



**Office of the Public Defender  
State of Hawaii**



**Testimony of the Office of the Public Defender  
to the House Committee on Judiciary**

March 14, 2018

S.B. No. 2582, SD1: RELATING TO EXTENDED TERMS OF IMPRISONMENT

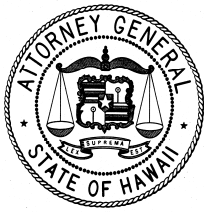
Chair Scott Y. Nishimoto, Vice Chair Joy A. San Buenaventura, and Members of the Committee:

The Office of the Public Defender opposes S.B. 2582, SD1. The sudden, unexpected death of a loved one is a tragic event that unfortunately, impacts the lives of their survivors for the rest of their lives. However, we do not believe that a person who commits a negligent act should be subjected to an extended term of imprisonment.

Extended terms of imprisonment have been reserved for those individuals deemed incorrigible or those who committed acts against vulnerable victims. Persistent offenders, professional criminals, dangerous persons, multiple offenders, hate crimes, elderly and minors eight years of age or younger, are categories for which a defendant may be eligible for an extended term of imprisonment. A person who commits a negligent homicide does not possess the requisite state of mind for which an extended term is warranted. If a driver of a motor vehicle displays a reckless state of mind, he could be charged with manslaughter, which is a class A felony.

Unfortunately, increasing the penalty for negligent homicide will not have a deterrent effect. These accidents are a result of inebriation, speeding and inattention to driving. The only way to reduce injuries and fatalities on Farrington Highway is to install safety measures. A divided highway, sidewalks and sidewalk barriers would do more to save lives than any piece of legislation.

For these reasons, we oppose S.B. 2582, SD1. Thank you for the opportunity to provide testimony in this matter.



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-NINTH LEGISLATURE, 2018**

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**ON THE FOLLOWING MEASURE:**

S.B. NO. 2582, S.D. 1, RELATING TO EXTENDED TERMS OF IMPRISONMENT.

**BEFORE THE:**

HOUSE COMMITTEE ON JUDICIARY

**DATE:** Wednesday, March 14, 2018      **TIME:** 2:00 p.m.

**LOCATION:** State Capitol, Room 325

**TESTIFIER(S):** Russell A. Suzuki, First Deputy Attorney General, or  
Lance Goto, Deputy Attorney General.

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Chair Nishimoto and Members of the Committee:

The Department of the Attorney General ("the Department") submits comments.

The purpose of this bill is to add certain cases of negligent homicide to the felonies that may be subject to an extended term of imprisonment by amending section 706-662, Hawaii Revised Statutes (HRS).

The bill adds the following new criteria for extended term sentencing (page 5, lines 8-12):

The defendant is convicted under section 707-702.5 and the defendant did not remain at the scene of the crime and render reasonable assistance to an injured person, including acts and omissions in violation of section 291C-12.

A defendant could be eligible for extended term sentencing if the defendant met this criteria. This criteria, however, is confusing and may be difficult to implement.

While the first part of the criteria requires a conviction under section 707-702.5, HRS, for the offense of negligent homicide in the first degree, the second part of the criteria is confusing. This second part seems to require a conviction under section 291C-12, HRS, but it does not say that. Instead, it provides, "[T]he defendant did not remain at the scene of the crime and render reasonable assistance to an injured person, including acts and omissions in violation of section 291C-12." It appears to be mixing provisions from sections 291C-12 and 291C-14, and referencing acts and omissions in violation of section 291C-12.

The proposed extended term criteria may be simpler and clearer if it just required the offender to be convicted under both sections 707-702.5 and 291C-12, HRS. But it should be noted that a defendant convicted of both of these offenses would be a "multiple offender," already eligible under section 706-662(4)(a), HRS, for extended term sentencing.

The Department appreciates this opportunity to provide comments.



**PRESIDENT**

Tenari R. Ma'afala

**VICE PRESIDENT**

Malcolm Lutu

**TREASURER**

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**SECRETARY**

Don Faumuina

**DIRECTORS AT LARGE**

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David "Kawika" Hallums  
Vacant

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March 13, 2018

**HEARING**

**BEFORE THE :** HOUSE COMMITTEE ON JUDICIARY  
The Honorable Scott Nishimoto, Chair

**HEARING DATE :** WEDNESDAY, MARCH 14, 2018, 2:00 P.M.  
Conference Room 325  
State Capitol, 415 South Beretania Street

**REGARDING :** SENATE BILL NO. 2582, SENATE DRAFT 1,  
RELATING TO EXTENDED TERMS OF  
IMPRISONMENT

Chair Nishimoto and Members of the Committee:

My name is Tenari Maafala and I am the President of SHOPO. On behalf of SHOPO, I am requesting that Senate Bill No. 2582, Senate Draft 1 be amended to be made effective "upon approval." This bill will allow the courts the discretion to extend criminal sentencing for individuals convicted of negligent homicide and failure to render aid.

As a labor union representing those who protect and serve our communities statewide, we **strongly support this bill**. This bill adds to the deterrence of individuals who willfully choose to drink, drive and take innocent lives by way of reckless behavior. Further, the current criminal punishment for individuals convicted of this crime is not fitting and not just in the eyes of our community.

Drunk driving is preventable and without stringent laws in place to combat this disease it will continue and we will lose loved ones. These bills send a strong message out to those who consider drinking and driving. The detrimental impacts are tremendous as stated in the preamble of this bill.

I kindly ask you to consider the following when contemplating to support this bill:

- According to the Centers for Disease Control and Prevention (CDC), approximately 28 people in the United States die in drunk driving crashes. This equates to one fatality every 51 minutes. Further, the cost of drunk driving related crashes totals to more than \$44 billion per year.
- The Department of Transportation (US), National Highway Traffic Safety Administration (NHTSA) reports that 10,265 lives were lost due to drunk driving crashes in 2015 which accounts for nearly one-third (29%) of all traffic-related fatalities in the United States. That is 10,000+ lives that could have been prevented in one year alone.


The Honorable Scott Nishimoto  
Chair, House Committee on Judiciary  
Hearing Date March 14, 2018  
Re: SB 2582, SD 1, Relating to Extended Terms of Imprisonment  
SHOPO Testimony, Page 2 of 2

- According to Mothers Against Drunk Driving (MADD) statistics, the loss of 34 lives were attributed to drunk driving crashes which accounts for over one-quarter (28%) of all traffic-related fatalities in Hawaii.
- Our loved ones could be here today and gone tomorrow. By not taking action NOW, their lives are always at jeopardy when traveling on our highways and byways. Place yourselves in the shoes of the victims. Think about the lives you will save by making a choice to support a law that would be a deterrent and bring justice to those who have been convicted of these heinous crimes.

For these reasons, I ask that **you amend this bill by making the effective date "upon approval."** It directly impacts and benefits the health and well-being of our communities and without your commitment to make this change, lives will continue to be at stake.

Thank you for the opportunity to testify.

Respectfully submitted,

  
TENARI MA'AFALA  
President



**Testimony by:**

JADE T. BUTAY  
DIRECTOR

Deputy Directors  
ROY CATALANI  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN  
DARRELL T. YOUNG

IN REPLY REFER TO:

**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

March 14, 2018  
2:00 p.m.  
State Capitol, Room 325

**S.B. 2582, S.D. 1**  
**RELATING TO EXTENDED TERMS OF IMPRISONMENT**

House Committee on Judiciary

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The Department of Transportation (DOT) **supports** S.B. 2582, S.D. 1 relating to extended terms of imprisonment. This bill adds certain cases of negligent homicide to the felonies that may be subject to an extended term of imprisonment.

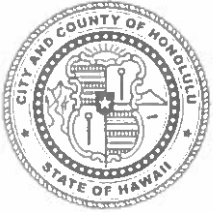
Despite attempts to reduce traffic fatalities, they continue to occur at a high rate. More alarming is the number of crashes that involve alcohol-impaired drivers. Hawaii continues to be above average in the percentage of alcohol-impaired driving fatalities as compared to the national average. Recently, there has also been an increase of fatalities in which the driver has failed to render aid after the crash.

Passage of this bill will deter those who continue to drink and drive to think twice before getting behind the wheel; a behavior that places other road users at risk of death or injury.

The DOT supports the proposal of the conviction negligent homicide and failure to render aid as these crimes are very egregious when resulting in the same incident that causes the life of another.

The DOT urges your support in passing S.B. 2582, S.D. 1 as it will make offenders more accountable for the results of their actions.

Thank you for the opportunity to provide testimony.



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
530 SOUTH KING STREET, ROOM 202  
HONOLULU, HAWAII 96813-3065  
TELEPHONE: (808) 768-5010 • FAX: (808) 768-5011

**IKAIKA ANDERSON**

**Council Vice Chair**

**Councilmember, District 3**

**Email: [ianderson@honolulu.gov](mailto:ianderson@honolulu.gov)**

**Phone: 808-768-5003**

**Fax: 808-768-1235**

March 13, 2018

**TO:** The Honorable Scott Y. Nishimoto, Chair  
House Committee on Judiciary

**FROM:** Councilmember Ikaika Anderson, Vice Chair  
Honolulu City Council

**SUBJECT:** TESTIMONY IN SUPPORT OF SENATE BILL 2582

**HEARING:** Wednesday, March 14, 2018, 2:00 PM  
Conference Room 325, Hawaii State Capitol

I am Testifying in support of Bill SB2582, relating to extended terms of imprisonment.

This bill's origin stems from various community concerns that individuals convicted of negligent homicide do not pay a severe enough penalty. After meeting with the community and individuals they all shared the same concern that current sentencing is too lenient.

As it stands an individual under the influence while operating a vehicle and strikes a pedestrian, who does not stop to render aid and immediately leaves the scene of the crime, only gets a sentence of 2-3 years. This bill is an attempt to rectify this issue for future generations.

I support the passage of Bill SB2582 and would like to thank the committee for the opportunity to testify on this important measure.



