

**STATE OF HAWAI‘I**  
**OFFICE OF THE PUBLIC DEFENDER**

**Testimony of the Office of the Public Defender,  
State of Hawai‘i to the Senate Committee on Judiciary**

March 30, 2021

H.B. No. 169 HD1: RELATING TO DISORDERLY CONDUCT

Chair Rhoads, Vice Chair Keohokalole, and Members of the Committee:

The Office of the Public Defender respectfully opposes H.B. 169 HD1 and offers comments for the committee’s consideration. This bill creates an unnecessary subsection for behavior that can be prosecuted under several existing statutes. Furthermore, by creating a subsection directed primarily at adolescents making statements on social media, this bill unfairly stigmatizes students and funnels them into the school-to-prison pipeline.

Our most crucial concern is that this bill will stigmatize and criminalize adolescents who need help, not to be dragged into the juvenile justice system. This bill appears to be directed at posts made on an adolescent’s social media pages, which often seek to shock or draw others’ attention. Students making such posts lack a true understanding of the seriousness and permanence of posts made on the internet. We should be seeking to increase the mental health and diversion resources available to students rather than seeking to get the courts involved at such an early stage.

This bill is predicated on the belief that the Hawai‘i Revised Statutes do not criminalize making a false or misleading threat, but that is simply not the case. There are several full misdemeanors that already cover the situation envisioned by H.B. No. 169:

It is illegal to “intentionally make[] a report or cause[] the transmission of a report to law-enforcement authorities” under HRS § 710-1015 (false reporting to law enforcement authorities).

It is also illegal to “knowingly cause[] a false alarm of fire or other emergency to be transmitted to or within . . . any [] government agency, . . . that deals with emergencies involving danger to life or property” under HRS § 710-1014 (rendering a false alarm).

An individual could also be charged with the offense of Terroristic Threatening in the 2nd Degree (a misdemeanor) under HRS § 707-717 if they “threaten by word or conduct, to cause bodily injury to another person or serious damage or harm to property . . . of another or to commit a felony: in reckless disregard of the risk of terrorizing, another person; or . . . the risk of causing evacuation of a building[] [or] place of assembly.” *See also* HRS § 707-715. Indeed, terroristic threatening may occur even if the threat was never communicated to the person against whom the threat was made. *See State v. Alston*, 75 Haw. 517, 865 P.2d 157 (1994). Therefore, if an individual communicates a threat against an educational facility on a social media post, that individual is subject to prosecution for terroristic threatening.

By creating a petty misdemeanor offense for actions currently covered under misdemeanor statutes, this bill subjects those misdemeanor statutes to legal challenges based on misuse of prosecutorial discretion. Any of the above statutes could seemingly be used to prosecute an individual who “engages in [] conduct with an intent to convey false or misleading information” indicating “that an activity has taken, is taking, or will take place that could result in death, bodily injury, or property damage”. *See* H.B. No. 1732 at 2-3. Hawai‘i courts have a three-part test to determine whether this situation creates a risk of unbridled prosecutorial discretion: “(1) whether defendant's alleged conduct is punishable under either of two statutory provisions; (2) whether the elements of proof essential to conviction under the statutes are exactly the same; and (3) whether the punishment for the offense with which the defendant was charged or convicted is greater than the punishment for the alternative offense.” *See State v. Sasai*, 143 Hawai‘i 285, 296, 429 P.3d 1214, 1225 (2018) (citing *State v. Modica*, 58 Haw. 249, 567 P.2d 420 (1977)). Given these ripple effects, HB No. 1732 is likely to jeopardize prosecutions for the acts it seeks to address and prevent.

Thank you for the opportunity to comment on this measure.

**HB-169-HD-1**

Submitted on: 3/27/2021 8:16:39 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anna Morozov	Testifying for Aloha Festival	Oppose	No

Comments:

We The People have Constitutional right to assemble and share our views and ideas with other people!

This is an outrageous Bill, smells like Nazi rules!

Please remember that your wages are paid by us - The People , please don't work against The People!

Mahalo for Saving your Souls

**HB-169-HD-1**

Submitted on: 3/28/2021 12:21:48 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anne Dye	Testifying for Anne Dericks, ND	Oppose	No

Comments:

This bill is on direct violation of the first amendment, the people's constitutional rights. This bill goes AGAINST the LAW. I support differing opinions. People should not be punished for having opposing opinions and speaking their truth.

Please kill this bill right away and vote NO on HB 169.

**HB-169-HD-1**

Submitted on: 3/28/2021 8:49:33 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Julia M. Yano	Testifying for AFC	Oppose	No

Comments:

I stongly oppose HB169.

This Bill leaves ambiguity to the definition of "false and misleading information". Who is to judge what is "false", what is essentially the "truth"? This has dangerous potential to infringe on fundamental First Amendment Rights of Freedom of Speech.

I urge you to oppose HB169.

Thank you for listening to my voice.

Most Respectfully,

Julia Yano

**HB-169-HD-1**

Submitted on: 3/26/2021 1:47:55 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michdelle Melendez	Individual	Oppose	No

Comments:

This bill is in Complete Violation of our constitution! You cannot take people's right to protest and say they are sharing "misleading information". That is your opinion and AGAINST our constitutional right to free speech and the right to protest!

What gives you the right to cite homeless people with disorderly conduct who are begging for help?! It is a constitutional right to life and liberty to beg on the streets if you need food! That is NOT disorderly conduct!!!

You are in office to serve the people! You've taken an oath to support and defend the constitution. If you pass this, you will be in violation of your oath and harming the people who swore to serve!

This is NOT a communist country! The people have the right to protest and the right to Free Speech! We do not live in China!!

Oppose this Bill and Honor your oath of office!

**HB-169-HD-1**

Submitted on: 3/26/2021 8:25:25 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jennifer noel	Individual	Oppose	No

Comments:

I strongly oppose this bill because this is an unconstitutional bill that violate freedom of speech. Anyone that votes for this bill has forgotten their oath to protect the constitution.

**HB-169-HD-1**

Submitted on: 3/28/2021 1:23:33 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lily Gavri	Individual	Oppose	No

Comments:

**This infringes on the First Amendment right to free speech which is protected by the United States Constitution. The media, especially in the last 4 years has set the worst example for how to behave. It has created a toxic environment and turned people against each other. Emotionally unhinged, brainwashed and uneducated people can now lose their minds over factual, truthful information. These types of people should not get to decide what is false or misleading information. Words are not violence and those who think they are need to practice meditation and yoga to help better manage their emotions.**



**HB-169-HD-1**

Submitted on: 3/27/2021 8:33:34 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elizabeth Diamond	Individual	Oppose	No

Comments:

Dear Legislators,

On behalf of my family, friends and myself, I am humbly requesting your No vote on HB169. I strongly oppose this bill. If disorderly conduct means conveying false or misleading information who is the arbiter, who has the ultimate authority to proclaim what is the misleading information? Isn't that a direct attack on the freedom of speech?

