell Park this past year), are extreme fire hazards, and most importantly always have been illegal. The wanton use by so many lawbreakers destroys the public confidence in HPD to uphold the rule of law. For some it creates perceptions that HPD is not serious, competent, or selective as to what laws they want to enforce.

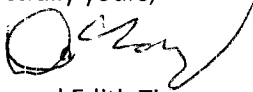
We realize that this is a complex problem. The entry of illegal fireworks shipments is a major cause and is not currently in HPD's area of responsibility. There are many (though in our opinion a minority) of residents that enjoy the use of illegal fireworks and though exaggerated, there are some levels of cultural influence.

The current laws essentially require that an HPD officer witness the person lighting the fuse before citing. We believe the laws have to be changed so that the officer only needs to see the fireworks going off in a household and that the homeowner(s) could be cited. Drone technology could be a viable option.

If HPD wants citizens to participate then they should also be able to cite based upon a written statements and/or video, pictures from complainants. The homeowners and/or tenants also should also be cited if they allow illegal fireworks on the property.

We understand there are competing needs for resources...for example on New Year's eve, breaking up fights, emergency calls, loud parties, and other crimes also happen. This however should not be an excuse for HPD to condone and subordinate enforcement efforts of illegal fireworks laws year after year.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Dennis and Edith Tingey". The signature is written in a cursive style with a large initial "D" and a long, sweeping flourish.

Dennis and Edith Tingey

Sabrina Dela Rama
87-839 Paakea Rd.
Waianae, Hi, 96792
808-429-4237/808-679-3440
s.delarama@yahoo.com

March 10,2017

Dear Chair Nishihara and members of the committee,

I am a resident of the Waianae neighborhood and I am writing in support of HB 1172. Please understand my frustration and why I am in need of this bill to pass. Right now, it is impossible to cite or convict due to the law of catching them in the act is impossible. Passing this bill will allow us Citizens who work full time and who live by the law to call the police and provide them evidence of photos or video to help get these illegal acts to stop.

My Convent of peace and quiet of enjoyment is diminished from Nov. -Jan 2, of each year. The bombs that goes off at any time of the night and morning which interferes with my sleep time and it causes my animals to break out due to fear of the loud bombs and sometimes getting injured when trying to break out to just run, run where??? Anywhere, any place to get away due to the fear. These illegal acts of people care of no one but their selfish self, why is it so hard to pass a bill that only makes sense? Therefore, we need this bill and hopefully, illegal people will start playing by the laws and invest in purchasing permits, which we are all ready and prepared for that one joyful evening 9 PM-1AM, New Year's Eve; anything before and after that is unexpected and illegal and we need enforcement to stop this from happening every single year.

Every night from November until Jan 2nd of the next year, I live in fear as do my dogs due to the illegal fireworks that goes off, I am not asking for the celebration of the New Year to stop all I'm asking is for the illegal times and dates to stop by assisting HPD to be able to do their jobs by allowing people who is willing to video, photo or testify against illegal fireworks and Ariel's.

PLEASE, PLEASE pass Bill 1172.

Sincerely,
Sabrina Dela Rama

I solidly support HB1172, which will give police means to arrest illegal fireworks.

We suffer year after year as bombs go off around us and it's operators laugh at our weak laws which do not protect people and pets.

When will our legislators enact laws to help the voters who support them??

Take a survey of every person, instead of listening to the vocal minorities. I'm Asian, and culture is NOT an excuse for illegal fireworks.

Fireworks should be displayed in an organized way, at a official location.

Gerraine Santos and family

We all vote!

I have had issues with illegal fireworks in my neighborhood for some time – by illegal I mean fireworks set from Halloween with the usual ending date after Chinese New Years (though even as late as a few days ago this time have had fireworks popped within hearing), as well as what would be deemed “illegal” even on the day permitted. When I call 911 to have the issue dealt with, I’ve had to deal with dispatchers asking me “are they illegal” (this in October just before Halloween, during the first incident); “are they small fireworks or big fireworks”; “just email it” (do that anyway after years of hearing them nightly, and even describe the time, if I called or not, etc.) as years of calling where the last time I actually saw a patrol car come up through the loop (fireworks being popped should have been visible as they were lit every 3 minutes, and just had a batch set as the vehicle entered the loop) saw the fireworks going off as the police vehicle made it’s way past them (assume like me couldn’t see the person lighting the fireworks as the police cruiser didn’t stop but kept going – which was the incident that led me to email the department with firework issues even though I’ve called 911); along with another 3 officers who said they heard the fireworks and would do what they could (told this last one about the harassment and issues that went with the late night fireworks popped that came with “hate her” claims as well...though this is more of a terroristic threatening issue and one that I’ve brought up and has lasted longer than the fireworks...with while I get the “yes this is harassment” nothing done about it...of which, but not limited to, is a firework set outside of my home the minute the lights are turned off, which was for some time nightly...but that’s for another bill) Now I’ve told them they’re popped in the same vicinity each time; named homes where I’ve seen fireworks set, and people outside – whether they were the ones setting them off or came outside after they were popped like myself, I don’t know for sure as I only went to the window when I hear them (oddly, while I’m at the window not a single one is lit, and the moment I leave, a few are popped), with one time actually catching one male in the act of popping the firework in front of my home.