Mothers Against Drunk Driving HAWAII  
745 Fort Street, Suite 303  
Honolulu, HI 96813  
Phone (808) 532-6232  
Fax (808) 532-6004  
hi.state@madd.org

March 14, 2018

To: Representative Scott Nishimoto, Chair — House Committee on Judiciary;  
Representative Joy San Buenaventura Vice Chair, and members of the  
Committee

From: Carol McNamee, Public Policy Committee - MADD Hawaii

Re: Senate Bill 2582, SD1 – Relating to Extended Terms of Imprisonment

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I am Carol McNamee, offering testimony on behalf of the Hawaii Chapter of Mothers Against Drunk Driving in support of Senate Bill 2582,SD1 relating to Extended Terms of Imprisonment.

This bill adds a new section to the “Criteria for extended terms of imprisonment” (706-662) to allow the Court to extend the sentence of a person convicted of Negligent Homicide in the first degree (impairment by alcohol and/or drugs) who left the scene of the collision without attempting to render aid to the victim(s).

This bill came about because of an April, 2016 tragedy on the leeward coast in which a young man, Kaulana Werner, was hit by an alleged impaired driver who did not stop and may have actually increased the injuries responsible for this 19 year-old’s death. The devastated family is determined that no future families suffer the terrible pain of thinking that their loved one might have survived - if only the responsible driver had stopped and either provided help or sought help.

It is sad to say that this crime of leaving the site of a collision without rendering aid seems to be more prevalent than ever before. I cannot give you statistics, but it is certainly not a rare occurrence. In fact, just 3 weeks ago, on the night of February 19<sup>th</sup>, two more young men who were simply trying to change a tire on their vehicle, were hit and killed by an alleged impaired driver who also did not stop and render aid. With the attention this bill has been receiving due to the commitment and passion of Kaulana’s family and now the additional support of the families of Jonah Ragsdale and Daniel Mole , the drivers of the state will certainly be put on notice that, with passage of the measure, they will pay a price for not stopping to help after colliding with another vehicle, a biker, or a pedestrian on the road. MADD believes that this increased awareness will act as a deterrent to drivers who think about making the terrible – and possible destructive - decision to drink and drive.

We encourage this committee to pass SB 2582, SD1.

Thank you for this opportunity to testify.





## HAWAII REGIONAL COUNCIL OF CARPENTERS

March 12, 2018

Committee on Judiciary  
Representative Scott Nishimoto, Chair  
Representative Joy A. San Buenaventura, Vice Chair  
State Capitol, Rm 325

### Statement of the Hawaii Regional Council of Carpenters in Support of SB 2582, SD 1

Dear Chair Nishimoto and Members of the Committee on Judiciary:

The Hawaii Regional Council of Carpenters, representing nearly 7,000 members across the state, is in strong **support of SB 2582, SD 1**.

This bill adds a new section to allow the Court to extend the sentence of a person convicted of Negligent Homicide in the first degree (impairment by alcohol and/or drugs) who left the scene of the collision without attempting to render aid to the victim(s).

We hope that with the passage of this bill, it will encourage people to take immediate responsibility for their actions at the scene of an accident but also deter people from the deadly decision to drink and drive.

Thank you for the opportunity to testify in support of this bill.

#### STATE HEADQUARTERS & BUSINESS OFFICES

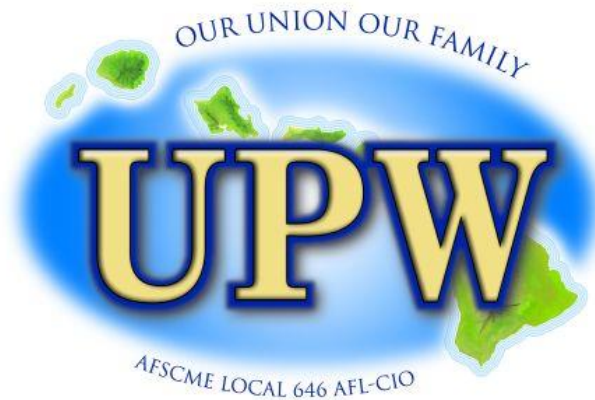
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**MAUI OFFICE:** 330 Hookahi Street, Wailuku, Maui 96793-1449 • Ph. (808) 242-6891 Fax (808) 242-5961

**KAUAI OFFICE:** Kuhio Medical Ctr. Bldg., 3-3295 Kuhio Hwy., Suite 201, Lihue, Kauai 96766-1040 • Ph. (808) 245-8511 Fax (808) 245-8911



THE HAWAII STATE HOUSE OF REPRESENTATIVES  
The Twenty-Ninth Legislature  
Regular Session of 2018

COMMITTEE ON JUDICIARY

Representative Scott Y. Nishimoto, Chair  
Representative Joy A. San Buenaventura, Vice Chair

DATE OF HEARING: Wednesday March 14, 2018  
TIME OF HEARING: 2:00 pm  
PLACE OF HEARING: State Capitol  
415 South Beretania Street  
Conference Room 325

**TESTIMONY ON SENATE BILL 2582, SD1**  
**RELATING TO EXTENDED TERMS OF IMPRISONMENT**

By DAYTON M. NAKANELUA,  
State Director of the United Public Workers (UPW),  
AFSCME Local 646, AFL-CIO

My name is Dayton M. Nakanelua, State Director of the United Public Workers, AFSCME, Local 646, AFL-CIO. The UPW is the exclusive bargaining representative for approximately 12,000 public employees, which include blue collar, non-supervisory employees in Bargaining Unit 01 and institutional, health and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. The UPW also represents about 1,500 members of the private sector.

This important bill provides the courts with the authority to extend the terms of imprisonment of persons convicted of negligent homicide under section 707-702.5 HRS, a class B felony by adding it to the felonies that may be subject to extended terms of imprisonment under section 706-662. The UPW strongly supports this measure.

We appreciate the opportunity to submit this testimony.





# LIUNA!

**TESTIMONY OF RYAN K. KOBAYASHI  
GOVERNMENT AND COMMUNITY RELATIONS DIRECTOR  
HAWAII LABORERS UNION LOCAL 368**

**PETER A. GANABAN**  
*Business Manager/  
Secretary-Treasurer*

**ALFONSO OLIVER**  
*President*

**JOBY NORTH II**  
*Vice President*

**TONI FIGUEROA**  
*Recording Secretary*

**JAMES DRUMGOLD JR.**  
*Executive Board*

**ORLANDO PAESTE**  
*Executive Board*

**JOSEPH YAW**  
*Executive Board*

**MARTIN ARANAYDO**  
*Auditor*

**RUSSELL NAPIHA'A**  
*Auditor*

**MARK TRAVALINO**  
*Auditor*

**ALFRED HUFANA JR.**  
*Sergeant-At-Arms*

COMMITTEE ON JUDICIARY

NOTICE OF HEARING

DATE: Thursday, February 22, 2018

TIME: 2:00 p.m.

PLACE: Room 325

**TESTIMONY IN SUPPORT OF SB 2582 SD1 RELATING TO EXTENDED TERMS OF IMPRISONMENT**

Chair Scott Nishimoto, Vice Chair Joy San Buenaventura, and Members of the Committee:

My name is Ryan Kobayashi and I am the Government Affairs Director for the Hawaii Laborers' Union, Local 368. I am requesting that House Bill No. 2588 be amended to specifically address negligent homicide and failure to render aide as stated in Senate Bill No. 2582, Senate Draft 1. The amended language will allow the courts the discretion to extend criminal sentencing for individuals convicted of negligent homicide and failure to render aide be passed into law.

The Hawaii Laborers' Union **supports the amendment to HB 2588**. We feel this bill will help to further deter individuals who willfully choose to drink, drive and take innocently lives by way of reckless behavior.

Drunk driving is 100% preventable and without stringent laws in place to combat this social ill this behavior is likely to continue, and we continue to will lose our friends and loved ones. Once amended, this bill will send a strong message of deterrence to those who consider drinking and driving.

For these reasons, we ask that **you amend this bill by inserting the provisions of Senate Bill No. 2582, Senate Draft 1, and making the effective date "upon approval."** Passage of this bill will serve to benefit to the health and well-being of our communities and without your commitment to make this change, lives will continue to be at stake.

LIUNA Local 368  
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Honolulu, HI 96817  
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Fax: (808) 847-7829  
www.local368.org

***Feel the Power***

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bicycle@hbl.org

March 13, 2018

**Testimony Strongly Supporting SB2582**

Aloha Judiciary Chair Nishimoto, Vice Chair San Buenaventura, and esteemed members of the Committee on Judiciary:

The Hawaii Bicycling League supports SB2582 which provides for extended prison terms for people who kill others on our roads through their negligent behavior and fail to render aid. Our society needs to make it clear, as in other laws (such as the Vulnerable Users Law), that those driving potentially dangerous vehicles need to behave extra cautiously so as not to injure or kill other innocent road users.

We need to end traffic violence and envision zero deaths on our roadways so all people can use them for transportation, recreation, and health as people who walk, bike, or drive. The roads are not just for people who drive. They were originally for those who walked and must be restored to meet the needs of the most vulnerable users.

As Kamehameha said in Mamalahoe Kanawai, his law of the Splintered Paddle, "e hele a moe i ke ala," everyone has a right to feel safe on our roads. Kamehameha's punishment for those who violated the law and harmed road users was the severest of punishments: death. We do not call to punish those who negligently kill others on our roads with death, but we certainly call to keep them off our roads until they learn their lessons, and possibly should never be granted the privilege of driving again.

Other societies like the Netherlands, Denmark, and Japan make it clear that unsafe, impaired driving is totally unacceptable and will not be tolerated. This law is one step in that direction.

Please pass this law in memory of Kaulana Werner, Zachary Manago, and many others whose lives have been needlessly taken by those who should have been much, much more careful. Let's continue the road to Vision Zero by passing this law.

Thank you very much for considering the comments of Hawaii Bicycling League. If you have any questions or would like to discuss further, please contact Chad Taniguchi (808-735-5756, [chad@hbl.org](mailto:chad@hbl.org)) or Daniel Alexander (808-275-6717, [Daniel@hbl.org](mailto:Daniel@hbl.org)).

Ride and Drive Aloha,

Chad Taniguchi  
Executive Director  
Hawaii Bicycling League

Daniel Alexander  
Advocacy & Planning Director  
Hawaii Bicycling League



# KAMEHAMEHA SCHOOLS

House Committee on Judiciary

Time: 2:00 p.m.