If a person subjects another person to offensively coarse behavior or abusive language [which] that is likely to provoke a violent response, We the People ALREADY have laws in place for disorderly conduct. Why zeroing in on protesters and beggars? Why these two groups? Why not include teachers, plumbers, realtors, the butcher, the baker and the candle stick maker!

Eventually, everyone will suffer from creating a POLICE STATE. Let us continue to value free speech, the freedom to protest and the freedom to beg if one is hungry and need food. Please vote your conscience. We all must give account of our thoughts, words, and deeds.

The life of the land is perpetuated in righteousness.

**HB-169-HD-1**

Submitted on: 3/28/2021 10:07:22 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
golde wallingford	Individual	Oppose	No

Comments:

This bill is telling us how to behave and putting people in fear of doing the "wrong" thing. **That is communism.** Who interprets "Offensive coarse behavior"? ...What happened to "The Aloha State?"...What happened to our constitutional rights? This is a bill that should NEVER see the light of day. Remember, this is AMERICA, the land of the free. Who are the dictators who thought this bill up? I think you need to stop and take a few deep breathes of fresh air...if you can remember what that is. Please take off your masks, breath the beautiful fresh air we are so blessed to have in these islands and ponder what you think you will accomplish with an insidious (definition)

- adj.

Working or spreading harmfully in a subtle or stealthy manner.

- adj.

Intended to entrap; treacherous.

bill like this.

**HB-169-HD-1**

Submitted on: 3/28/2021 12:47:15 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Victoria Ng	Individual	Oppose	No

Comments:

Aloha,

Thanks for your time in reading my testimony. I hope you do read all the testimony for this important issue.

I STRONGLY OPPOSE this bill. This is an affront to free speech in many ways. If this passes you will be sued, as it is against the first, and most important, amendment.

Last I looked, this is a free country, and it is not your job to define truth, falsehood, or whether or not someone can say what they want to say. Criminalizing protests (that you don't agree with) is just evil.

Doing this will put you on the wrong side of history.

Also, this bill criminalizes homelessness. You will be sued on that front as well. Closing the state and making it harder for people to work and survive, and now you will make it illegal for them to beg? This is just sick.

In conclusion, I STRONGLY OPPOSE this bill.

Thank you for your time.

**HB-169-HD-1**

Submitted on: 3/28/2021 10:29:53 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eugene Elmer	Individual	Oppose	No

Comments:

I, Eugene Elmer, firmly oppose HB 169 on the basis that it violates our Constitutional Rights of Freedom of Speech. We must not allow this fundamental right to be eroded and this can be evidenced on countless occasions in past history. We the people have the right to demonstrate in public and with signs. It is a communist practice to not allow this and we are not a communist country.

Concerning the homeless and poor who have been displaced over this last year and before, please show compassion and allow them to ask for help. Try to put yourself in the shoes or lack there of, of someone hungry on the streets.

This Bill is completely unlawful and must not be passed.

Prepare for lawsuits if it is.

Please vote in opposition to HB169, Mahalo.

Sincerely,

Eugene Elmer

83-6010 Puuhonua Road

Captain Cook, Hi 96704

**HB-169-HD-1**

Submitted on: 3/28/2021 5:33:01 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
marc thyssen	Individual	Oppose	No

Comments:

I Marc Thyssen, licensed Realtor and Life Insurance Agent in the State of Hawaii oppose HB169 as it is a Direct attack on our 1st Ammendment rights to free speech. HB169 is a direct attack to suppress any opposition to the States tyrannical Mandates. Who decides what is Misleading information? Fauci the fraud with his for profit? A charge of disorderly conduct to any person with the intent to convey information deemed by the state as false, is Fascist and Communist. We must maintain our rights to Freedom of Speech or Tyranny will rule.

We are better than this Hawaii.

**HB-169-HD-1**

Submitted on: 3/28/2021 7:25:34 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marcelle Liana	Individual	Oppose	No

Comments:

**I strongly OPPOSE this bill**

**HB-169-HD-1**

Submitted on: 3/28/2021 8:07:33 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Madhava Shakti Moe	Individual	Oppose	No

Comments:

I OPPOSED this bill. Being charged for orderly misconduct for "engaging in conduct with the intent to convey certain false or misleading information" is very subjective. Who determines what is certain false or misleading information? Who is the authority who decides what is certain false or misleading? The approval of this bill could potentially be used against truthful information by corrupt organizations or even the government. For example: Science is constanly evolving and what was thought to be true a year ago might be proven false today.

This bill violates the 1st ammendment of the Constitution , which guarantees freedom of EXPRESSION by prohibiting Congress from restricting the press or the rights of individuals to SPEAK FREELY.

In regards to unreasonable noise, who decides what's "unreasonable"? What someone considers "unreasonable" or reasonable for others. Again, "unreasonable noise" is very subjective and too open ended. Ground for potential abuse of power.

According to the constitution we, Americans are free to speak in any way we want. FREE SPEECH. 1st ammendment. Abusive language is again very subjective and open ended. The liability is with the person who decides to react to what a person speaks and expresses. Violent "response" or better described "reaction" is never to be excused or justified by the police or anyBODY. I support freedom of expression as expressed in the constitution.

**HB-169-HD-1**

Submitted on: 3/28/2021 8:16:07 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lauren Paer	Individual	Oppose	No

Comments:

Dear Representatives,

I strongly oppose this bill. It appears to be trying to outlaw our free speech, conflating speech with conduct. It says "false or misleading speech"- who gets to determine if the speech is "false" or "misleading"?? I'm guessing the government? That is completely against the first amendment. I'm shocked this is being put forward.

This sounds like you intend to turn the police department into the Ministry of Truth and to make it illegal to voice your opinion if it conflicts with the existing narrative/what the government officials believe to be true. Let me ask you, what if it turns out something you deemed "false" later turned out to be true? Will you Representatives or the police be charged for that? Will you bare the full responsibility of whatever harm was caused by quashing that truth that you thought was false? If not, how can you vote for this?

Against the backdrop of Covid, this is even more concerning. The reality is in these sorts of situations, when the stakes are admittedly very high, we often don't know the truth. Our national health officials have been wrong several times and need to keep updating their stances. Experts disagree. Letting us hash through those disagreements is how we come to better solutions. That is what science is based on. It's imperfect, but it's a better system than having authorities decide what is true early and killing debate. That is a key tenet that has made the US a successful country that tons of people around the world want to move to.

This legislation is incredibly dangerous because once the police department or governor decides something is True, they can make it a crime to publicly promote an idea counter to it.

Let's take the issue of mass vaccination- on the minds of many. Did you know that currently there are multiple distinguished doctors and researchers who believe that mass vaccinations is the wrong protocol and could be disastrous? This includes Geert Vanden Bossche, who is adamantly \*pro-vaccines\* and has worked for the Bill and Melinda Gates Foundation, GAVI (Global Alliance for Vaccine & Immunization) and has worked in vaccine development in Galaxo-Smith Klein and Novartis. He thinks the Covid-19 vaccine is excellent BUT he believes that a mass vaccination program in the middle of a pandemic is a terrible idea. He thinks it's the wrong tool for this situation. He



believes it could lead to "immune escape", which would seriously endanger everyone who got the vaccine. He's put this out on his LinkedIn, risking his reputation. Some scientists agree with him, some disagree. Michael Yeadon, ex-Chief Scientific Officer of Pfizer in their Allergy and Respiratory Unit thinks mass vaccination of Covid-19 a bad idea for other reasons having to do with what he thought were inadequacies of the safety tests.

