

LATE

SB-3011

Submitted on: 2/7/2018 4:40:25 PM

Testimony for GVO on 2/8/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Ho`omana Pono, LLC	Oppose	Yes

Comments:

We STRONGLY OPPOSE this bill, as we the people OWNS this building, we demand OPEN GOVERNMENT, not a government that hides behind secured & locked gates, as well as a government that is of, by & for the people, not a government that hides from its people or attempts to discourage active participation by the people! This bill is an Anti-Hawaiian bill & anti-Aloha Spirit bill. AUWE! `A`ole Pono!

LATE

SB-3011

Submitted on: 2/7/2018 7:12:26 PM

Testimony for GVO on 2/8/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Marion McHenry		Oppose	No

Comments:

I would testify in person, but I live on Kauai. This bill will end public parking at the state capitol, hire security, and subject all visitors to weapons checks. This will discourage public involvement in our state government. We are a democracy not a police state. I strongly oppose this bill.



Committee: Senate Committee on Government Operations and
Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Hearing Date/Time: Tuesday, February 8, 2018, 2:45 p.m.
Place: Conference Room 224
Re: *Testimony of the ACLU of Hawai'i in opposition to S.B. 3011,
Relating to the State Capitol*

Dear Chair Kim, Chair Noshihara, and Committee Members:

The American Civil Liberties Union of Hawai'i ("*ACLU of Hawai'i*") writes **in opposition** to S.B. 3011, which requires the Department of Accounting and General Services ("*DAGS*") and the Department of Public Safety to implement security measures at the State Capitol including, at a minimum, controlled access points on the rotunda and chamber levels to detect weapons and other contraband, placing fences or barriers to prevent access to the rotunda and capitol grounds, and the employment of private personnel to staff controlled access points to screen for weapons and contraband.

While we understand concerns about security at the capitol building, any security measures should be proportionate to legitimate security risks and should be narrowly tailored to ensure they do not infringe on the civil rights and liberties of constituents more than it is necessary. S.B. 3011, however, does not fit the bill.

S.B. 3011 does not specify any need for the proposed security measures. Indeed, the bill does not even state what specific security risks it is supposed to address. For example, the security reasons for checking for "contraband" at the capitol building are neither stated nor clear. Similarly, fencing the capitol grounds does not appear to serve any legitimate security purpose. Absent legitimate security risks, the security measures in the bill seem overbroad and excessive.

More concerning, however, are the effect of the proposed security measures on civil right and civil liberties. For example, in 2014, the ACLU of Hawai'i settled a lawsuit with DAGS to ensure expressive activities had access to the capitol grounds without a permit or insurance.¹ Fencing in the capitol grounds and creating check point would be taking a step back as it would inevitably have a chilling effect on such protected expressive activities. Similarly, checking for "contraband" without a warrant or reasonable cause would violate the privacy rights of all visitors to the capitol building. On the same note, the bill also does not specify that the security measures, including searches, be applied equally—including to legislators and their staff—in a nondiscriminatory manner.

Finally, we submit that the security measures would inevitably and permanently change the character and stature of your beautiful building, which sadly would be transformed from a place of *aloha* open to everyone to a walled place to be searched, cleared for access, and allowed—as opposed to welcomed—in. For these reasons, the ACLU of Hawai'i urges your Committees defer this measure.

¹ *ACLU of Hawai'i v. Seki*, Civ. No. 14-00150, Stipulation for Dismissal With Prejudice and Order (Sept. 5, 2014), available at <https://acluhawaii.files.wordpress.com/2014/09/17-stipulation-to-dismiss-with-prejudice-and-order.pdf>.

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S.B. 3011
February 8, 2018
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Thank you for the opportunity to testify.

Sincerely,



Mateo Caballero
Legal Director
ACLU of Hawai'i

The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving Hawai'i for 50 years.

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LATE

SB-3011

Submitted on: 2/7/2018 8:01:23 PM

Testimony for GVO on 2/8/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Springer Kaye		Oppose	No

Comments:

The Hawaii State Capitol is the people's building, every piece of it a symbolic work of architectural art, its open structure specifically intended to welcome us in! Nearly half the population is already separated from our decision makers by an ocean, how will it look to add a fence? To take away the limited parking for travelers, arriving tired and disoriented from the rural islands to give e their testimony? To add gun detectors? If you fear the people, it is a sign that it is time to engage more, listen more, open your doors wider, not wall yourselves off. No fence can save you from an angry electorate, but perhaps a bridge can.

LATE

SB-3011

Submitted on: 2/7/2018 8:06:41 PM

Testimony for GVO on 2/8/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Mader	Hawai'i resident	Oppose	No

Comments:

Aloha,

The "Capitol" is suppose to be of the PEOPLE and for the PEOPLE. I oppose SB3011
Mahalo,
Deborah Mader
Maui

LATE

SB-3011

Submitted on: 2/7/2018 10:16:54 PM

Testimony for GVO on 2/8/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cory Harden		Oppose	No

Comments:

Aloha legislators,

This bill goes too far in keeping the public out of lawmaking.

mahalo, Cory Harden, Hilo

LATE

SB-3011

Submitted on: 2/8/2018 2:11:49 AM

Testimony for GVO on 2/8/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
kailani		Oppose	No

Comments:

We are the aloha state not martial law state. This also minimize this public access to the capital this is our capital too.

Also, this is not good to pay private military is better to use the state police if you want protection. and use the money to hire more of them, police, instead.

there is no justification for this action. We saw what private military does at the Dakota access pipeline.

Who introduced this bill anyway? No Aloha in this!!!



LATE

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COMMITTEE ON GOVERNMENT OPERATIONS

Senator Donna Mercado Kim, Chair
Senator Russell E. Ruderman, Vice Chair

COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Senator Clarence K. Nishihara, Chair
Senator Glenn Wakai, Vice Chair

Thursday, February 8, 2018
2:45 PM
Conference Room 224

Re: SB 3011 RELATING TO THE STATE CAPITOL

PLEASE HOLD

Aloha Chairs Kim and Nishihara, Vice Chairs Ruderman and Wakai, and Members of the Committee,

Life of the Land is Hawai`i's own energy, environmental and community action group advocating for the people and `aina for 47 years. Our mission is to preserve and protect the life of the land through sound energy and land use policies and to promote open government through research, education, advocacy and, when necessary, litigation.

Security of the State Capitol makes sense.

Going overboard with fencing, private security guards, weapon searches, etc., in the absence of any threats, is undemocratic and will chill public participation.

Mahalo

Henry Curtis
Executive Director

LATE

SB-3011

Submitted on: 2/8/2018 6:09:30 AM

Testimony for GVO on 2/8/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Teresa L. Nakama	BIFA	Oppose	No

Comments:

Strongly oppose this SB3011, which places unnecessary restrictions, and places financial burdens to the general public. Our government is for the betterment for the greater community and shall not place financial burden to the entire tax paying communities. Public government facilities such as parking should be free and more open parking for the general parking; this bill is showing the greed of individuals being opportunist to further engage as special interest for the few individuals that will benefit from the actions of this bill. Once again instead of benefitting the greater entire community, it places undue financial burden and undue hardship to park at our own government facilities at a cost, which we are already be taxed upon taxes that is being paid many times over and all other hidden taxes which disguised as fees. Please kill this bill in its entirety!!!!

Respectfull Yours,

Teresa L Nakama

LATE

SB-3011

Submitted on: 2/8/2018 7:51:33 AM

Testimony for GVO on 2/8/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carlton York		Oppose	No

Comments:

This Bill is wrong , unamerican , and anti democracy Strongly Opposed !