Date: Wednesday, March 14, 2018

Where: Room 325

## TESTIMONY

By Kau'i Burgess  
Kamehameha Schools

To: Chair Scott Nishimoto, Vice Chair Joy San Buenaventura, and members of the Committee

RE: **SB 2582, SD1** RELATING TO EXTENDED TERMS OF IMPRISONMENT

E ka Luna Ho'omalua Nishimoto, ka Hope Luna Ho'omalua San Buenaventura a me nā Lālā o ke Kōmike, aloha. My name is Kau'i Burgess, and I serve as the Director of Community Relations at Kamehameha Schools.

Kamehameha Schools supports the intent of **Senate Bill 2582, SD1**, relating to extended terms of imprisonment.

On April 24, 2016, the death of Kaulana Werner was preventable. He was a graduate of Kamehameha Schools, a team leader on the field, a supportive and loving son at home and a Native Hawaiian with goals and dreams that were cut short by careless disregard for Hawai'i's laws.

We believe that drunk driving, negligent homicide and failure to render aid are topics that must be discussed and dealt with throughout each area in our community, including legislation, and we trust that legislators will make pono decisions to ensure appropriate and fitting consequences for individual offenders as it relates to terms of imprisonment.

Founded in 1887, Kamehameha Schools is a statewide educational system supported by a trust endowed by Princess Bernice Pauahi Bishop, whose mission is to improve the capability and well-being of Native Hawaiians through education. Our strategic plan for 2020 seeks ways to improve the systems that impact the lives of all Hawai'i's people through collective efforts.



# KAMEHAMEHA SCHOOLS

House Committee on Judiciary

Time: 2:00 p.m.

Date: Wednesday, March 14, 2018

Where: Room 325

## TESTIMONY

By Kau'i Burgess  
Kamehameha Schools

To: Chair Scott Nishimoto, Vice Chair Joy San Buenaventura, and members of the Committee

RE: **HB 2582, SD1** RELATING TO EXTENDED TERMS OF IMPRISONMENT

E ka Luna Ho'omalua Nishimoto, ka Hope Luna Ho'omalua San Buenaventura a me nā Lālā o ke Kōmike, aloha. My name is Kau'i Burgess, and I serve as the Director of Community Relations at Kamehameha Schools.

Kamehameha Schools supports the intent of **House Bill 2582, SD1**, relating to extended terms of imprisonment.

On April 24, 2016, the death of Kaulana Werner was preventable. He was a graduate of Kamehameha Schools, a team leader on the field, a supportive and loving son at home and a Native Hawaiian with goals and dreams that were cut short by careless disregard for Hawai'i's laws.

We believe that drunk driving, negligent homicide and failure to render aid are topics that must be discussed and dealt with throughout each area in our community, including legislation, and we trust that legislators will make pono decisions to ensure appropriate and fitting consequences for individual offenders as it relates to terms of imprisonment.

Founded in 1887, Kamehameha Schools is a statewide educational system supported by a trust endowed by Princess Bernice Pauahi Bishop, whose mission is to improve the capability and well-being of Native Hawaiians through education. Our strategic plan for 2020 seeks ways to improve the systems that impact the lives of all Hawai'i's people through collective efforts.

**Erik K. Abe**  
**55 South Kukui Street, #1606**  
**Honolulu, Hawaii. 96813**

**Testimony to the House Committee on Judiciary**  
**Wednesday, March 14, 2018, 2:00 p.m.**  
**State Capitol, Conf. Room 325**

**RE: SUPPORTING SENATE BILL NO. 2582, SENATE DRAFT 1, RELATING TO EXTENDED TERMS OF IMPRISONMENT.**

Chair Nishimoto, Vice Chair San Buenaventura, and Members of the Committee:

My name is Erik Abe and I am submitting this WRITTEN testimony in my capacity as a CONCERNED CITIZEN. I am testifying in **SUPPORT** of Senate Bill No. 2582, Senate Draft 1.

During the fall of 2017, I was approached by a friend and co-worker, Ron Shimabuku, to assist his family draft legislation to mitigate the devastating impacts that intoxicated driving has on the families of accident victims and survivors. In their case, the intoxicated driver killed a pedestrian and then drove off without giving aid to the victim. The driver was caught some distance away while in the process of repairing the damage to the car. When questioned by the police, the driver initially denied being involved in an accident but later stated the driver hit an animal.

The City Prosecutor's Office informed the family that the most they could charge the driver with would be Negligent Homicide in the Second Degree, a Class B felony, for which the maximum term of imprisonment that could be imposed would be ten years.

The family felt strongly that the maximum punishment that could be imposed was not sufficient in their case, especially in light of the driver's egregious conduct in fleeing the scene. While they understood that any legislative response could not be applied to their case as it is presently ongoing, they believed that they had a responsibility to do all that they could to ensure that no other family would have to go through what they are presently going through.

In researching the applicable statutes and through more thorough discussions with the family, it was learned that under Hawaii law, judges currently have the discretionary authority to extend the sentences of persons convicted of certain crimes that are especially heinous such as those committed against the elderly and children, and hate crimes. The family saw the inherent fairness that having the judge impartially review the totality of the facts of a case and allowing the judge to lengthen the term of imprisonment when it is so warranted.



**Testimony on Senate Bill No. 2582, Senate Draft 1**

**Wednesday, March 14, 2018; 2:00 p.m.**

**Page 2**

From the family's perspective, what made this crime so devastating was the willful and wanton disregard that the driver demonstrated by driving off from the scene of the crime. Had the driver done what the law required -- stop and render aid -- the accident would not have been as painful to the family as it was.

**As a concerned citizen, I fully support their wishes and strongly urge you to amend this bill by making the effective date "upon approval."** This would fulfill their wishes to facilitate meaningful and immediate relief for the families of victims.

Thank you for your consideration of my testimony.

**SB-2582-SD-1**

Submitted on: 3/12/2018 6:05:19 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
pua auwae	Individual	Support	No

Comments: Testimony on Senate Bill No. 2582, Senate Draft 1 RELATING TO EXTENDED TERMS OF IMPRISONMENT Wednesday, March 14, 2018 2:00pm Conference Room 325 State Capitol 415 South Beretania Street Chair Scott Nishimoto, Vice Chair Joy San Buenaventura, and Members of the Committee: My name is Mary Werner and I am the sister of Kaulana Werner. I am requesting that Senate Bill No. 2582, Senate Draft 1 be amended to be made effective "upon approval." This bill will allow the courts the discretion to extend criminal sentencing for individuals convicted of negligent homicide and failure to render aide. As a CONCERNED CITIZEN of Hawaii, I strongly support this bill. This bill adds to the deterrence for individuals who willfully choose to drink, drive and take innocently lives by way of reckless behavior. Further, the current criminal punishment for individuals convicted of this crime is not fitting and not just in the eyes of our community. Drunk driving is preventable and without stringent laws in place to combat this disease it will continue and we will lose loved ones. These bills send a strong message out to those who consider drinking and driving. The detrimental impacts are tremendous as stated in the preamble of this bill. I kindly ask you to consider the following when contemplating to support this bill: According to the Centers for Disease Control and Prevention (CDC), approximately 28 people in the United States die in drunk driving crashes. This equates to one fatality every 51 minutes. Further, the cost of drunk driving related crashes totals to more than \$44 billion per year. Department of Transportation (US), National Highway Traffic Safety Administration (NHTSA) reports that 10,265 lives were loss due to drunk driving crashes in 2015 which accounts to nearly one-third (29%) of all traffic-related fatalities in the United States. That is 10,000+ lives that could have been prevented in one year alone. According to Mothers Against Drunk Driving (MADD) statistics, 34 lives loss were attributed to drunk driving crashes which accounts to one-quarter (28%) of all traffic-related fatalities in Hawaii. Our loved ones could be here today and gone tomorrow. By not taking action NOW, their lives are always at jeopardy when traveling on our highways and byways. Place yourselves in the shoes of the victims. Think about the lives you will save by making a choice to support a law that would be a deterrence and bring justice to those who have been convicted of these heinous crimes. For these reasons, I ask that you amend this bill by making the effective date "upon approval." It is a mere benefit to the health and well-being of our communities and without your commitment to make this change, lives will continue to be at stake. Thank you for the opportunity to testify! Mary Werner

**SB-2582-SD-1**

Submitted on: 3/12/2018 6:14:57 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ronnelle Werner-Celes	Individual	Support	No

Comments:

**Testimony on Senate Bill No. 2582,  
Senate Draft 1**

**RELATING TO EXTENDED TERMS OF  
IMPRISONMENT**

**Wednesday, March 14, 2018**

**2:00pm**

**Conference Room 325**

**State Capitol**

**415 South Beretania Street**

Chair Scott Nishimoto, Vice Chair Joy San Buenaventura, and Members of the Committee:

My name is Hoku Werner and I am the sister of the beloved Kaulana Matthew Auwae Werner, who killed on April 24, 2016. It's been almost 2 years since he has been taken

away from my family and I, and there is no words to explain the pain we have to live with every single day especially for my parents. No parent should ever have to experience the type of pain of losing a child due to someone else's stupidity. It wasn't a mistake, neither was it an accident. If the roles were reversed in our situation would my brother have all these rights that Myisha Armitage has? We have NO closure. I don't understand how she makes a bad decision that changes the lives of a whole community, yet she's free on \$11,000 bail and is able to live her life freely outside of a jail cell, yet my brother's rights were stolen from him in the blink of an eye and here we are as his family almost 2 years later fighting for my brother who has no say who's trapped in a box that's the only thing we have left of him it's not fair. All my family and I is begging for is a new law be set in stone so no other family would ever have to live in this nightmare we now call life because of someone else's choice. You should be accountable for your actions. You drink, you drive and you kill and fail to render any type of aid which could potentially help save that person's life, you should be charged to the highest degree no if and's or but's. Due to her foolishness I no longer have a baby brother, he will never make me an aunt, I will never witness him graduating from college. I will never be apart of his wedding court and witness the most happiest day of his life. I can go on and on. Kaulana you give me strength because lord knows how weak I am. I fight for you because you cannot fight for yourself. I promise my brother I will never stop fighting for you. A brother is irreplaceable. No one can ever bring him back home to us. Please all my family and I are requesting is that Senate Bill No. 2582, Senate Draft 1 be amended to be made effective "upon approval." This bill will allow the courts the discretion to extend criminal sentencing for individuals convicted of negligent homicide and failure to render aid.