Clearly a number of scientists think mass vaccination for Covid-19 is the right course of action. I'm not pretending to know one way or another which experts are right here. What I do feel I know is we need public debates by experts who disagree on these subjects. We do NOT need local governments deciding what they think is right and outlawing public speech/debate from those who disagree. Whether on this issue (it's just a timely example) or any other. There's a lot of talk about "following science" - the whole idea of science is about maintaining humility in what we know to be true and allowing debate and continued examination of data. And not just one-off debates. Evolving debates. Most famous scientists of the past proposed ideas that were considered false or heretical at the time- like Copernicus. It wasn't that many decades ago that many distinguished doctors were saying cigarettes don't cause cancer. We must have intellectual humility.

But this kind of legislation seems like it kills the right to debate on topics of the government's choice. This is so anti-American. Again, it is suggesting the HPD or the governor (shockingly it doesn't even specify!) is the de facto Ministry of Truth that gets to determine what citizens can and cannot say on the most important matters of life and death. Issues where people on both sides of the debate are often understandably passionate. Vaccines is just one timely example. But this seems to cover ANY critical life-and-death topic. And, again, despite taking this new power (without even clarifying who determines what is "true" and what is "false"), no mechanism of accountability is outlined for what happens if the authorities got it wrong when they designated something "false".

Please prove to us you respect our constitutional right to free speech and vote no on this chilling bill which conflates disorderly behavior with speaking your mind when you disagree with the official consensus on important matters.

Sincerely,

Lauren P

**HB-169-HD-1**

Submitted on: 3/28/2021 11:49:12 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Hiinae Tajon	Individual	Oppose	No

Comments:

I totally oppose this bill. This bill infringes on free speech and freedom of conscience. Please vote this bill down.

Thank you.

**HB-169-HD-1**

Submitted on: 3/29/2021 1:58:51 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diane Kitahara	Individual	Oppose	No

Comments:

Aloha,

My name is Diane Kitahara and I am a wife and mother from Mililani, HI. I highly oppose HB169 and it is unconstitutional to take away our freedom of speech!!!! Aole!!!

Please do the right thing and kill this bill immediately.

Mahalo,  
Diane Kitahara  
808-725-1117

**HB-169-HD-1**

Submitted on: 3/28/2021 8:54:12 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Daniel Moe	Individual	Oppose	No

Comments:

I opposed to this bill. Being charged for orderly misconduct by:

Engaging in any conduct with the intent to convey false or misleading information under circumstances in which the information:

(i) May reasonably be believed; and

(ii) Indicates that an activity has taken, is taking, or will take place that could result in death, bodily injury, or property damage, through the use of a firearm or by widely dangerous means."

This could be falsy interpreted to mean that the free and protected expression of "scientific and true information" with the intent to support the well-being of the public, that is not in allignment with "official information", could be interpreted and deemed a "widely dangerous means to cause death, bodily injury, or property damage.", and the intent could be interpreted as one to cause harm, when it is actually to support health and well-being for all.

The first amendment guarantees freedom of expression. This Bill threatens this right protected by the Constition of the United States.

**HB-169-HD-1**

Submitted on: 3/28/2021 9:04:32 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
tiana lolotai	Individual	Oppose	No

Comments:

Aloha,

I oppose HB169. Plain and simple this bill violates our freedom of speech, the first ammendment!

I believe where there is a risk.

**HB-169-HD-1**

Submitted on: 3/29/2021 2:00:39 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shane Kitahara	Individual	Oppose	No

Comments:

Aloha,

My name is Shane Kitahara; I am a husband and father from Mililani, HI. I highly oppose HB169 and it is unconstitutional to take away our freedom of speech! Keep Hawaii FREE, especially for the future of our keiki.

Please do the right thing and kill this bill immediately.

Mahalo,  
Shane Kitahara  
808-597-4448

**HB-169-HD-1**

Submitted on: 3/26/2021 1:27:51 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gerard Silva	Individual	Oppose	No

Comments:

This is not a Communist State if it became one the people would Raise up against it.

End the Bull shit or suffer the consequences!

**HB-169-HD-1**

Submitted on: 3/26/2021 1:53:27 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tim Friesen	Individual	Oppose	No

Comments:

I oppose this bill because it hinders freedom of speech: "Amends the offense of disorderly conduct to include engaging in conduct with the intent to convey certain false or misleading information." Who decides what is false or misleading? This is very vague. We are a country built on freedom of speech and freedom to protest any oppression presented to the American people.



**HB-169-HD-1**

Submitted on: 3/26/2021 2:04:24 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lianne Blas	Individual	Oppose	No

Comments:

This is taking away my freedom to assemble as a citizen of the United States. We the people oppose this freedom.

**HB-169-HD-1**

Submitted on: 3/26/2021 2:09:31 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robert B. Smith	Individual	Oppose	No

Comments:

I am opposed to this bill. I read the bill and found it to be vague and redundant.

We already have laws on the books that address all of these issues. There was that one issue regarding misinformation. It would seem that the bill as written should include information and definitions as to what is "misinformation" as opposed to "difference of opinion" and also "freedom of speech". One can see a situation where the party in power declares the opposing parties views as "misinformation". For instance is this (testimony) my opinion or misinformation?

**HB-169-HD-1**

Submitted on: 3/26/2021 2:26:01 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jade mcgaff	Individual	Oppose	No

Comments:

PLEASE oppose hb 169. This is one step closer to communism: anyone opposing the current regime is SILENCED. Please, I know this is a strong leap, but just look at the history of communism in russia and china. We are supposed to have the Right to Gather, the Right for Free SPeech, the Right to Breathe. Please oppose HB 169

Jade McGaff, MD

cell 808-640-1558, Kamuela HI

**HB-169-HD-1**

Submitted on: 3/26/2021 2:48:25 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Yulia Muzychenko	Individual	Oppose	No

Comments:

Unconstitutional

**HB-169-HD-1**

Submitted on: 3/26/2021 3:05:52 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alice Abellanida	Individual	Oppose	No

Comments:

This is an egregious abuse of power and total overreach that violates civil liberties.

I strongly oppose this bill!

Alice Abellanida

**HB-169-HD-1**

Submitted on: 3/26/2021 3:34:39 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joanna Weber	Individual	Oppose	No

Comments:

I oppose HB169

ALOHA & MAHALO, JOANNA WEBER

**HB-169-HD-1**

Submitted on: 3/26/2021 4:46:16 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dara Carlin, M.A.	Individual	Support	No

Comments:

Beyond the instances listed in Section I of HB169, a more disturbing trend has been Child Welfare Services providing the Hawaii Police Department with deliberately false and/or unsubstantiated information in order to enact child removals. I checked with HPD and they said ANYONE (regardless of role or position) providing false information to HPD is illegal. Please consider broadening the wording of this bill to include this kind of criminal activity. I can't even begin to tell you the harm and damage caused to children & parents because of false and/or unsubstantiated claims of abuse.

