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GOVERNOR OF
HAWAII



SUZANNE D. CASE
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COMMISSION ON WATER RESOURCE MANAGEMENT

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LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the Senate Committees on
PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS
and
WATER AND LAND

Monday, February 11, 2019
1:30 PM
State Capitol, Conference Room 229

In consideration of
SENATE BILL 248
RELATING TO TRAILS

Senate Bill 248 requires government entities that engage in search and rescue operations to seek reimbursement when the rescued person required search and rescue efforts because that person acted in disregard of that person's safety, including intentionally disregarding a warning or notice. The proposal increases the penalty for unlawfully entering or remaining on a trail that has been closed to the public. **The Department of Land and Natural Resources (Department) supports this measure with comments.**

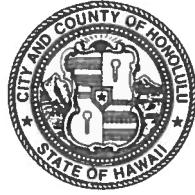
The Department is in support of any strategy that will incentivize the general public to stay within authorized managed areas and already has statutory penalties for violation of laws and rules adopted specifically for going into closed areas. While these penalties are in place, absent enforcement and citations, they are clearly not a deterrent.

It should be noted that it is a County responsibility to engage in search and rescue activities and the Department defers to the Counties Fire and Rescue agencies in regard to the charging of people for rescue. While this may be an incentive for people to obey the rules, it could also discourage people from calling for help.

Thank you for the opportunity to comment on this measure.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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MAYOR

SUSAN BALLARD
CHIEF

JOHN D. McCARTHY
JONATHAN GREMS
DEPUTY CHIEFS

OUR REFERENCE SG-SAI

February 11, 2019

The Honorable Clarence K. Nishihara, Chair
and Members
Committee on Public Safety, Intergovernmental,
and Military Affairs
The Honorable Kaiali'i Kahele, Chair
and Members
Committee on Water and Land
State Senate
Hawaii State Capitol
415 South Beretania Street, Room 229
Honolulu, Hawaii 96813

Dear Chairs Nishihara and Kahele and Members:

SUBJECT: Senate Bill No. 248, Relating to Trails

I am Captain Stephen D. Gerona, III, of the Specialized Services Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports Senate Bill No. 248, Relating to Trails.

The HPD is in support of this bill such that it allows the recovery of the costs associated with the search and rescue of individuals who have willfully disregarded their own safety, despite warning signs; thus creating the peril.

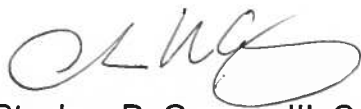
Additionally, this bill would further discourage individuals by increasing penalties for unlawfully entering trails that were closed to the public.

The Honorable Clarence K. Nishihara, Chair
and Members
The Honorable Kaiali'i Kahele, Chair
and Members
February 11, 2019
Page 2

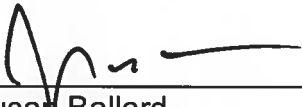
The HPD respectfully supports Senate Bill No. 248, Relating to Trails.

Thank you for the opportunity to testify.

Sincerely,


for Stephen D. Gerona, III, Captain
Specialized Services Division

APPROVED:


for Susan Ballard
Chief of Police

SB-248

Submitted on: 2/5/2019 4:04:57 PM

Testimony for PSM on 2/11/2019 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Karin Nomura	Individual	Support	No

Comments:

Maybe by having this law it will help with trespassers and hold those who endanger their lives accountable for others that have to then put their lives on the line to save them.

SB-248

Submitted on: 2/6/2019 2:04:57 PM

Testimony for PSM on 2/11/2019 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Winslow	Individual	Support	No

Comments:

SB-248

Submitted on: 2/8/2019 3:58:52 PM

Testimony for PSM on 2/11/2019 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Augusto Decastro	Individual	Support	No

Comments:

SB-248

Submitted on: 2/8/2019 6:07:50 PM

Testimony for PSM on 2/11/2019 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
E. Ileina Funakoshi	Individual	Support	No

Comments:

Perhaps, if the warning signs showed that all individuals entering will be liable for rescuing costs, or some kind of warning which would help to deter them from proceeding.

It is not fair for our taxes to pay for irresponsible people.

SB-248

Submitted on: 2/10/2019 2:57:35 PM

Testimony for PSM on 2/11/2019 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael A. Wee	Individual	Support	No

Comments:

I strongly SUPPORT this bill. You can't fix stupid, so make them pay! People who trespass and ignore warning signs consume our rescue resources and risk the lives of our first responders. I would hope that requiring agencies to seek reimbursement would be a deterrent to stupid human behavior. However, it must clear that reimbursement applies only to those who **knowingly** trespass and ignore warning signs,