This doesn’t even get to the point where some fireworks actually sound like someone shooting rounds...which I’ve also mentioned as being an issue along with the “bomb” type fireworks to the police department, which the bombs shake/reverberate through my home when popped close by. With what I’ve heard/read from the neighborhood emails recently was that a person has actually been shooting rounds off...which I find more dangerous and hazardous, but when mixed in with fireworks popping nightly or ‘bombs’ going off, not as noticeable, and highly dangerous. Notwithstanding the recent incident, I saw on the news, where a home caught on fire, which should and could have been a preventable ‘accident’. Which led to my initial requests to have all fireworks banned, except those used in professional shows or designated areas, where professionals are available (like in Nevada), because as the years go by, more and more adults (because the ones popping the fireworks in my area are over 30 years of age – not young children...) seem to be abusing the right. And I can call 911 till I’m blue in the face, and still nothing, not even a break in the number of fireworks being popped – which doesn’t even get into the attitude of some of the officers I met with during the early and even now – which could be because of frustration over lack of catching, prosecuting, etc. or like one officer over another item “don’t call us unless there’s blood” type attitude. As at this point, I’m with preventing, even if it’s a “mother may I” type approach, rather than “it could have been prevented, but”; or the “it’s just a few individuals, the rest are...”; etc. that leads to the incidents where there is a male shooting a gun into the air – no one’s been shot yet, but...neighbor threatens the life of their neighbor, police came, but (The S.

Vidinha case reported on Oct. 16, 2016 - actually been dealing with a very similar situation to this one for a number of years, though no shots fired to date)...fireworks involved fires, that could have been prevented, but...shouldn't happen. Dec. 26, 2016 illegal fireworks burned a family's home; January 1st, 2016, fireworks cause a Ewa Beach home to catch fire; people injured from illegal fireworks; etc. This is all preventable if enforced...what might make it better for residents like myself is if this type of 'preventable' incidents were...which might occur if this bill is passed and police officers who are trying to do their job have the support they need to enforce the laws that are in place.

So please pass this bill. Thank you.

Aloha, Chair and Members of the Senate Committee on Public Safety,
Intergovernmental and Military Affairs,

This past holiday season, illegal fireworks in our neighborhood were out of control. They started early, around Halloween, and continued with impunity for 2 long months, with a blip for Super Bowl Sunday. The Honolulu Police Department was burdened with thousands of calls as the law-abiding citizens of Oahu's nerves, frayed by the unpredictability and heart-stopping noise, asked for relief. We had hoped that once the City & County of Honolulu's fireworks law was passed a few years ago, that each succeeding year would find that the length of time and the volume associated with setting off fireworks diminished. Curiously, the reverse seems to be happening as it is obvious to the law-breakers that enforcement is next-to-impossible and penalties non-existent. One officer described it as "chasing ghosts."

Hard-working taxpayers are losing sleep, veterans with PTSD are tormented and pet owners are struggling with the unpredictable timing of this noise nuisance and the inability to protect our furry friends from what seems to them (rightfully so) a dangerous threat. It is time to give the law enforcement and citizens of our state at least some tools to work with to allow everyone to enjoy what should rightly be a festive time of year but which for too many has become a living nightmare. **HB1172** is that tool. We **support** it and hope that you will too.

Respectfully,

Margaret Morris & Alan Feit
Ewa Beach, HI 96706

Good afternoon,

I support HB1172 and any other efforts to address the illegal fireworks! My household can handle the legal fireworks and we understand it is a celebration or custom for many. The bombs and illegal fireworks are horrific and out of control. I don't understand. How in the world do these components or devices get here to Oahu? We are held hostage with our pets several weeks before New Years and the actual day is so outrageous. Out of control and any enforcement action is futile.