**HB-169-HD-1**

Submitted on: 3/26/2021 4:52:53 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jennifer carman	Individual	Oppose	No

Comments:

STRONGLY OPPOSE

ITS the year 2021, do we not yet

have enough laws and rules in place for humans?????

people can call the police if there are issues.  
we have court systems that are also supposed to help.

this bill is not only redundant to human life, unnecessary

but just ridiculous and it's motivation is obvious.



**HB-169-HD-1**

Submitted on: 3/26/2021 6:09:47 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rebecca Miller	Individual	Oppose	No

Comments:

Aloha,

I am opposed to this bill because it threatens the first amendment right to free speech. The reason there is no law criminalizing false or misleading statements in the Hawaii Revised Statutes is because it leaves the decision about what is false or misleading up to the whim of anyone in the government. . There are safeguards in the constitution to prevent this type of overreach with arbitrary laws such as HB169.. . This is an unconstitutional bill that would violate the rights of Hawaiians.. No law shall be made that violates the United States constitution.. I would ask you to please refer to the constitution and any relevant precedent cases before creating a new bill.

Sincerely,

Rebecca Miller

**HB-169-HD-1**

Submitted on: 3/26/2021 7:25:50 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christine List	Individual	Oppose	No

Comments:

Dear sirs, this bill is in an effort to snuff opposition ideas. Free speech is a most important corner stone of a free society. I urge that this dangerous bill be shut down.

**HB-169-HD-1**

Submitted on: 3/26/2021 8:44:21 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
brett sherwood	Individual	Oppose	No

Comments:

I oppose this. This igoes borderlines on censorship, if my opinion is different then yours, and you say its false or misleading, then i can be arrested for spreading my opinion? This is against the first amendment

**HB-169-HD-1**

Submitted on: 3/26/2021 9:32:05 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Katherine D Lobendahn	Individual	Oppose	No

Comments:

I OPPOSE this Bill because it is a clear infringement and violation of my Constitutional Bill of Rights. You people are drunk with power and are tyrannical! This nonsense must stop!

Katherine Lobendahn

**HB-169-HD-1**

Submitted on: 3/26/2021 8:51:30 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melissa A. Aiona	Individual	Oppose	No

Comments:

Absolutely oppose ...we need to stop this illegal emergency lock down... it is doing more harm to the state of Hawaii then the covid 19 ever did ... Open up our state !!

**HB-169-HD-1**

Submitted on: 3/27/2021 7:29:49 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Neerad Reddy	Individual	Oppose	No

Comments:

The right to speak freely in public is protected under our 1st ammendment. Who is to decide what is false and misleading? Rather than censor and silence speech in a fascist manor why would any intelligent civilized person offer a point by pointcounter arguement to any statements that they may disagree with?

Any imposition on the publics right to gather and speak freely is a fundamental vilation of any democratic society and anyone who proposes to limit or restrict speech is a fascist.

**HB-169-HD-1**

Submitted on: 3/27/2021 7:35:39 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alyssa Roman	Individual	Oppose	No

Comments:

It is not in the best interest of the people to proclaim such a thing as false or misleading information as if there is only one truth and one way of knowing. Every person has an unalienable right to their reality and their proclamation of truth. In fact this bill is a direct violation of the freedom of speech and assembly. The government nor corporation interests that lobby the government are not the arbiters of truth and this bill asserts that they are and directly violates natural law and the constitution. My right to disagree and dissent will not be legislated away. I strongly oppose.

**HB-169-HD-1**

Submitted on: 3/27/2021 7:44:34 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Steven Forman	Individual	Oppose	No

Comments:

This bill would be too vague. What happens when the state or news agencies give misleading information. That's what is going on now with covid19. More people have died from the seasonal flu in Hawaii in the last 5 years than have died fro covid in the last year so the state and the news is giving misinformation that there is a state of emergency.



**HB-169-HD-1**

Submitted on: 3/27/2021 7:47:25 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

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

Comments:

I am in opposition to HB169. The 1st amendment states that Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances. It doesn't matter whether one agrees with a message or not, the ability to state said message is a right that should not be infringed upon by the government. I see this as a measure to quell disagreements with the governor's mandates and halt people from protesting said mandates by giving officers a new excuse to arrest those who are in disagreement. In general terms, I don't know any sane person that thinks this or any legislative body should be the arbiters of truth, nor do I think that truth is constant, especially in this day and age.

**HB-169-HD-1**

Submitted on: 3/27/2021 8:38:44 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Craig Dansie	Individual	Oppose	No

Comments:

I oppose HB169 HD1. Who will determine what is “false and misleading information”? Facebook fact checkers? Will this throw cold water on people's freedom of speech? When real crimes are committed in high places, will it cause people to not want to speak up because they are afraid a “Facebook fact checker” could put them in jail?

Who is this bill really intending to protect?

Vote NO on HB 169 HD1.

**HB-169-HD-1**

Submitted on: 3/27/2021 8:43:46 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Luna sharfin	Individual	Oppose	No

Comments:

Stop disregarding the constitution! You took an oath to defend and support it so DO IT!

**HB-169-HD-1**

Submitted on: 3/27/2021 11:04:39 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nathan Patry	Individual	Oppose	No

Comments:

Aloha,

I am a college educated resident of Hawaii and live and work on Maui. I am not a part-time resident - this is our home. I have a family with 2 children. We own our house, pay our taxes, and are active members of our community of Lahaina. As I read this bill, I am appalled that it would even be considered in the United States of America.

I will summarize why I oppose this bill below:

This bill is all over the place!

It is intended to cite protestors when it reads: A person *engages in any conduct with the intent to convey false or misleading information under circumstances in which the information: May reasonably be believed.* Protesting is called free speech - it is protected under the constitution of our country and state. It is a basic right in free countries!

The bill also says: A person *subjects another person to offensively coarse behavior or abusive language [which] that is likely to provoke a violent response.* This is thought police and giving undisclosed persons of unknown backgrounds or motivations the power to decide what free individuals can say and think. My grandfathers fought against this type of tyranny in the second World War. Do not make their sacrifices be in vain.

The bill goes on to say: A person *impedes or obstructs, for the purpose of begging or soliciting alms, any person in any public place or in any place open to the public.* This is an end-run on homelessness. Making it a crime is not a solution. The rampant rise in homelessness is due to dictatorial leadership by one with no big picture view of the consequences of their selfish decrees. Our economy has been crippled. Inflation is rampant - the dollars I have worked for and saved are being devalued by these choices, which are forcing people into homelessness.