As a CONCERNED CITIZEN of Hawaii, I **strongly support this bill**. This bill adds to the deterrence for individuals who willfully choose to drink, drive and take innocent lives by way of reckless behavior. Further, the current criminal punishment for individuals convicted of this crime is not fitting and not just in the eyes of our community.

Drunk driving is preventable and without stringent laws in place to combat this disease it will continue and we will lose loved ones. These bills send a strong message out to those who consider drinking and driving. The detrimental impacts are tremendous as stated in the preamble of this bill.

I kindly ask you to consider the following when contemplating to support this bill:

- According to the Centers for Disease Control and Prevention (CDC), approximately 28 people in the United States die in drunk driving crashes. This equates to one fatality every 51 minutes. Further, the cost of drunk driving related crashes totals to more than \$44 billion per year.
- Department of Transportation (US), National Highway Traffic Safety Administration (NHTSA) reports that 10,265 lives were lost due to drunk driving

crashes in 2015 which accounts to nearly one-third (29%) of all traffic-related fatalities in the United States. That is 10,000+ lives that could have been prevented in one year alone.

- According to Mothers Against Drunk Driving (MADD) statistics, 34 lives loss were attributed to drunk driving crashes which accounts to one-quarter (28%) of all traffic-related fatalities in Hawaii.
- Our loved ones could be here today and gone tomorrow. By not taking action NOW, their lives are always at jeopardy when traveling on our highways and byways. Place yourselves in the shoes of the victims. Think about the lives you will save by making a choice to support a law that would be a deterrence and bring justice to those who have been convicted of these heinous crimes.

For these reasons, I ask that **you amend this bill by making the effective date "upon approval."** It is a mere benefit to the health and well-being of our communities and without your commitment to make this change, lives will continue to be at stake.

Thank you for the opportunity to testify!

Hoku Werner

808-218-3685

**SB-2582-SD-1**

Submitted on: 3/12/2018 6:29:08 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

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

Comments:

In Honor Of Kaulana Werner, I Fully SUPPORT Bill #SB2582 SD1. Justice needs to be served.

**Ron Shimabuku**  
**1864 Hookupa Street**  
**Pearl City, Hi 96782**  
[ronkshimabuku@gmail.com](mailto:ronkshimabuku@gmail.com)  
**#808-295-4954**

**Testimony to the House Committee on Judiciary**  
**Wednesday, March 14, 2018, 2:00p.m.**  
**State Capitol Conference Room 325**

Re: Supporting Senate Bill No. 2582, Senate Draft 1, Relating to Extended Terms of Imprisonment

Chair Nishimoto, Vice Chair San Buenaventura, and Members of the Committee:

My name is Ron Shimabuku and I am the brother and godparent to the late Kaulana Matthew Auwae Werner who as you are aware was the victim of a drunk driving, hit-and-run crash which occurred on the evening of April 24, 2016 in Nanakuli, Hawaii. **I am requesting that Senate Bill No. 2582, Senate Draft 1 be amended to be made effective “upon approval.” I am in full support of this bill** to allow the courts the discretion to extend criminal sentencing for individuals convicted of negligent homicide and failure to render aide.

Kaulana was a great man and friend to many. He stayed true to his name the “Famous One.” Even if he hadn’t cross paths with you, he made an impact in your life just at the sheer aloha that he shared with so many and how contagious that characteristic was when people he connected with would grasp onto it and model it into their lives. A fine young man that was destined for so many wonderful things. Although his life was cut short by a reckless act, Kaulana still lives and guides us to continue with his legacy, that is to kokua (help) others, most especially those who loss their lives to acts of grave negligence.

Senate Bill No. 2582 was conceived out of a strong belief that the punishment for negligent homicide and failing to render aide is just and righteous in the people of Hawai`i’s eyes. After thorough research and discussions with many concerned citizens and organizations throughout our state, there was one message that was constant. It was not a concept or belief that was developed out of thin air, it was a message that originated from the people; i.e. your constituents. Some 12,000+ signatures obtained from supporters, not only in the state of Hawai`i, but also of those in our valiant country and many from abroad. The message is this, the current penalty for individuals convicted of negligent homicide, does not fit the crime.

An individual that knowingly consumes alcohol, knowingly operates a vehicle, travels in excess of the posted speed limit, strikes a pedestrian, knowingly acknowledges hitting a pedestrian, immediately leaves the scene of the crime and fails to render any type reasonable care to the pedestrian, deserves a criminal sentencing that is well beyond what is being issued currently. We've heard the frustrations, agony and nightmares of those victims who've come before us. Then, hearing of convicts' sentencing that carries 2-3 years of imprisonment. This is extremely heartbreaking and unsettling. It is time for a change!

A grassroots/community-based coalition was started and formed by the ohana of the Kaulana Werner to combat this 100% preventable drunk driving disease. We have gained many supporters throughout our state including, but not limited to, Mothers Against Drunk Driving (MADD), State of Hawai'i – Department of Transportation (DOT), Kamehameha Schools, Pacific Resource Partnership, Office of Hawaiian Affairs (OHA), Hawaii Government Employees Association (HGEA), Hawaii Regional Council of Carpenters, Hawaii Teamsters and Allied Workers Local 996, International Brotherhood of Electrical Workers (IBEW), State of Hawaii Organization of Police Officers (SHOPO), Iron Workers' Stabilization Fund, Laborers' Union Local 368, UNITE Here Local 5, and United Public Workers (UPW). All have confirmed support and will be submitting testimony in support of Senate Bill No. 2582, Senate Draft 1. This is just a mere example of the voices from the community asking our lawmakers to contribute to the safety and well-being of the highways/byways in which we travel as it pertains to drunk driving and the proper establishment of laws for inhumane individuals who commit negligent homicide and failure to render aide.

With this, I would like to say that is with the utmost respect and honor, that I am able to present my plea to this Committee. **I ask that you amend this Senate Bill No. 2582, Senate Draft 1 by making the effective date "upon approval."** Further, we would gladly welcome your leadership to ensure that this Bill becomes a law in this the Hawaii State Senate Twenty-Ninth Legislature Regular Session of 2018.

In closing, on behalf of my ohana and the many supporters we have in the state of Hawai'i, thank you for what you do and look forward to seeing you stand with us as we continue in our journey to combat this 100% preventable drunk driving disease!

Mahalo for your consideration of my testimony!



**Randi-Lynn Tam**  
**47-710 Lamaula Road**  
**Kaneohe, Hi 96744**  
[randilynn.tam@gmail.com](mailto:randilynn.tam@gmail.com)  
**#808-218-9889**

**Testimony to the House Committee on Judiciary**  
**Wednesday, March 14, 2018, 2:00p.m.**  
**State Capitol Conference Room 325**

Re: Supporting Senate Bill No. 2582, Senate Draft 1, Relating to Extended Terms of Imprisonment

Chair Nishimoto, Vice Chair San Buenaventura, and Members of the Committee:

My name is Randi Lynn Tam and I am concerned citizen of the State of Hawaii. I have lived in Kahaluu on Oahu for the past 28 years. I have seen the detrimental impacts of drinking and driving on our Windward and North Shore communities. I am also personally impacted by this disease as a family member of the late Kaulana Werner. I am in **100% support of this Bill.**

I am kindly requesting that you **amend this Senate Bill No. 2582, Senate Draft 1 by making the effective date "upon approval."** Also, I would like to personally ask that you shepherd this Bill to ensure its entry into Hawaii law in this the Hawaii State Senate Twenty-Ninth Legislature Regular Session of 2018.

Mahalo for your consideration of my testimony!

**SB-2582-SD-1**

Submitted on: 3/12/2018 6:45:17 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elijah Werner	Individual	Support	No

Comments:

i will be summiting this testamony because i dont want any more people in my family dieinng and i fully support this bill.

**SB-2582-SD-1**

Submitted on: 3/12/2018 7:07:51 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lea Aquino	Individual	Support	Yes

Comments:

On February 19, 2018 I lost my 21 year old son to a tragic hit and run. Not only was my sons life taken but his 23 year old friend as well. A third person was also hit which resulted in bodily injury. The driver did not stop and kept going with a flat tire. My son lay dead on the side of the road. They took nessesary precautions and set up tall construction cones and hazard lights. My son chose to fix his tire there because he didn't want it come off and injury anyone. The irony is my son ended up getting hit and killed. The driver continued to drive off without rendering aid or even making a phone call to 911. These actions should not be tolerated. Irresponsible behavior, choices, and actions should have consequences that actually hold individuals accountable.

**SB-2582-SD-1**

Submitted on: 3/12/2018 7:08:02 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
lando werner-celes	Individual	Support	No

Comments:

**SB-2582-SD-1**

Submitted on: 3/12/2018 7:16:03 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cheryl Victoria	Individual	Support	No

Comments:

Something needs to be done, these drunk drivers are getting away with murder. They should not be given an option to extend their hearing. These families of the victims need to come to a closure and these souls need to Rest In Peace . Justice needs to be served. These victims did not deserve to be killed.

**SB-2582-SD-1**

Submitted on: 3/12/2018 7:54:32 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
joy baker	Individual	Support	No

Comments:

Justice shall be served

**SB-2582-SD-1**

Submitted on: 3/12/2018 8:11:17 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Leilani Cunningham	Individual	Support	No

Comments:

**SB-2582-SD-1**

Submitted on: 3/12/2018 8:13:24 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tifanie Tapeni	Individual	Support	No

Comments:

Aloha!

Bringing justice to families with this bill will probably be the only thing that will bring a bit of peace nothing will bring back there loved ones but the person who chose to be careless does not deserve to be free nor get a slap on the wrist for such thing so tragic. Life is precious and it's a serious crime to take that life from some and that only leaves the law to penalize a serious punishment with this bill! I personally did not know Kaulana but everyone knows his story I know his sister and to hear the tragic depressions and emptiness her and her ohana face. This will bring so much great change to the community and all of Hawaii! We need justice and the right way !

Kika!