Please do something to STOP THE BOMBS AND ILLEGAL FIREWORKS!

Thank you very much for your efforts!

Deborah WILSON

I have been a resident of Hawaii for over 13 years. In recent years, I have noticed a huge increase in the illegal fireworks that are being set off around the holidays. Unfortunately, they do not only occur on New Year's Eve. They start after Halloween and continue non-stop until a few days after New Year's Day. In some areas, they are heard nightly and as New Year's Eve approaches, they are heard around the clock. It is disruptive and unnecessary.

It is disturbing to babies, veterans, and pets. Hundreds of pets go missing due to the fireworks - some never return to their families. This is unacceptable. Of course, those who shoot off illegals do not care that it is illegal nor do they care about the negative ramifications of their actions. They know that they will not be caught because when anyone calls the police, they are told that they need to see the person actually shoot off the illegal fireworks in order to enforce the law. This simply means that the law is not being enforced and people are getting away with breaking the law.

I truly believe that HB 1172 will ensure that the police can enforce the laws about fireworks. I also believe that it will make people think twice about setting off illegal fireworks. If they know that a picture, video, or eye witness testimony can get them in trouble, they may be less likely to engage in these illegal activities. Please pass HB 1172!

Thank you,

Alexis Jamison

Dear Senate Committee on Public Safety, Intergovernmental and Military Affairs,

This is to reiterate my strong support for HB1172 RELATING TO FIREWORKS. This bill allows probable cause for fireworks offenses to be established from statements from witnesses and photographs, video, and other recordings authenticated by witnesses. This is a measure long overdue and could reduce the instances of illegal fireworks casualties. Mahalo for your kind attention to this request.

LATE

Aloha!,

Javier Mendez
UH Biology Alumni

Association

DNP of Hawai'i

Environmental Caucus of the

LATE

HB 1172 RELATING TO FIREWORKS
Senate Committee on Public Safety, Intergovernmental and Military Affairs
March 14, 2017

This testimony is provided in support of HB 1172. As a veterinarian I have seen the negative effects illegal fireworks and aerals have on our pets.

I was working at Waianae Vet Clinic on January 2nd and 3rd after this past New Years. There was no official registered fireworks show in Waianae on New Year's Eve. However, during those days following, I saw increased injuries and missing pets due to the illegal fireworks and explosives. We had a full schedule and we had to refer walk-ins to the next available vet clinic.

One case was a dog who got a chain wrapped around her leg in panic. This caused bruising, but luckily no fractures. Other pets are not so lucky. We referred a few dogs to the nearest emergency clinic that were hit by cars from panicked escape.

If passed, HB 1172 will help our pets and our community.

Jodie Mishima, DVM
Relief Veterinarian
(808)389-0837

LATE

I am submitting my testimony on support for this bill on fireworks. I have, on many occasions, seen fireworks go off in Nanakuli, Waianae setting off vehicle alarm systems and making many dogs frantic and escaping their owners. To even proclaim homes and fields being burned because of fireworks causing State resources (from fire department to animal control to HPD calls for domestic violence and threats) to be expended on personable mishaps of a few.

I say to ban ALL fireworks regardless of ceremonial or religious beliefs and practices. Ban it for the environmental impact. It doesn't produce any benefit to a majority who don't celebrate than the few who do. Loud, deep booms that go on until 4am isn't a pleasant experience with 3 frantic and highly sensitive hearing dogs. Having dog owners lose pets and ultimately, in some cases, running away and getting hit, ran over and injured is out of owners pocket expenses. Damaged vehicles and property damages amounts to unpayable high insurance deductibles, or for some, no insurance or lapsed insurance and no recompensation for loss of property. Domestic violence rises during festive activities involving fireworks.

Overall, the State should ban fireworks from illegally entering this island even for celebrating any major holidays. It's a national security issue as well because we, the residents a d taxpaying citizens, won't know if a real bomb has gone off or if it's a homemade Filipino bamboo canon. Either way, it should be in the best interest for the safety and welfare of the people to be protected and not the other way around which is to please the few and to boost tax profits for the pockets of those of benefit from the sale of it.

This is my testimony, made this day, Tuesday, March 14, 2017.

Signed,

Mary Ewalani Manuel-Coats,
Resident of Nanakuli, Waianae.