Thank you for your time and consideration,

Nathan C Patry

Lahaina

**HB-169-HD-1**

Submitted on: 3/27/2021 11:12:53 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bonnie Marsh	Individual	Oppose	No

Comments:

This is a discriminatory bill that undermines our constitutional rights.

please cast a pono vote to our all Hawaiian citizens voices to be heard in a peaceful manner.

mahalo,

Dr. Bonnie Marsh

**HB-169-HD-1**

Submitted on: 3/27/2021 11:26:14 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joe Fagundes	Individual	Oppose	No

Comments:

Dear Honorable Committee Members:

The proposed revision adding subsection (f) is overly broad and subject to inconsistent interpretations. While the revision references "intent" as an element of the crime, the broad language "engages in any conduct with the intent to convey false or misleading information....which may reasonably be believed" would chill persons from expressing their opinions in violation of the first amendment right to free speech. For example, persons who oppose abortion may believe that a fetus is alive from the moment of conception, while pro-choice advocates may honestly disagree. Is a speaker espousing either position intending to mislead others who may reasonably believe the speaker? Debate of cotroversial matters forms the basis of our freedom to express opposing positions. Should that speaker be subjected to criminal prosecution and penalties for expressing his or her opinion? I do not believe so. This proposed amendment will give the enforcement officer broad powers to prejudge what is in the mind of the speaker and unbridled discretion to chill free speech.

Similarly in the current environment, there are those who believe vaccines to be dangerous and others who believe them to be safe. Should someone espousing either position be criminally prosecuted because there is a possibility that someone may believe to be true what that speaker believes? Definitely not!

This proposed amendment is unconstitutional in impairing free speech and should be rejected by this honorable committee. A threat or act of violence as the majority of HRS 711-1101 prohibits is a valid State interest. Curtailing ones constitutional right to free speech is not an analogous valid State interest.

**HB-169-HD-1**

Submitted on: 3/27/2021 1:41:37 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kristen cosmi	Individual	Oppose	No

Comments:

I STROGLY OPPOESE this bill. Though I think that some aspects of this bill would be helpful for maintaining order, there are parts that are outright taking away our freedom of speech (quoted below), which IS ABSOLUTELY UNACCEPTABLE. You can NOT take away our freedom to express our views.

"(1) Engages in any conduct with the intent to convey false 20 or misleading information under circumstances in which 21 the information (i) May reasonably be believed; and 2 (ii) Indicates that an activity has taken, is taking, 3 or will take place that could result in death, 4 bodily injury, or property damage, through the 5 use of a firearm or by widely dangerous means."



**HB-169-HD-1**

Submitted on: 3/27/2021 3:55:38 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Paula Blum	Individual	Oppose	No

Comments:

If there is no freedom of speech to protest with signs then sign waving to promote oneself into public office standing around with signs should be included in this bill.

**HB-169-HD-1**

Submitted on: 3/27/2021 5:30:27 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Peter Scott	Individual	Oppose	No

Comments:

This bill is a clear violation of our 1st amendment rights. Part of being an American citizen carries the freedom of speech. The government may NOT pass laws to take away this right. It is your duty as an elected official to vote NO on this bill!

**HB-169-HD-1**

Submitted on: 3/27/2021 6:08:16 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mr. & Mrs. O'Neill	Individual	Oppose	No

Comments:

Extremely bad legislation. I strongly urge you to oppose this bill.

Regards, Steve and Linda O'Neill

**HB-169-HD-1**

Submitted on: 3/27/2021 8:16:38 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jack Ebner	Individual	Oppose	No

Comments:

I believe the passage of this Bill could result in the state having too much interpretive power that could result in situations that are overly oppressive. That's why i've voting against or no on Bill 169.

**HB-169-HD-1**

Submitted on: 3/27/2021 8:31:28 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Donna Grabow	Individual	Oppose	No

Comments:

**All people deserve to live mask-free and have a choice to get vaccinated or not.**

**I OPPOSE Bill 169 which is intended to Cite demonstrators, protestors AND beggars with Disorderly Conduct!**

**HB-169-HD-1**

Submitted on: 3/27/2021 8:39:10 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joann Salakielu	Individual	Oppose	No

Comments:

Strongly oppose!

**HB-169-HD-1**

Submitted on: 3/28/2021 6:55:53 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cecelia Ashton	Individual	Oppose	No

Comments:

*If a person engages in any conduct with the intent to convey false or misleading information under circumstances in*

*which the information, May reasonably*

*be believed...*

Just who decides what is misleading

information?

*A person subjects another person to*

*offensively coarse behavior or abusive language that is likely to provoke a violent response. WHO determines that? Many of Gov. Ige's mandates could provoke a violent response, just a fact. Ahh, but it all depends on who says it.*

*So there is selective freedom of speech.*

Who interprets "Offensive coarse behavior"?

*A person impedes or obstructs, for the purpose of begging or soliciting alms,*

*any person in any public place or in any place open to the public. This will cite*

*homeless people.*

You as a governmental body for the State of Hawaii have FAILED miserably in finding a solution to the homelessness

that has overcome our state. Why don't you start with the bigger problems and

resolve those first?

I stand by the First Amendment " to petition the Government for a redress of grievances" abridging the freedom of

speech and the right of assembly. I

strongly oppose this bill HB169 before

you now.



**HB-169-HD-1**

Submitted on: 3/28/2021 8:35:11 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jason Klahr	Individual	Oppose	No

Comments:

I oppose HB169 HD1 due to its blatant violation of the first amendment of the constitution for the united states of America: Amendmant 1 - Freedom of Religion, Press, Expression. Ratified 12/15/1791. **Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble**, and to petition the Government for a redress of grievances. and the Hawaii state constitution: Section 4: **No law shall be enacted respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press or the right of the people peaceably to assemble** and to petition the government for a redress of grievances. [Ren and am Const Con 1978 and election Nov 7, 1978]

In passing HB169 HD1, the legaslature and its members are violating their oaths to uphold the constitutions of the united states of America and the Hawaii constitution thereby "Making war against the constitutions and the law of the land.

**HB-169-HD-1**

Submitted on: 3/28/2021 8:42:28 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Antonette Sharfin	Individual	Oppose	No

Comments:

Aloha,

This bill goes against our constitutional rights. This cannot pass.

**HB-169-HD-1**

Submitted on: 3/28/2021 9:20:25 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeffrey Byron Werle	Individual	Oppose	No

Comments:

This is too broad and threatens our constitutional rights. All government officials have taken an oath to protect and defend the constitution. Therefore you must oppose this bill.

**HB-169-HD-1**

Submitted on: 3/28/2021 10:02:59 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mabelle Bastien	Individual	Oppose	No

Comments:

This is a huge violation of our freedom of speech. Protesting is the cornerstone of democracy. Please kill this Bill, unless you're trying to incite civil war with your citizens.

**HB-169-HD-1**

Submitted on: 3/28/2021 10:21:15 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michelle Kerr	Individual	Oppose	No

Comments:

Respectfully, I strongly oppose HB169!