**SB-2582-SD-1**

Submitted on: 3/12/2018 8:20:27 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

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

Comments:

i fully support this bill

**SB-2582-SD-1**

Submitted on: 3/12/2018 8:27:42 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mama Judy	Individual	Support	No

Comments:

Too many young innocent lives have been taken by drunk drivers. They chose to drink and get behind the wheel of a car and drive. They chose to leave the scene and leave the person there to die and not call for help. We suffer! Please pass this bill into law!  
#JUSTICE4KAULANA

**SB-2582-SD-1**

Submitted on: 3/12/2018 8:27:42 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mama Judy	Individual	Support	No

Comments:

Too many young innocent lives have been taken by drunk drivers. They chose to drink and get behind the wheel of a car and drive. They chose to leave the scene and leave the person there to die and not call for help. We suffer! Please pass this bill into law!  
#JUSTICE4KAULANA

3/12/2018

SB2582 SD1

I am Lani, the aunty of Kaulana Werner.

Kaulana was a beautiful, warm-hearted and truly loving young man.

Drinking and driving kills, destroys families and loved ones.

Sleepless nights, broken dreams, and a life time of heartaches.

Stricter laws needs to be changed, with harsher penalties and extended imprisonment as perpetrators keeps taking innocent lives.

I humbly ask the passing of SB2582 SD1.

Aloha and thank you,

Lani Shimabuku

Pearl City, HI

**SB-2582-SD-1**

Submitted on: 3/13/2018 3:25:31 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
CHARISSE JOHNSON	Individual	Support	No

Comments:

People who drive drunk and harm others, even death, should be punished accordingly.

**Brandy Lapilio-Reveira**  
**91-1039 Kealiiahonui St.**  
**Kapolei, HI 96707**  
BrandyLapilio@yahoo.com  
**(808) 892-9887**

**Testimony to the Senate Committee on Judiciary**  
**Tuesday, February 6, 2018, 9:30 a.m.**  
**State Capitol Room 016**

Re: Supporting Senate Bill No. 2582, Relating to Extended Terms of Imprisonment

Chair Taniguchi, Vice Chair Rhoads, and Members of the Committee:

My name is Brandy Lapilio-Reveira and I am the proud godparent of the late Kaulana Matthew Auwae Werner. He was prematurely taken from us on April 24, 2016. He was a victim of both drunk driving and a hit-and-run incident. **I am testifying in complete support of Senate Bill No. 2582.** This bill allows the courts the discretion to extend criminal sentencing for individuals convicted of negligent homicide and failure to render aide.

Kaulana Werner was an amazing person. His love for his family was only overshadowed by his love for God. He brought joy to everyone around him and left a lasting impression on everyone he met. He radiated positivity, humility, love, faith, and hope for all of us. To have his light taken away so viciously and quickly is a tragedy that we are unable to comprehend. We must move forward, however, as this is what he would want. He would want his story to help protect others.

With stricter laws in place, we hope that this will deter those that would consider both drinking and driving and then failing to render aid. This bill will send a strong message that we, as a people, choose to protect each other. I humbly request your support in passing this bill. We must help end these senseless and selfish actions.

Thank you for the opportunity to testify.

Brandy Lapilio-Reveira

**SB-2582-SD-1**

Submitted on: 3/13/2018 5:47:06 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

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

Comments:

I support this bill wholeheartedly, nothing would ever ease the pain of a lost loved one let's be clear! But when people choose to flee the scene and not render aid to me it's basically murder! Why shouldn't you get charged and punished to the full extent! When someone chooses to drink knowing they are the only ones who will be driving themselves home, before they had their first drink it's a choice they made to not make plans or take a cab or have a d2 driver! To me there is not such thing as a mistake choices were clearly made! The full extension of punishment is needed ! They are no longer with us because of these types of individuals choices!

**SB-2582-SD-1**

Submitted on: 3/13/2018 6:49:42 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

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

Comments:

I fully support this bill. Too many innocent lives have been lost due to the stupidity and selfishness of individuals who for so many years have gotten away with a slap on the wrist for choosing to get behind the wheel after drinking, causing bodily injury, leaving the scene of the accident and not rendering aid. Please help this bill go through..Enough is enough!!...Justice4Kaulana



**SB-2582-SD-1**

Submitted on: 3/13/2018 8:36:15 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

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

Comments:

**Testimony on Senate Bill No. 2582,  
Senate Draft 1**

**RELATING TO EXTENDED TERMS OF  
IMPRISONMENT**

**Wednesday, March 14, 2018**

**2:00pm**

**Conference Room 325**

**State Capitol**

**415 South Beretania Street**

Chair Scott Nishimoto, Vice Chair Joy San Buenaventura, and Members of the Committee:

My name is Ronnelle Werner-Celes and I am the sister of Kaulana Werner I am requesting that Senate Bill No. 2582, Senate Draft 1 be amended to be made effective

"upon approval." This bill will allow the courts the discretion to extend criminal sentencing for individuals convicted of negligent homicide and failure to render aid.

As a CONCERNED CITIZEN of Hawaii, I **strongly support this bill**. This bill adds to the deterrence for individuals who willfully choose to drink, drive and take innocently lives by way of reckless behavior. Further, the current criminal punishment for individuals convicted of this crime is not fitting and not just in the eyes of our community.

Drunk driving is preventable and without stringent laws in place to combat this disease it will continue and we will lose loved ones. These bills send a strong message out to those who consider drinking and driving. The detrimental impacts are tremendous as stated in the preamble of this bill.

I kindly ask you to consider the following when contemplating to support this bill:

- According to the Centers for Disease Control and Prevention (CDC), approximately 28 people in the United States die in drunk driving crashes. This equates to one fatality every 51 minutes. Further, the cost of drunk driving related crashes totals to more than \$44 billion per year.
- Department of Transportation (US), National Highway Traffic Safety Administration (NHTSA) reports that 10,265 lives were lost due to drunk driving crashes in 2015 which accounts to nearly one-third (29%) of all traffic-related fatalities in the United States. That is 10,000+ lives that could have been prevented in one year alone.
- According to Mothers Against Drunk Driving (MADD) statistics, 34 lives were attributed to drunk driving crashes which accounts to one-quarter (28%) of all traffic-related fatalities in Hawaii.
- Our loved ones could be here today and gone tomorrow. By not taking action NOW, their lives are always at jeopardy when traveling on our highways and byways. Place yourselves in the shoes of the victims. Think about the lives you will save by making a choice to support a law that would be a deterrence and bring justice to those who have been convicted of these heinous crimes.

For these reasons, I ask that **you amend this bill by making the effective date "upon approval."** It is a mere benefit to the health and well-being of our communities and without your commitment to make this change, lives will continue to be at stake.

Thank you for the opportunity to testify!



**SB-2582-SD-1**

Submitted on: 3/13/2018 8:38:49 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rolando Celes	Individual	Support	No

Comments:

**Testimony on Senate Bill No. 2582,  
Senate Draft 1**

**RELATING TO EXTENDED TERMS OF  
IMPRISONMENT**

**Wednesday, March 14, 2018**

**2:00pm**

**Conference Room 325**

**State Capitol**

**415 South Beretania Street**

Chair Scott Nishimoto, Vice Chair Joy San Buenaventura, and Members of the Committee:

My name is Rolando Celes and I am the Brother in Law of KAULANA MATTHEW AUWAE WERNER. I am requesting that Senate Bill No. 2582, Senate Draft 1 be

amended to be made effective "upon approval." This bill will allow the courts the discretion to extend criminal sentencing for individuals convicted of negligent homicide and failure to render aide.

As a CONCERNED CITIZEN of Hawaii, I **strongly support this bill**. This bill adds to the deterrence for individuals who willfully choose to drink, drive and take innocently lives by way of reckless behavior. Further, the current criminal punishment for individuals convicted of this crime is not fitting and not just in the eyes of our community.

Drunk driving is preventable and without stringent laws in place to combat this disease it will continue and we will lose loved ones. These bills send a strong message out to those who consider drinking and driving. The detrimental impacts are tremendous as stated in the preamble of this bill.

I kindly ask you to consider the following when contemplating to support this bill:

- According to the Centers for Disease Control and Prevention (CDC), approximately 28 people in the United States die in drunk driving crashes. This equates to one fatality every 51 minutes. Further, the cost of drunk driving related crashes totals to more than \$44 billion per year.
- Department of Transportation (US), National Highway Traffic Safety Administration (NHTSA) reports that 10,265 lives were loss due to drunk driving crashes in 2015 which accounts to nearly one-third (29%) of all traffic-related fatalities in the United States. That is 10,000+ lives that could have been prevented in one year alone.
- According to Mothers Against Drunk Driving (MADD) statistics, 34 lives loss were attributed to drunk driving crashes which accounts to one-quarter (28%) of all traffic-related fatalities in Hawaii.
- Our loved ones could be here today and gone tomorrow. By not taking action NOW, their lives are always at jeopardy when traveling on our highways and byways. Place yourselves in the shoes of the victims. Think about the lives you will save by making a choice to support a law that would be a deterrence and bring justice to those who have been convicted of these heinous crimes.

For these reasons, I ask that **you amend this bill by making the effective date "upon approval."** It is a mere benefit to the health and well-being of our communities and without your commitment to make this change, lives will continue to be at stake.

Thank you for the opportunity to testify!

Rolando Celes

**SB-2582-SD-1**

Submitted on: 3/13/2018 9:09:21 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

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

Comments:

I strongly support this bill.

**Testimony on Senate Bill No. 2582, Senate Draft 1**  
**RELATING TO EXTENDED TERMS OF IMPRISONMENT**  
**Wednesday, March 14, 2018**  
**2:00pm**  
**Conference Room 325**  
**State Capitol**  
**415 South Beretania Street**

Chair Scott Nishimoto, Vice Chair Joy San Buenaventura, and Members of the Committee:

My name is Paul Shimabuku, I am requesting that Senate Bill No. 2582, Senate Draft 1 be amended to be made effective "upon approval." This bill will allow the courts the discretion to extend criminal sentencing for individuals convicted of negligent homicide and failure to render aid.

As a CONCERNED CITIZEN of Hawaii, I **strongly support this bill**. This bill adds to the deterrence for individuals who willfully choose to drink, drive and take innocently lives by way of reckless behavior. Further, the current criminal punishment for individuals convicted of this crime is not fitting and not just in the eyes of our community.

