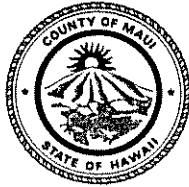


ALAN M. ARAKAWA
Mayor



JOHN D. KIM
Prosecuting Attorney
ROBERT D. RIVERA
First Deputy Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY
COUNTY OF MAUI
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 270-7630 • FAX (808) 270-7927

February 5, 2018

The Honorable Lorraine R. Inouye, Chair
The Honorable Will Espero, Vice Chair
Members of the Senate Committee
on Transportation and Energy
Twenty-Ninth Legislature
Regular Session of 2018
State of Hawai'i

Re: TESTIMONY S.B. NO. 2551 RELATING TO RESISTING
AN ORDER TO STOP A MOTOR VEHICLE

Dear Senator Inouye, Senator Espero, and Members of the
Committee:

The Department of the Prosecuting Attorney, County of Maui
STRONGLY SUPPORTS S.B. NO. 2551. This bill allows the offense of
Resisting an Order to Stop a Motor Vehicle in the First Degree to
be charged by way of Felony Information.

The offense of Resisting an Order to Stop a Motor Vehicle
under Hawai'i Revised Statutes ("HRS") § 710-1026.9 was recently
enacted in 2016. This offense punishes resisting an order to
stop a motor vehicle under the conditions specified therein that
put public safety and officer safety at greater risk. In
general, the material witnesses for this offense are law
enforcement officers.

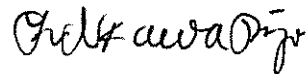
S.B. NO. 2551 would provide the opportunity to present the
facts establishing probable cause by way of declaration, instead
of requiring the law enforcement officers to appear in court to
testify at preliminary hearing or grand jury. As a result, the
disruption to the law enforcement to maintain its service and
protection of the community would be minimized. The demand on
court time and resources otherwise allotted for hearings and
trials would be reduced through Information Charging.

The Honorable Lorraine R. Inouye, Chair
The Honorable Will Espero, Vice Chair
Members of the Senate Committee
on Transportation and Energy
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February 5, 2018

Accordingly, the Department of the Prosecuting Attorney,
County of Maui requests that S.B. NO. 2551 be PASSED.

Thank you for your consideration of this matter.

Very truly yours,



RENEE ISHIKAWA DELIZO
Deputy Prosecuting Attorney

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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



KIRK CALDWELL
MAYOR

SUSAN BALLARD
CHIEF

JOHN D. McCARTHY
JONATHON GREMS
DEPUTY CHIEFS

OUR REFERENCE **RN-GR**

February 7, 2018

The Honorable Lorraine R. Inouye, Chair
and Members
Committee on Transportation and Energy
State Senate
Hawaii State Capitol
415 South Beretania Street, Room 225
Honolulu, Hawaii 96813

Dear Chair Inouye and Members:

SUBJECT: Senate Bill No. 2551, Related to Resisting an Order to Stop a Motor Vehicle

I am Ryan Nishibun, Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports the passage of Senate Bill No. 2551, Related to Resisting an Order to Stop a Motor Vehicle.

The HPD supports the reclassification of the offense of Resisting an Order to Stop a Motor Vehicle from a Class C felony to a Class B felony. A vehicle is a potentially deadly weapon, and a person refusing to obey a lawful order to stop a motor vehicle puts the public and law enforcement officials at risk of death or bodily injury.

In addition, allowing the police departments to charge a Resisting an Order to Stop a Motor Vehicle in the First Degree offense via written information will provide for a quicker charging process and eliminate the need for a preliminary hearing. Written information will eliminate the need for officers to appear in court and allow them to remain in their assignments and service the public more efficiently.

The HPD strongly supports Senate Bill No. 2551, Related to Resisting an Order to Stop a Motor Vehicle.

The Honorable Lorraine R. Inouye, Chair
and Members
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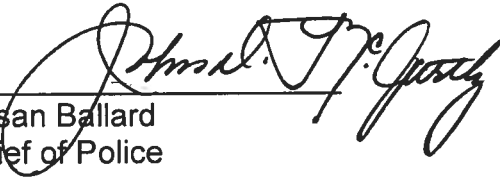
Thank you for the opportunity to testify.

Sincerely,



Ryan Nishibun, Major
Traffic Division

APPROVED:



Susan Ballard
Chief of Police