My opposition stems firstly from the language in the bill's description . . . the bill " amends disorderly conduct to include engaging in conduct with the intent to convey certain false or misleading information." Who's to say what is misleading or false. Our First Amendment protects freedom of speech! Secondly, It is your job and your sworn duty is to protect the liberties afforded us in the Bill of Rights and the entire constitution. It is NOT your job to decide what speech is "misinformation or false".

Unless you are willing to denounce your oath of office, you must VOTE NO on HB169.

Sincerely,

Michelle Kerr

**HB-169-HD-1**

Submitted on: 3/28/2021 10:35:16 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
MARIO GARCIA	Individual	Oppose	No

Comments:

I oppose it as this infringes directly on our FIRST AMMENDMENT. Quit oppressing and pushing wrong narratives. It is our GoD given right as well as our constitutional right to have FREE SPEECH. OPPOSE IT BY ALL MEANS!!

**HB-169-HD-1**

Submitted on: 3/28/2021 10:41:20 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joseph Mallak	Individual	Oppose	No

Comments:

Aloha, I strongly oppose HB 169 Relating to disorderly conduct due to the fact that it infringes upon any citizen or sovereign being's of Hawaii or The United States right to petition the government for a redress of grievances. What happened to freedom of speach, freedom of expression, and peaceful assembly? The 1st amendment is in place for a reason.

On the topic of homelessness, one begs to fill the starving pit in their stomach. Are you then to fine one who can't afford to pay your sums for trying to get fed. It is being just food, they beg for money and many other things. It is an issue that needs to be tackled but it is not as simple as fining a beggar.

**HB-169-HD-1**

Submitted on: 3/28/2021 11:13:04 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Camas Cook	Individual	Oppose	No

Comments:

I strongly oppose this bill. As I read through the previous testimony, I see that most citizens oppose this bill. The one person who supports this bill is the HPD police chief, Susan Ballard. So does Susan get to be the one who decides what "false or misleading information" is? If a person were to put up a banner at a demonstration that says "No covid19 vaccines are FDA approved" (even if that's what the actual information sheets say) - is that considered "misleading information"? If someone holds up a sign that says "Covid recovery rate is over 99%" - is that considered "misleading" even though it's on the CDC website? The terminology of this bill is so vague and misleading that it leaves room for any police officer or judge to decide for themselves what it means to "engage in conduct with intent to convey certain false or misleading information". It certainly bears no resemblance to the Hawaii or U.S constitution.



**HB-169-HD-1**

Submitted on: 3/28/2021 11:13:56 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kristina Montejano	Individual	Oppose	No

Comments:

To the Legislature:

***I oppose this bill because it is imposing on our free rights*** as citizens. As long as no one is hurting anyone they have a right to be out there, as it's their beliefs and values that is being shared and people have a choice to agree or not. If someone is needing food, they should be able to ask for help! Please do not pass this Bill.

***Much Aloha,***

Kristina Montejano

**HB-169-HD-1**

Submitted on: 3/28/2021 11:35:49 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jessica Montero	Individual	Oppose	No

Comments:

Dear Sir of Madam,

I am writing to strongly urge all of you to oppose this unconstitutional bill. I honestly cannot believe that this was ever even submitted in the first place. As a citizen of the United States I am honestly left disgusted and flabbergasted. The first amendment ensures our freedom of speech and this bill is a direct and egregious attack against that fundamental right.

This verbiage in this bill states that :

"A person engages in any conduct with the intent to convey false or misleading information under circumstances in which the information may reasonably be believed. "

Who gets to decide that is false and misleading? In regards to matters of science, It is never settled. There are always opposing view points and studies to back each up.

Who will you decide gets complete power and gets to decide who is right and who is wrong? I am shocked and disturbed that this is honestly even a consideration. You do not have the authority to tell us how to think and what we can speak about.

Please uphold your oath and our constitution. This is a the United States of America, not some communist country. You do not get to decide what is right, we are free to have our own minds and thoughts without fear of retribution.

Do the right thing and OPPOSE this bill.

Jessica Montero

**HB-169-HD-1**

Submitted on: 3/28/2021 12:01:27 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brian D Ridgway	Individual	Oppose	No

Comments:

Aloha,

I do not simply OPPOSE this communist trash bill, I am outraged that it is even up for consideration.

This bill is an obvious, undeniable attempt to SILENCE those of us who are awake and see what is happening. Questioning coporate-paid "scientists and experts" is being made illegal.

This is thinly-veiled silencing of dissent. We see what is happening and we are not going to stand for it.

Please stand for the Constitution you have sworn to uphold and defend and crush this destructive measure.

Sincerely,

Brian

**HB-169-HD-1**

Submitted on: 3/28/2021 12:05:34 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Teresa Lyons	Individual	Oppose	No

Comments:

What surprises me is how soft we've become as a nation. We accept this abhorrent abuse of power without pushback. I believe this to be a result of the cancel culture movement. If you question the extreme pandemic rules and measures, you are questioning the science. Our country used to be full of inquisitive and innovative capitalists. It seems now we're a nation of young socialists, middle-aged nihilists, and a passive older generation.

**HB-169-HD-1**

Submitted on: 3/28/2021 12:17:51 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Yuki Klahr	Individual	Oppose	No

Comments:

This bill is a blatant disregard of US Constitution & Hawaii Constitution for the people that you took an oath to uphold. I strongly oppose.

**HB-169-HD-1**

Submitted on: 3/28/2021 12:18:28 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robert Dye	Individual	Oppose	No

Comments:

Please OPPOSE this bill. The government's job is not to silence opposing or "misleading" opinions. This is in direct violation of the first amendment, FREEDOM of SPEECH.

VOTE NO on HB169

**HB-169-HD-1**

Submitted on: 3/28/2021 12:23:24 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Beckley Dye	Individual	Oppose	No

Comments:

I do not support this bill. This bill goes against our rights. It's not the role of the government to limit free speech.

OPPOSE HB 169

**HB-169-HD-1**

Submitted on: 3/28/2021 12:29:27 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Duane Sosa	Individual	Oppose	No

Comments:

Aloha!!!

My name is Duane Sosa. I am submitting testimony in OPPOSITION to HB 169 HD 1. This Bill is a direct violation of the people's 1st Amendment Rights.

Mahalo



**HB-169-HD-1**

Submitted on: 3/28/2021 12:55:37 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lisa Kerman	Individual	Oppose	No

Comments:

3-28-2021

To The Committee on Judiciary and Hawaiian Affairs,

I strongly oppose HB169 relating to disorderly conduct.

This bill is in violation of Amendment 1 of the Constitution, which states that NO law shall prohibit freedom of speech, or of the press, or the right of the people to peacefully assemble. NO law overrides the Constitution.

It is not the job of the Government to decide what is false or misleading information, but rather for the people to use discernment.

In reading past testimonies on this issue, it's very obvious to me that the public is strongly opposed to this bill, and if passed, I have no doubt, there will be lawsuits.

Please do your job to uphold your oath by following the Constituion and vote NO on HB169.

Thank you,

Lisa Kerman-P.O. Box 1011-Kilauea-HI-96754

**HB-169-HD-1**

Submitted on: 3/28/2021 1:06:41 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sheila O'Malley	Individual	Oppose	No

Comments:

This bill HB169 is telling us how to behave and putting people in fear of doing the "wrong" thing. **That is communism.** Who interprets "Offensive coarse behavior"? This bill is against our rights of freedom of speech!

**HB-169-HD-1**

Submitted on: 3/28/2021 1:23:19 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Thomas Stanton	Individual	Oppose	No

Comments:

Dear Law Makers,

I urge you to please vote no on HB169. I oppose the bill because it could be used to limit our right to free speech. Who will be responsible for interpreting what is misleading information and what is course behavior and what is not? Information about issues evolves constantly and is never static and the right to communicate with our fellow citizens is essential to our democratic republic.. This law could be used against people who protest against over reaching government actions and allow governmental abuse.

Thank You for your consideration,

Thomas Stanton

**HB-169-HD-1**

Submitted on: 3/28/2021 1:35:48 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melody Stone	Individual	Oppose	No

Comments:

I am submitting testimony to oppose HB169 on the basis that this bill is too nebulous regarding exactly what obstructions are deemed to be citable offenses. It seems to me that a person could be peacefully demonstrating however if their cause violated a prominent political or other viewpoint they could be told to leave or be charged and convicted of a crime that violates their constitutional rights for freedom of speech and their right to hold peaceful demonstrations. This bill does not specifically identify what behaviors would actually be offenses, other than begging. I believe it will be used arbitrarily to strip people of their constitutional freedoms. Peaceful assembly and demonstrations, and freedom of speech must be protected and not be hindered by nebulous laws that would lead to arbitrary interpretation and enforcement of such laws. Please oppose this bill. It is poorly written and allows for a wide range of subjective interpretations.

Thank you,

Melody Stone

**HB-169-HD-1**

Submitted on: 3/28/2021 1:36:01 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eliza Snyder	Individual	Oppose	No

Comments:

This bill goes against the Constitution of the United States and the citizens right to free speech. No one should be allowed to tell citizens what to believe. "Misleading information" is different for different people. This takes away the freedom of America!

**HB-169-HD-1**

Submitted on: 3/28/2021 1:37:51 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
seagem fix	Individual	Oppose	No

Comments:

Please do not stifle free speech!

**HB-169-HD-1**

Submitted on: 3/28/2021 1:43:40 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
etinasa@gmail.com	Individual	Oppose	No

Comments:

This will take the right of people to show their openion

it is unconstituional

**HB-169-HD-1**

Submitted on: 3/28/2021 2:09:56 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rebecca Melendez	Individual	Oppose	No

Comments:

We have THE RIGHT TO FREEDOM OF SPEECH!!! Freedom of speech is in our constitutional rights! This bill will block the right to FREEDOM OF SPEECH!

This Bill talks about false information, there is a lot of information and everyone has the right to believe what they believe. It is called a difference in opinion. Yes, there are facts that are true and every side has the right to be able to speak what they perceive as right and wrong.

You DO NOT HAVE THE RIGHT TO TAKE AWAY OUR RIGHT TO FREEDOM OF SPEECH!!! We were given this FREEDOM by men and women who died for us to have this RIGHT and it is our RIGHT TO KEEP!!!

If you say yes to this Bill you are TAKING AWAY OUR FREEDOM!! This FREEDOM WAS FAUGHT FOR AND DIED FOR AND WE DESERVE THE RIGHT TO OUR FREEDOM OF SPEECH!!



**HB-169-HD-1**

Submitted on: 3/28/2021 2:12:44 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Beth pirtle	Individual	Oppose	No

Comments:

*God bless our hard working freedoms we all should enjoy.*

*The mask wearing people look so sad and confused.*

*please do not make our Kiki wear masks in school.*

*Lets use common senses for all.*

*No mandatory vaccines. No mandatory Masks.*

*Beth Pirtle*

**HB-169-HD-1**

Submitted on: 3/28/2021 2:37:14 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Don Nelson	Individual	Oppose	No

Comments:

It is intended to cite protestors when it reads: *A person engages in any conduct with the intent to convey false or misleading information under circumstances in which the information: May reasonably be believed.* **Guess who decides what is misleading information?**

They also have this: *A person subjects another person to offensively coarse behavior or abusive language [which] that is likely to provoke a violent response.*

They are telling us how to behave and putting people in fear of doing the "wrong" thing. **That is communism.** Who interprets "Offensive coarse behavior"?

Then there is this: *A person impedes or obstructs, for the purpose of begging or soliciting alms, any person in any public place or in any place open to the public.* **This will cite homeless people.**

We value free speech, the freedom to protest and the freedom to beg if someone is hungry and needs food, **please oppose this bill.**

**HB-169-HD-1**

Submitted on: 3/28/2021 5:43:12 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melissa Harding	Individual	Oppose	No

Comments:

I strongly oppose HB169. To put any restrictions on the free speech of citizens is unconstitutional. It's disgusting that any elected official would even think to draft this bill & attempt to infringe upon our constitutional rights. This entire bill is an insult to all Americans who's rights to free speech are to be equally protected. Those who drafted this bill and those voting on it would do well to remember their oaths to protect and uphold our constitution & refresh themselves on the protected right to free speech.

**HB-169-HD-1**

Submitted on: 3/28/2021 5:49:15 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Donna Dufault	Individual	Oppose	No

Comments:

As a taxpayer and full-time resident of Hawaii, I oppose this bill.

Telling us how to behave and putting people in fear of doing the "wrong" thing is communism. Last time I looked, Hawaii is part of America, which is a democracy.

Homeless people have a tough time living day to day, citing them for begging or soliciting alms, any person in any public place or in any place open to the public is inhumane.

I value free speech, the freedom to protest, and the freedom to beg or ask for help if I'm hungry and need food.

Please oppose this bill. Mahalo

**HB-169-HD-1**

Submitted on: 3/28/2021 5:54:58 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lissa Cockett	Individual	Oppose	No

Comments:

Aloha JDC Committee:

**PLEASE OPPOSE HB169.** This is an absolute 1st Amendment infringement! What is happening to the ALOHA state that something like this would ever be considered? This is a huge overstepping by the government and resembles communism.

As leaders of our state please honor your oath to protect the U.S. Constitution and the absolute protected rights of the people. Rights that can not be canceled or overridden by any governing body.

**Mahalo for your service and for upholding your oath in serving & protecting the people of Hawai'i.**

**HB-169-HD-1**

Submitted on: 3/28/2021 5:58:11 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kathy Sitzberger	Individual	Oppose	No

Comments:

**Stongly oppose HB169.** This bill infringes the US Constitution as congress shall make no law abridging the freedom of speech or the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

**HB-169-HD-1**

Submitted on: 3/28/2021 6:19:50 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
sondra may	Individual	Oppose	No

Comments:

STOP IT YOU DAMN COMMUNIST! This is AMERICA. NOT KOREA!