- 1) I believe there is not enough emphasis put on Leaving the Scene of an Accident/Failure to Render Aid in an accident as it is. The reason I say this, it seems this charge gets thrown under the Bus by Prosecutors if there is some type of DWUI charges being made and with that said the defendant if judged to be found guilty by the Court of Law or pleads guilty to manslaughter(or whatever the charge may be) he/she will use the defense of being under the influence DWUI, basically stating he/she did not know what they did or didn't do as to the accident he/she may have caused. Basically implying he/she left the scene and not rendering aid because of being mentally impaired by the Drug used prior to the accident.
- 2) Here's the problem as I see it as today, for whatever reason(s) a DWUI driver knowingly or not leaving the scene, not rendering aid in an accident and being free for a day(s) to clean up his/her drug of choice there will be NO DWUI offense. Only assumptions can be made, if that at all with no fact for the jurors, on the amount of drugs were in his/her system at the time of the accident. With that said, there's a reason WHY they flee the scene, although under the influence, they DO know they are DWUI but even if they were not under the influence or had the time to clean the drug out of their system, they'll still not be charged with DWUI.

As we see, Why would anyone STAY Put in an accident at all if your all in mind or under the influence when someone is hurt or dies? The person knows that Leaving the scene of an accident/Failure to render aid is practically a nothinburger but a charge over ridden by a more serious charge he/she may be found guilty off. So basically saying this offense means nothin to someone who wants to escape the crime of the accident under DWUI or not.

We hear the families of recent victims in despair wondering Why didn't the perpetrator STOP to render aid and leave the scene of the accident? It's only Right to have the person serve a term



for Leaving the Scene of an Accident/Failure to Render Aid Charge to give some solace to the victims and family.

Are we Humans that cares for others or are we just thinking about oneself in a bad predicament? The thought of Humanity, helping a fellow human being, is Lost in these perpetrators minds!

This charge of Leaving the Scene/not rendering aid has a meaning to it ON it's Own merit as to why we have it! We humans are expected to help someone in need, why do we let these I NO Kea perpetrators get away with it without more years added on to their incarceration time?

Paul K. Shimabuku

**SB-2582-SD-1**

Submitted on: 3/13/2018 9:24:18 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

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

Comments:

I Fully Support this BILL #SB2582 changes needs to be done and we need harsher punishments for people who kill anyone flee the scene and dont stop to render aide. Justice for all innocent lives taken by wreckless drivers. Changes needs to be done! thank you!

johnnyboy

**SB-2582-SD-1**

Submitted on: 3/13/2018 9:36:13 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diandra Lopes	Individual	Support	No

Comments:

I fully support this bill. Too many lives are being lost because nothing is being done. These drivers need to take responsibility for their actions. How will they learn from what they do if they walk around free? How many more lives need to be lost for something to be done?? Let's work together to have them learn a lesson and pass this bill to protect other innocent lives.

**SB-2582-SD-1**

Submitted on: 3/13/2018 9:51:46 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

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

Comments:

I fully support this bill. It's not fair for someone to get behind a wheel knowing they are drunk and start driving and take away innocent lives only to get a slap on the wrist. It shows them that that's the only punishment they'll get and drive drunk again putting other lives in danger. What about the innocent lives? How do the victims family move forward with these type of tragedies? I support the Werner Ohana and hope this bill gets passed to help other families that went or are going through this. And I want to thank them for pushing this bill because honestly people are still going to drive drunk and it's only a matter of time before the next tragedy happens. So please consider this bill for the sake of Kaulana and his family and for all those innocent lives that were taken and their families as well!

**SB-2582-SD-1**

Submitted on: 3/13/2018 10:48:45 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

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

Comments:

Aloha, my name is Laura Sturm and I am a godparent of the late Kaulana Werner, who was a victim of a drunk driving, hit-and-run crash on April 24, 2016. I am requesting that Senate Bill No. 2582, Senate Draft 1, be amended to be made effective "upon approval." As I understand it, this bill would give courts the authority to extend the prison term for any felony that results in the death or serious injury of another, while acting with reckless disregard for others' safety. This would include those convicted of first degree negligent homicide when taking a life while driving drunk and failing to render aid.

I am providing this written testimony in absolute support of this bill. It outrages me that someone would drink irresponsibly, get behind the wheel of a car, drive recklessly, hit someone, flee the scene, and leave a victim like our beloved Kaulana to die. These individuals lack the basic human decency to stop and render aid, and must be held fully accountable for the death of an innocent person. A vehicle can be a death machine. It is no different than a loaded gun. When someone chooses to mix drinking and driving, the car becomes the weapon. In Kaulana's case, the drunk driver handed Kaulana his death sentence due to her irresponsible, reckless, selfish and inhumane actions. Had she done what the law required, to stop and render aid, the outcome could have been so much different. Instead, she left him there to die. She also handed our family a life sentence. A life without a son, brother, uncle, nephew, godson, cousin, friend. We will never see him grow up, live his life, and become the amazing husband and father that we all know he would be. She stole our hopes & dreams, shattered our lives, and left us with broken hearts.

Now, nearly two years later, the tears still come. The injustice committed against all of us is unbearable. We are still awaiting trial, and asking ourselves, "What will her punishment be? A one to two year prison sentence? Is that the value placed on an innocent life taken too soon?" In recent years, this has been the sad, heart wrenching reality. All too often the courts error on the side of leniency and show sympathy for drunk drivers when charging and sentencing. Their sentence will NEVER compare to the death sentence they handed their victims. It is NOT FITTING, it is NOT FAIR, and it is NOT JUST in the eyes of victims, their families, and the community.

You will never know the impact such a tragedy has on the victim's family. The loss of a loved one in such an inhumane way literally rips your heart into pieces, it breaks your spirit, and it shatters your soul. This bill has the potential to change the attitudes and actions of those who drink and drive, save lives, and prevent our tragedy from becoming another family's reality. You have the power to make this change. By not taking action NOW, lives will continue to be at jeopardy when traveling on our roads. For these reasons, I ask that you amend this bill by making the effective date "upon approval." It is a mere benefit to the health and well-being of our communities that continue to lose precious lives at the hands of drunk drivers. Without your commitment to make this change, lives will continue to be at stake. Mahalo for this opportunity to provide testimony.

**SB-2582-SD-1**

Submitted on: 3/13/2018 1:30:55 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Haunani Momoa	Individual	Support	No

Comments:

I am a resident of the Nanakuli community and have been neighbor's with the Werner 'ohana for over 35 years. The night of Kaulana's passing, I was sitting in my living room watching television, when I heard a sudden impact. It did not dawn on me that it was a pedestrian accident until I saw blue lights flashing in motion to redirect traffic off of Farrington Hwy on to Pohakunui Avenue (parallel to Farrington Hwy).

I could go on and on about the accidents and screeching of tires I have heard all my life living on Pohakunui Avenue, but that in itself would be a novel.

I am in full support of Senate Bill No. 2582

**SB-2582-SD-1**

Submitted on: 3/13/2018 1:58:59 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shaena Hoohuli	Individual	Support	No

Comments:

Justice for Kaulana Werner ðŸ™• ðŸ• ¼



**SB-2582-SD-1**

Submitted on: 3/13/2018 2:57:01 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christol Keliikoa	Individual	Support	No

Comments:

I support this bill because there has been so many deaths cause by drunk drivers who then flee the scene. Kaulana was a bright kid with a bright future ahead of him. All that was taken away thanks to one person, Myisha Armitage. I see his family on a daily basis and they haven't been the same since his passing. What makes it worse is that Myisha is out on bail (which in my opinion was a slap on the wrist-\$11k) She gets to spend time with her daughter and family while Kaulana's family is searching for justice. Kaulana case has been prolonged for almost two years now. When will our justice system step up and fight for the innocent people who died?! His death will not be in vain. This bill will help keep his memory alive!! KW4L #defendkaulana #justiceforkaulana

**SB-2582-SD-1**

Submitted on: 3/13/2018 3:02:05 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jamie deguzman	Individual	Support	No

Comments:

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 4:34:35 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Wayne K S Kaululaau	Hawaii Teamsters Local 996	Support	No

Comments:

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 4:16:26 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

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

Comments:

I support this bill. #justiceforkaulana

Please pass this bill to make it a LAW so that these families that lost their loved ones can receive JUSTICE. These parents didn't deserve to loose a child due to a CARELESS person who decided to drink and drive, then hit and KILL these young men and leave the scene for them to die.

Don't let their tragedy become your REALITY... think about it!!

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 4:43:35 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

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

Comments:

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 5:49:55 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shauna Kamaka	Individual	Support	No

Comments:

Aloha! My name is Shauna Kamaka and I fully support this bill. Our nephew Kaulana Werner was killed by a drunk driver who fled the scene. We need harsher penalties for those who run people over under the influence and then leave the scene. It takes a special kind of evil person to run someone down and not stop to help them. Those people should definitely receive longer jail time. Please pass this bill so hopefully people think first before they drink and drive and leave the scene of an accident they are responsible for causing. Mahalo!

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 6:08:23 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Harriet Ching	Individual	Comments	No

Comments:

To whom it may concern,

Drinking and driving is a choice not a accident. Leaving the scene is a choice not a accident. The choices you make in life come with rewards or consequences. In this case, major consequences are required. This drunk driver took a life and had no conscience to stay and render aide. I fully support this bill and believe every person that chooses to drink, drive, and leave the innocent to die should be punished to the fullest extent. Please put yourself in the shoes of all families suffering from drunk drivers and pass this Kaulana Bill.

Thank you for your time

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 6:22:24 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ryan	Individual	Comments	No

Comments:

I fully support this bill. Drunk driving is a bad choice you make in life and with it comes consequences. Leaving a innocent person to die deserves harsher penalties.

Thank you



**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 6:25:02 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mackenzie Kaleikini	Individual	Support	No

Comments:

I fully support this bill. My brother is Jonah Ragsdale and not only do we need to find justice for him and Daniel Mole, but for all those who have lost their lives to reckless drivers whether they were under the influence or not. It's not ok for someone to kill someone and get let go with a slap on the wrist. That's like telling the younger generation that it's ok to do bad things and they won't get in trouble for what they have done. Do the right thing and pass this bill! We all need justice in our lives.

