

POLICE DEPARTMENT  
**CITY AND COUNTY OF HONOLULU**

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OUR REFERENCE GB-KK

February 5, 2019

The Honorable Chris Lee, Chair  
and Members  
Committee on Judiciary  
House of Representatives  
Hawaii State Capitol  
415 South Beretania Street, Room 325  
Honolulu, Hawaii 96813

Dear Chair Lee and Members:

SUBJECT: House Bill No. 1246, Relating to Trespass

I am Gail Beckley, Captain of the Criminal Investigation Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 1246, Relating to Trespass.


This bill will simplify the documents needed to make an arrest for trespassing on commercial properties. It will allow a prior "reasonable warning or request" to leave the property to serve as evidence of a previously issued written warning or request. This amendment would eliminate the requirement that the copy be posted at the premises or retained by the county police departments.

We believe that this legislation will assist in affecting the arrest for trespassing on commercial properties.


The HPD urges you to support House Bill No. 1246, Relating to Trespass.

Thank you for the opportunity to testify.

APPROVED:

  
Susan Ballard  
Chief of Police

Sincerely,

  
Gail Beckley, Captain  
Criminal Investigation Division



**TESTIMONY OF TINA YAMAKI  
PRESIDENT  
RETAIL MERCHANTS OF HAWAII  
February 5, 2019**

**Re: HB 1246 Relating to Trespass**

Good afternoon Chairperson Lee and members of the House Committee on Judiciary. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii (RMH) is a statewide not-for-profit trade organization committed to supporting the retail industry and business in general in Hawaii. The retail industry is one of the largest employers in the state, employing 25% of the labor force.

We **STRONGLY SUPPORT** HB 1246 Relating to Trespass. As retailers our businesses are open to the public. Throughout the past couple of years, retailers have seen an increase in organized retail crime. In some cases is it the same individual who comes into the stores on a weekly basis to steal items that they will resell to others. Trespassing these individuals has become difficult and we feel that this measure would help in the efforts.

Mahalo for this opportunity to testify.

**HB-1246**

Submitted on: 2/1/2019 7:33:33 PM

Testimony for JUD on 2/5/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Karin Nomura	Individual	Oppose	No

Comments:

While I realize this is regarding commercial property, have had issues and heard of issues where a party entered another party's residence/property but were not arrested due to being told similar items such as needing to post signs; first warn the party they have to leave; etc. To me (unless otherwise documented; contract allowing entrance due to CPR and electrical/water housing; prior or 'emergencies' requiring, personnel exempt such as a meter person coming to check, etc.) if a party is entering an enclosed area (especially a home), that does not belong to them, that is 'trespassing' - commercial or residential. Especially as most are due to criminal (theft), graffiti/vandalism; or possibly a homeless person(s) looking for a safe place to sleep.

Adding "which may be evidenced by a copy of the previously issued written warning or request, whether or not the copy is posted at the premises or retained by the county police department, and"...shouldn't be needed. A police officer should be able to remove the party from my home/property...I would want an officer to remove the party...If a commercial property, is enclosed and closed for business, common sense would dictate that someone within that area has trespassed. Waiting to see if a theft report or some such comes in, is as bad as being told "at least no one died"...if it's something that can be prevented, it just should be.

**HB-1246**

Submitted on: 2/2/2019 2:42:34 PM

Testimony for JUD on 2/5/2019 2:05:00 PM

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

Comments:

Is this commercial properties only? Does this include corporate or "non-profits" that have leases with the State or state entities? If so, then this needs to be reexamined and clarified.

**HB-1246**

Submitted on: 2/3/2019 12:58:50 PM

Testimony for JUD on 2/5/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Victor K. Ramos	Individual	Support	No

Comments: