

DAVID Y. IGE  
GOVERNOR



TODD NACAPUY  
CHIEF INFORMATION  
OFFICER

**STATE OF HAWAII**  
**OFFICE OF ENTERPRISE TECHNOLOGY SERVICES**

P.O. BOX 119, HONOLULU, HI 96810-0119  
Ph: (808) 586-6000 | Fax: (808) 586-1922  
ETS.HAWAII.GOV

Testimony of  
**TODD NACAPUY**  
Chief Information Officer, State of Hawai'i

Before the

**SENATE COMMITTEE WAYS AND MEANS**

**FRIDAY, FEBRUARY 23, 2018**  
**10:00 A.M.**

**State Capitol, Conference Room 211**

**SENATE BILL NO. 2738**  
**RELATING TO FOUND ELECTRONIC DEVICES**

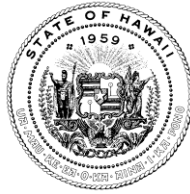
Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the committee:

I am Todd Nacapuy, Chief Information Officer of the State of Hawai'i and head of the Office of Enterprise Technology Services (ETS), testifying in **support** of Senate Bill 2738, Relating to Found Electronic Devices, which extends protection of personal information on unclaimed electronic devices.

I am testifying today in my capacity as Chair of the State Information Privacy and Security Council which has requested this bill to permit law enforcement agencies to take necessary steps to digitally sanitize electronic devices that may contain personal information before the unclaimed property is provided to finders or disposed by public auction or other means.

Currently, some local and state government agencies, including county law enforcement agencies, are required under HRS 52D-14 and 261-17.7 to provide unclaimed property to finders as found after forty-five days. Given that cell phones, computers and other such electronic devices may contain personal information, the Information Privacy and Security Council recommends that Hawaii state law be amended to keep pace with technology so that personal information is protected.

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



DAVID Y. IGE  
GOVERNOR  
DOUGLAS S. CHIN  
LT. GOVERNOR

STATE OF HAWAII  
OFFICE OF THE DIRECTOR  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
335 MERCHANT STREET, ROOM 310  
P.O. Box 541  
HONOLULU, HAWAII 96809  
Phone Number: 586-2850  
Fax Number: 586-2856  
cca.hawaii.gov

CATHERINE P. AWAKUNI COLÓN  
DIRECTOR  
JO ANN M. UCHIDA TAKEUCHI  
DEPUTY DIRECTOR

TO THE SENATE COMMITTEE ON  
WAYS AND MEANS

TWENTY-NINTH LEGISLATURE  
Regular Session of 2018

Thursday, February 23, 2018  
10:00 a.m.

**WRITTEN TESTIMONY ONLY**

**TESTIMONY ON SENATE BILL NO. 2738, RELATING TO FOUND ELECTRONIC DEVICES.**

TO THE HONORABLE DONOVAN M. DELA CRUZ, CHAIR, AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs (“Department”) appreciates the opportunity to testify on S.B. 2738, Relating to Found Electronic Devices. My name is Stephen Levins, and I am the Executive Director of the Department’s Office of Consumer Protection. The Department supports this administration bill, which is a companion to H.B. 2311.

This bill proposes to protect personal information stored on an unclaimed personal electronic device by requiring law enforcement agencies to remove personal information, such as credit card numbers and account passwords, from the device before providing it to a finder or disposing the device at a public auction or by other means.

Currently, Hawaii law requires local and state government agencies to provide unclaimed property to a finder forty-five days after the device is turned in. A majority of

lost and unclaimed property includes personal electronic devices, such as cell phones and laptops, that contain personal information and potentially expose the person who lost the device to identity theft. The Department believes this bill will promote the security of an individual's personal information and assist in preventing identity theft.

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

POLICE DEPARTMENT  
**CITY AND COUNTY OF HONOLULU**

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



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DEPUTY CHIEFS

OUR REFERENCE    DN-DNK

February 23, 2018

The Honorable Donovan M. Dela Cruz, Chair  
and Members  
Committee on Ways and Means  
State Senate  
Hawaii State Capitol  
415 South Beretania Street, Room 211  
Honolulu, Hawaii 96813

Dear Chair Dela Cruz and Members:

**SUBJECT: Senate Bill No. 2738, Relating to Found Electronic Devices**

I am David Nilsen, Captain of the Records and Identification Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports Senate Bill No. 2738, Relating to Found Electronic Devices.

This bill will help to protect the personal information of an individual in cases where a lost cellular telephone, tablet, computer, or other electronic device is not able to be returned to their owners. In today's world where the theft of personal information is a common occurrence, this will be a measure to better help to secure the stored information on those lost devices.

Thank you for the opportunity to testify.

APPROVED:

A handwritten signature in cursive script that reads "Susan Ballard".

Susan Ballard  
Chief of Police

Sincerely,

A handwritten signature in cursive script that reads "David P. Nilsen".

David P. Nilsen, Captain  
Records and Identification Division