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 6:25:04 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

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

Comments:

We stand in solidarity with the Werner family as they fight for justice for Kaulana

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 6:41:00 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ke'ala Ragsdale	Individual	Support	No

Comments:

I am in FULL SUPPORT of this bill! Harsher penalties will make people think twice about their actions and can hopefully reduce the amount of innocent lives that have been lost to avoidable and irresponsible actions.

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 6:54:44 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Colton	Individual	Comments	No

Comments:

Dear State Legislatures,

Drunk Driving is a horrific crime which claims the lives of too many innocent citizens. As a State legislature you are responsible for passing bills which would benefit and make the community a safer environment for all. This bill here before you is the exact bill that meets the criteria above. I understand that many other citizens are also in support of this bill. Therefore it is your Job as legislatures to pass this bill "By the People, Of the People, and For the People". I support bill SB2582,SD1 because drunk driving is a choice made by foolish individuals. And because of their poor choice they will be served a LONG FAIR punishment under the law. Please, I urge you to put yourselves in the shoes of those who have lost loved ones to drunk drivers and to make the right decision and pass this bill.

Thank You

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 7:18:43 PM  
Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kilikakopa burner	Individual	Support	No

Comments:

I support this bill

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 7:49:48 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lokelani Kaalele	Individual	Support	No

Comments:

I strongly support this bill, and firmly believe it should be made law. For those innocent lives lost due to negligent homicide. To impact any and all future convictions. The current sentencing terms do not fit the crimes and the punishments should be made more severe. Jonah Ragsdale was my Hanai Son. Thank you.

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 7:57:35 PM  
Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
seaira busse	Individual	Support	No

Comments:

I support this bill because I have losted a dear friend and I've seen others lose innocent people in effect of the decisions they made choosing themselves over the lives and safety of others around them and I do not believe that our state supports these kinds of actions and we all need to stand up to change the consequences to show we do not take this as a joke and the consequences will not just be a slap on the wrist as seen many time before. Mahalo - Seaira Busse

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 8:16:02 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Theresa Paulette	Individual	Support	No

Comments:

As a mother whose only son was killed by a 6x DUI arrestee, I know the pain of losing a child, a loved one, in a sudden and violent crash. It is devastating and your life is changed forever. To have the offender flee the scene and not render aid, compounds the devastation and grief. I fully support SB2582 SD1 to add enhanced sentencing in cases of such egregious conduct and disregard of life.

Sincerely,

Theresa Paulette



**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 8:43:45 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Crystal Ryder	Individual	Support	No

Comments:

I strongly support this bill as I've seen the impact drunk driving and hit and run can take on a family.

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 8:53:45 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Clyde Eli	Individual	Support	No

Comments:

## **Testimony on Senate Bill No. 2582, Senate Draft 1**

### **RELATING TO EXTENDED TERMS OF IMPRISONMENT**

**Wednesday, March 14, 2018**

**2:00pm**

**Conference Room 325**

**State Capitol**

**415 South Beretania Street**

Chair Scott Nishimoto, Vice Chair Joy San Buenaventura, and Members of the Committee:

My name is Stacelynn Eli and I am a NÄ• nÄ• kuli resident. I am requesting that Senate Bill No. 2582, Senate Draft 1 be amended to be made effective "upon approval." This

bill will allow the courts the discretion to extend criminal sentencing for individuals convicted of negligent homicide and failure to render aid.

As a CONCERNED CITIZEN of Hawaii, I **strongly support this bill**. This bill adds to the deterrence for individuals who willfully choose to drink, drive and take innocently lives by way of reckless behavior. Further, the current criminal punishment for individuals convicted of this crime is not fitting and not just in the eyes of our community.

Drunk driving is preventable and without stringent laws in place to combat this disease it will continue and we will lose loved ones. These bills send a strong message out to those who consider drinking and driving. The detrimental impacts are tremendous as stated in the preamble of this bill.

I kindly ask you to consider the following when contemplating to support this bill:

- According to the Centers for Disease Control and Prevention (CDC), approximately 28 people in the United States die in drunk driving crashes. This equates to one fatality every 51 minutes. Further, the cost of drunk driving related crashes totals to more than \$44 billion per year.
- Department of Transportation (US), National Highway Traffic Safety Administration (NHTSA) reports that 10,265 lives were loss due to drunk driving crashes in 2015 which accounts to nearly one-third (29%) of all traffic-related fatalities in the United States. That is 10,000+ lives that could have been prevented in one year alone.
- According to Mothers Against Drunk Driving (MADD) statistics, 34 lives loss were attributed to drunk driving crashes which accounts to one-quarter (28%) of all traffic-related fatalities in Hawaii.
- Our loved ones could be here today and gone tomorrow. By not taking action NOW, their lives are always at jeopardy when traveling on our highways and byways. Place yourselves in the shoes of the victims. Think about the lives you will save by making a choice to support a law that would be a deterrence and bring justice to those who have been convicted of these heinous crimes.

For these reasons, I ask that **you amend this bill by making the effective date "upon approval."** It is a mere benefit to the health and well-being of our communities and without your commitment to make this change, lives will continue to be at stake.

Thank you for the opportunity to testify!

Stacelynn Eli

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 8:54:11 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

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

Comments:

I support this bill.

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 9:01:11 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jarick Duvauchelle	Individual	Support	No

Comments:

I support this bill.

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 9:27:24 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Puna Candelario	Individual	Support	No

Comments:

I support this bill.

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 9:48:22 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
lacy-lyn manuel	Individual	Support	No

Comments:

I support this bill



**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 9:54:01 PM  
Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alana Fosi	Individual	Support	No

Comments:

I support this bill.

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 10:15:55 PM  
Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sanoë Marfil	Individual	Support	No

Comments:

I support this bill as it will provide a greater penalty to individuals who make the wrong choice and choose to drink and drive! The suspects have to be help accountable for they have made the choice!

**LATE**

**SB-2582-SD-1**

Submitted on: 3/13/2018 10:27:56 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Yolanda Thomas	Individual	Support	No

Comments:

I support SB2582 SD1. #justiceforjonah #justicefordaniel #justiceforkaulana

a slap on the wrist should no longer be tolerated. So many lives have been taken away and has cause so much pain to many Ohana.

Respectfully,

YJT

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 3:46:41 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Raynette Mole	Individual	Support	No

Comments:

I ,Raynette Mole, support this bill in the memory of my late son, Daniel Mole. I support this bill also in memory of Jonah Ragsdale, Kaulana Warner, and the many other victims and their loved ones.

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 4:01:40 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Richard Mole	Individual	Support	No

Comments:

I, Richard Mole, support this bill in memory of my late son, Daniel Mole, and his late friend, Jonah Ragsdale, who were both killed on February 19th 2018. My son Daniel was killed in Makua while helping his friend change a tire on the shoulder of Farrington Highway. No other parent and/or person shall feel the pain of losing a loved one in this way. People who commit such acts of carelessness must be held accountable for their actions and face stiffer penalties than the current penalties. I humbly ask for your support in passing this bill.

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 5:08:13 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
natasha kaapuni	Individual	Support	No

Comments:

I support this bill. In Loving memory of the late Daniel D.K "Danz" MoleđŸ™•

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 5:11:23 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Francine Guzman	Individual	Support	No

Comments:

Many families are suffering with the loss of their family members. Please enforce tougher Pryor the drunk drivers. Mahalo

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 5:13:52 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jared Hirahara	Individual	Support	No

Comments:



**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 7:19:19 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ana Carmela Malabanan	Individual	Support	No

Comments:

I support this bill. For the love of my life, Daniel Douglas Kahakuako'ikealohapauole Mole, our good friend Jonah Ragsdale, and Kaulana Werner. Fly high with the angels boys.

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 7:30:25 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nicole Tafaoa	Individual	Support	No

Comments:

This was not only his future but he was our communities future. He had goals that he was clearly reaching and striving with pride and support. A careless driver decided to drive drunk and take this away. To brush something under the mat and avoid problems to bettet clean up next time. NO. Make them feel like driving drunk is loading a gun and pulling the trigger. Same consequences.

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 7:54:30 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Delphine Agliam	Individual	Support	No

Comments:

I support this bill. In loving memory of the late Daniel D.K. "DANZ" Mole and all the other innocent lives that were taken.

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 8:01:31 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Erin Ah Choy	Individual	Support	No

Comments:

To support this bill is to save lives and honor those lost before this bill can be passed. I support this bill with a heavy heart in remembrance and honor of the lives lost of those that may be subject to this proposed bill. I support this bill to save others from the negligent behavior of those who have committed such unspeakable acts that have caused harm or loss of life.

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 8:03:14 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Arnold	Ironworkers Stabilization	Support	No

Comments:

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 8:22:05 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
tonette gumapac	Individual	Support	No

Comments:

I support this bill in memory of Daniel DK "DANZ" Mole. ðŸ•

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 8:43:05 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shantel Wise	Individual	Support	No

Comments:

Its on a behalf of s family member

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 8:43:39 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Amanda Fujikawa	Individual	Support	No

Comments:

I support this bill.



**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 8:46:10 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

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

Comments:

I support this bill. Justice needs to be served for those who were taken away from us too soon.

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 8:58:53 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kaleo Candelario	Individual	Support	No

Comments:

I am in full support of this Bill. My nephew and his friend were killed by a negligent driver who did not render aid, after fleeing the scene. The driver has s previous DUI and other speeding infractions on record. Harsher penalties are needed to show citizens that failing to render aid and irresponsible driving have consequences. Help give our family and other families of hit and run victims closure. Help us get justice for our loved ones.

Mahalo.



**HAWAII GOVERNMENT EMPLOYEES ASSOCIATION**  
AFSCME Local 152, AFL-CIO

**RANDY PERREIRA**, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

**LATE**

The Twenty-Ninth Legislature, State of Hawaii  
House of Representatives  
Committee on Judiciary

Testimony by  
Hawaii Government Employees Association

March 14, 2018

S.B. 2582, S.D. 1 – RELATING TO EXTENDED TERMS OF IMPRISONMENT

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the general intent of S.B. 2582, S.D. 1 which adds certain cases of negligent homicide to the felonies that may be subject to an extended term of imprisonment.

