

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

NOLAN P. ESPINDA
DIRECTOR

Cathy Ross
Deputy Director
Administration

Jodie F. Maesaka-Hirata
Deputy Director
Corrections

Renee R. Sonobe Hong
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 331
RELATING TO BODY-WORN VIDEO CAMERAS

by

Nolan P. Espinda, Director
Department of Public Safety

Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Senator Clarence K. Nishihara, Chair
Senator Glenn Wakai, Vice Chair

Thursday, February 2, 2017; 1:15 p.m.
State Capitol, Conference Room 229

Chair Nishihara, Vice Chair Wakai, and Members of the Committee:

The Department of Public Safety (PSD) **opposes** Senate Bill (SB) 331 as currently written to mandate that all law enforcement officers wear and use body-worn cameras while on duty and that the law enforcement agency establish a body-worn video camera program. Currently, PSD has no funding or plan to purchase body-worn video camera equipment and implement such a program. The issue of video retention and storage also carries a great financial burden. PSD shares the same concerns as articulated in previous testimony submitted by our law enforcement partners regarding this subject.

Thank you for the opportunity to present this testimony.



ALAN M. ARAKAWA
MAYOR

OUR REFERENCE
YOUR REFERENCE

POLICE DEPARTMENT

COUNTY OF MAUI

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6400
FAX (808) 244-6411



TIVOLI S. FAAUMU
CHIEF OF POLICE

DEAN M. RICKARD
DEPUTY CHIEF OF POLICE

February 2, 2017

The Honorable Clarence K. Nishihara, Chair
The Honorable Glenn Wakai, Vice Chair
And Members of the Committee on Public Safety,
Intergovernmental and Military Affairs

The Senate
State Capitol
Honolulu, Hawaii 96813

Re: Senate Bill No. 331, RELATING TO LAW ENFORCEMENT CAMERAS

Dear Chair Nishihara and Members of the Committee:

The Maui Police Department **SUPPORTS** S.B. 331.

The Maui Police Department supports the use of Body Worn Cameras and in-car video for Law Enforcement and has been researching and seeking to adopt a program that is similar to that of Kauai Police Department's. We support the current version of S.B. 331.

The use of Body Worn Cameras should be governed by Police policy rather than an enacted law. This policy, unlike S.B. 421, provides an environment for Police Officers to do their jobs with sound directives to guide them in the use of Body Worn Cameras. It would give the ability to each County Police Department to use the knowledge gained by the many contacts, trainings and conferences attended to create a Body Worn Camera program.

This version of the bill also removes the statement "shall" when officers use the camera system. The removal of this language limits the possibility of the officer and department for violations of law, rather than a violation of policy, should an officer make a simple error in the use of the camera. If an officer has to worry about a violation of law rather than accomplish his lawful duties, this could prove to be an officer safety issue as well.

This bill provides the building blocks of creating Body Worn Camera programs that can grow in tandem with technology and techniques as we learn the positives and negatives of each system used. If we start off being too strict, we would cause more issues involving law enforcement and the public.

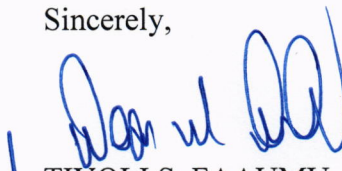
The Honorable Clarence K. Nishihara, Chair
The Honorable Glenn Wakai, Vice Chair
And Members of the Committee on Public Safety,
Intergovernmental and Military Affairs
February 2, 2017
Page 2

This bill would keep in line with Hawaii being a single consent State, recording true events, interactions or conversations with only the consent of the parties involved. It would provide the true intention of the Body Worn Camera system to offer a view of an incident through unbiased judgment that is not an “act” that is put on when the party is informed of being filmed.

The Maui Police Department asks the committee to support this measure as the use of the camera system must be in control of the individual Departments to assure the best service to our community and law enforcement.

Thank you for the opportunity to testify.

Sincerely,



TIVOLI S. FAAUMU
Chief of Police