As written, S.B. 2582, S.D. 1 grants the courts the flexibility and discretion to extend criminal sentencing for individuals convicted of negligent homicide and failure to render aid. We are hopeful that passage of this measure and the potential for increased penalties will deter individuals from choosing to drink and drive.

Thank you for the opportunity to testify in support of the intent of S.B. 2582, S.D. 1.

Respectfully submitted,

*for* Randy Perreira  
Executive Director

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 9:55:12 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Malia Nuuanu	Individual	Support	No

Comments:

Good Day, My Name is Malia Nuuanu former native of Nanakuli but currently living in Green Bay, WI.

It's been far to many accidents and tragedy to finally shine light on this matter. Stricter laws and extended terms of imprisonment is definitely necessary for crimes like these. Stealing the life of innocent people and robbing them from there full life should be treated like a murder case.

My family, the Werner's and the entire city of Nanakuli are attached to each other by Love we all grow up together and become friends for life. My late father is Kaulana's Father's classmate and friend and I am also a classmate and friend to Kaulana's sister. We all might not be blood related but we are All Family, and one member of the family hurts we all hurt.

Back in 1997 My family was also a victim of vehicular manslaughter and 1 man stole the life of 3 of my family members. This man is walking free and has recently almost stole the life of another innocent person.

I am in total support of bill SB2582 (KAULANA'S BILL) as this will take a huge leap to insure a better, safer and stricter laws for people who decided to get behind the wheel intoxicated.

Thank you for your time,

Malia Nuuanu

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 11:17:48 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kerrilynn dekin	Individual	Support	No

Comments:

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 11:22:27 AM  
Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jenilyn Duh	Individual	Support	No

Comments:

I support this bill. For justice to the young lives lost.

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 11:38:10 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Aimee Takaki	Individual	Support	No

Comments:

I write this in full support of SB2582. It is time we make proactive movements to address preventatble tragedies like Kaulana Werner's.

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 12:40:53 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joanne Lopes	Individual	Support	No

Comments:

This needs to become law! This is for all the people who have lost their lives and their families, who for them, justice never prevailed. With this law, they will finally get justice. If you could see the beautiful person Kaulana was, how he affected EVERYONE, you would understand why his family is fighting for this to become law. He was a shining light with a beautiful smile that radiated the person he was inside and out. He was a lector at our church who read Sunday readings in English and Hawaiian. He was LOVED by so many! A life that had so much to offer, but was violently taken away. There is a hole in the hearts of every one that knew him.

I know many other people personally whose lives have been broken due to a death of a loved one in situations as these. What makes the situation even worse is most times the person causing such heartache and pain gets away with it without any consequences. It is BEYOND me how that is even possible! Many families don't want to relive the pain by going after the responsible person/s, but they are basically getting away with murder. Many people who have broken the law for lesser crimes have been punished more harshly than killing someone. Where is the justice? If they've done it before, what's to stop them from doing it again? We teach our children from when they are little, for every choice, there is a consequence. Where are the consequences?! If there is no consequence, why should they worry about doing it again? If it becomes law, maybe people would think twice. That could save lives.

This law will mean justice will be served. It will mean the loved ones that were lost did not die in vain. This law must be passed because it is what is right. Nothing these families can do will bring their loved ones back. There will still be a lot of hurt and pain, but also comfort to know that we can count on the government to do the right thing. Don't let more families go through this. Make it stop now!



**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 12:43:35 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shelly Kahalelehua-Kahapea	Individual	Support	No

Comments: ALOHA! In support with the Kaulana's Bill My name is Shelly Kahalelehua-Kahapea. Just a little background before I begin. I am the aunty of Daniel Mole. I was married to Charles Mole jr, the uncle of Daniel Mole. Raynette and Richard Mole are my in-laws. My Twins James(Kimo) and Mapuana are first cousins to Daniel Mole. Leaving a testimony On behalf of myself a mom of Mapuana Mole, the cousin of Daniel D K Mole. Last year, I got a call at 10pm at night from my daughter saying she almost died tonight! In her words, "mommy, I closed my eyes because I saw a huge truck coming straight for me while parked on the side of the road, waiting for her boyfriend to come out of the gym. Mommy my life was going to be over!" My daughter also said, "I thought of how sad you were going to be and so devastated if I died! Anyways, a bystander pulled her out of the pinned car and call for a help. The driver of a huge black truck rammed into my daughter smashing her boyfriends car. The driver of the truck came to check on her and said, are you okay screaming! But also told her don't call the cops don't call the cops! Anyways they called the police and she was drunk!! And police took the driver away! My daughter almost lost her life. Anyways the driver of the truck has been out and not showing up for court because of our no fault laws here in Hawaii. Now, on behalf of my Nephew, he is gone and we cannot bring him back! We need justice and stiffer laws regarding these drunk drivers who drink and drive and don't render aid! And not taking responsibilities. The state should not have released this driver. Because we have no room in prison! Make room. I almost lost my daughter and we did lose my nephew! Really?. Now we have to bury my nephew. I'm sick of this! Please I needed to make my statement. My daughter is alive today and she now doesn't drive fear of an accident or a drunk person banging her. I also got banged by a drunk driver as well a while ago. So we need to put an end to this! Thank you for taking my statement and I hope it helps! Aloha! We need to protect our children. Just thought maybe, Now when we get our liscence we should have and oath on drinking and driving and a signature. Because a vehicle becomes a weapon for drunk drivers period. Or anything regarding drinking and drugging. Please make stiffer laws to protect our Kids or innocent people. Watching my sister in law brother in law and my niece is heartbreaking. Especially my nephew had his life ahead of him a beautiful journey and it is now wiped away! So please our heart is breaking and it will never be the same. for my family, my children. Justice for Daniel and Jonah and all the beautiful children taken too soon. Thank you mahalo for your time. God Bless you all! Sincerely with broken hearts, Shellyann Kehaulani Kahalelehua-Kahapea

**LATE**



**SB2582 SD1**  
**RELATING TO INCARCERATED PARENTS**  
House Committee on Judiciary

March 14, 2018

2:00 p.m.

Room 325

The Administration of the Office of Hawaiian Affairs (OHA) will recommend that the Board of Trustees offer the following **COMMENTS** on SB2582 SD1, which would allow for extended terms of imprisonment in cases of negligent vehicular homicide in which the offender left the scene without rendering aid to the victim.

OHA appreciates the intent of this measure, to deter the negligent operation of vehicles and better ensure that those who cause car accidents stop to help their victims. Drunk driving is a serious issue that threatens lives in all communities and is an issue of priority for the Native Hawaiian community, particularly given recent situations, including the death of two young men from Maili and Nānākuli, two high population Native Hawaiian communities. We express our condolences for the young men's families and the communities.

OHA believes in order to effectively deter drunk driving, we must generally change the social norms surrounding this behavior. OHA offers that effective deterrence requires a comprehensive set of strategies including increasing police presence on the roadways and increasing sobriety checkpoints; alternative penalties, including ignition interlocks and license revocation and suspension; and promoting educational campaigns utilizing mass media and local organizations such as hospitals, churches, and schools.<sup>2</sup> Accordingly, OHA supports a comprehensive strategy to best promote the safety of our roadways and communities.

Mahalo for the opportunity to testify on this measure.

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<sup>2</sup> CTRS. FOR DISEASE CONTROL & PREVENTION, WHAT WORKS: STRATEGIES TO REDUCE OR PREVENT DRUNK DRIVING (2016) available at [https://www.cdc.gov/motorvehiclesafety/impaired\\_driving/strategies.html](https://www.cdc.gov/motorvehiclesafety/impaired_driving/strategies.html).

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 2:32:03 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Frances Paaluhi	Individual	Support	No

Comments:

I am in support of this bill in Memory of Daniel Mole, Kaulana Werner, and Jonah Ragsdale. I recommend though it be ammended to be effective "UPON APPROVAL."

**LATE**

**SB-2582-SD-1**

Submitted on: 3/14/2018 5:31:24 PM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alexis Acohido	Individual	Support	No

Comments:

I support this bill

**LATE**

**SB-2582-SD-1**

Submitted on: 3/15/2018 12:51:30 AM

Testimony for JUD on 3/14/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Corena Quijano	Individual	Support	No

Comments:

My name is Corena Quijano other wise known by Kaulana Werner as Kumu Corena. First I want to say a little about Kaulana Werner because gosh how cant I ? Kaulana was truly a gift from heaven. I assisted in teaching Kaulana from the 4th grade at Kawaihona. Kaulana was such a joyful young boy, you could tell he came from a wonderful family who truly loved him. Everyday at school he would always take the time to pick up my son who was in kindergarten at the time and take him over to his area on the campus just to teach him the game of football because he knew my son enjoyed the sport just as Kaulana did. Kaulana was filled with joy everyday and always had a huge smile. I never seen him have a bad day. All the Keiki looked up to him because he was so positive and always encouraging the younger keiki.

The day Kaulana was taken was a very tragic day for the entire community because thats how much lives Kaulana has touched. Our family thinks of him daily especially because we are from one community and when one family is suffering the entire community suffers along with them. Everyday we have to pass the scene where Kaulana took his last breath which breaks my heart and the hearts of my family especially my youngest son who really looked up to Kaulana. My heart aches for the family of Kaulana because they have to wake up and see the scene right out their front door. I can't even Imagine the pain they are going through and thats why something needs to be done to put a stop to these senseless acts , which can be preventable with tougher laws.

The fact that the person who hit Kaulana is still out there is unfathomable! She took a life and is allowed to live freely, is unbelievable! She left the scene, she didn't render aid to Kaulana and she is not in Jail? Why? This is whats so upsetting, that NOTHING has been done and its time something is done. There needs to be tougher penalties so it will make people think twice before they get behind of a vehicle intoxicated and risk taking someones life.

I am humbly asking that Senate Bill NO.2582 Draft 1 to be ammended and to be made effective upon approval. By allowing this Bill it will give the courts the choice to extend the sentencing of individuals who are convicted of negligent homicide and failure to render aide to the victims.

By passing this law you are making a statement to everyone that if they make a bad choice they will face tough time. I pray justice is served. The Werner family and countless other families are still suffering. Lets put a stop to this today by making tougher penalties. Let Justice be served.

I Humbly ask for your support by passing this bill

Thank you,

Corena Quijano