**HB-169-HD-1**

Submitted on: 3/28/2021 6:26:14 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
passionae ladines	Individual	Oppose	No

Comments:

This would be an infringement on our rights and is UNCONSTITUTIONAL!! This should not pass!!



**HB-169-HD-1**

Submitted on: 3/28/2021 6:57:53 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alexandra Marshall	Individual	Oppose	No

Comments:

Dear Representatives,

My name is Alexandra Marshall; I live in Honolulu and am a resident of our beautiful state. I'm writing to you today in **strong opposition** to this bill. HB169 is an attack on the 1st Amendment right of freedom of speech and clearly targets anyone who opposes the narrative and what we're being fed by not only the media, but by the government. I think an important question to ask is should ask is who gets to decide what "information is misleading"? Is that you? Our governor? Our police force? I find this very disturbing; if passed, this bill would take away freedom of speech, which is unconstitutional. Additionally, this bill is an attack on homeless people -- they'll be cited for begging? How do you expect them to pay for those citations? Is there a plan when you cite them, they can't pay and you round them up? You have a big homeless problem here and haven't been able to solve that, so I would suggest you allow them to continue to ask for food and money and not make them a target. Please oppose this bill -- I can't imagine any free thinking human being would allow this to pass. Thank you for your time.

**HB-169-HD-1**

Submitted on: 3/28/2021 6:57:58 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Debbie Wyand	Individual	Oppose	No

Comments:

Aloha, I STRONGLY OBJECT to this bill. It is an infringement on our right of free speech. It is unconstitutional. Who determines what is false and misleading? That is what is done in a dictatorship. Freedom means freedom. FREE SPEECH. You may not agree with the speech, but you must have the right to say it. That's what our founders intended. Our rights as Americans and citizens are being taken away bit by bit. Why is this bill even being considered? It's Un-american. We need discussion, We need to hear opposing views, we need freedom to voice our opinion. This bill cannot be allowed to exist in a free society.

Our government officials are elected to represent the people. And make sure you do not infringe on our constitutional rights. I don't understand how any right minded person could think this bill is constitutional. In fact, under the wording of this bill, perhaps you could arrest me or anyone for having a differing opinion that someone in power deems false. Even if it's not false or misleading, just a differing opinion. That's what protests are for!!!! I'm in shock that this bill has made it this far. DO NOT PASS THIS BILL. It sounds like communism

Debbie Wyand

**HB-169-HD-1**

Submitted on: 3/28/2021 7:27:30 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jennifer macagnone	Individual	Oppose	No

Comments:

aloha,

I oppose this bill as it denies our rights of the First Amendent of free speach.

Thank you so much,

jennifer macagnone

**HB-169-HD-1**

Submitted on: 3/28/2021 7:31:05 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jennifer Fukumitsu	Individual	Oppose	No

Comments:

I oppose bill HB169 because it goes against our constitutional right of freedom of speech. The right to express any opinions with out censorship or restraint. The government should not be allowed to come into my home and arrest me for me for sharing my opinion on the internet in social media, nor should they be able to remove the device from me. This is communism and control not freedom. I oppose this bill 100% and any other bill that is similar to it.

Thank you

**HB-169-HD-1**

Submitted on: 3/28/2021 8:04:08 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jessica Paku	Individual	Oppose	No

Comments:

I oppose this bill it is unconstitutional. It violates our freedom of speech. We the people have a right to speak freely.

**HB-169-HD-1**

Submitted on: 3/28/2021 8:17:12 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
desiree deter	Individual	Oppose	No

Comments:

Hello.

I'm very concerned with the fact that some people think they get to decide what kind of information is "misleading". We have the right to say anything we want. The first amendment. So how in the world can this "bill" even get introduced? Please remember your oath to uphold the constitution and also please remember that you guys work for the people. Thank you.

**HB-169-HD-1**

Submitted on: 3/28/2021 8:06:33 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
William pacatang	Individual	Oppose	No

Comments:

I oppose to bill HB169 because it is unconstitutional. 1st amendment!!!

**HB-169-HD-1**

Submitted on: 3/28/2021 8:37:45 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alan Koons	Individual	Oppose	No

Comments:

I strongly oppose HB169. There is nothing else to say but that THIS IS A DIRECTION ATTACK ON THE 1ST AMENDMENT. There is no defending this bill in any way. It shouldnt have even been eligible to bring to the table. This bill is absolutely criminal. Kill this bill.



**HB-169-HD-1**

Submitted on: 3/28/2021 8:42:29 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kaio Cardoza	Individual	Oppose	No

Comments:

Aloha, I **strongly** oppose HB 169 as it infringes upon our **Constitutional** Freedom of speech and our rights!

Mahalo Nui

**HB-169-HD-1**

Submitted on: 3/28/2021 8:47:02 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Glen Kila	Individual	Oppose	No

Comments:

My name is Glen Kila and I oppose HB169 HD1 because it will deny poeople's rights to free speech. Please do not pass HB169 HD1. Mahalo.

**HB-169-HD-1**

Submitted on: 3/28/2021 8:47:35 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
ryan Thompson	Individual	Oppose	No

Comments:

We are all Free People, and voicing our concerns to governments who seek to take power and control, at the stroke of a pen, is crucial to the freedoms to all people given to each person from Birth. Under our Great Constituion we calmy exercise those rights. Thank you Ryan Thompson

**HB-169-HD-1**

Submitted on: 3/28/2021 9:00:00 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nicole Love	Individual	Oppose	No

Comments:

I strongly oppose this HB 169 bill. It is unconstitutional for police to have the right to arrest those spreading "misinformation", as Misinformation is the opposite of the truth and the truth is relative to the individual. It is our constitutional right to have freedom of speech and this bill is conflicting to the constitutional rights.  
mahalo

-Nicole Love

**HB-169-HD-1**

Submitted on: 3/28/2021 9:28:02 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jody Allione	Individual	Oppose	No

Comments:

*"Engages in any conduct with the intent to convey false or misleading information under circumstances in which the information:*

*(i) May reasonably be believed;"*

Where is the First Amendment of the US constitution taken into consideration in such a clause as this? **Who is the arbiter of truth?** Freedom of Speech in the First Amendment does not include a clause, "unless someone decides it is not true". This kind of threat against freedom of speech and the right to gather in opposition to a prevailing viewpoint is radically against our founding fathers' vision of a free country. It is likely that any political rally could be perceived as conveying false or misleading information by the opposition. There is no way that the State of Hawaii should act like a dictatorial government with thought police that have the right to arrest those they disagree with because they don't think their message is true, and call it disorderly conduct! **Who on earth thought of this?**

I beg that everyone on this committee with any memory of their civics class on the constitution, will throw this amendment out along with other bad ideas that will cause a serious rift in this state. If this idea came from the police department, then a serious overhaul is in order, along with classes on constitutional law.

Jody Allione, A Very Concerned Citizen

Kailua

**HB-169-HD-1**

Submitted on: 3/28/2021 9:32:14 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christy Ceraso	Individual	Oppose	No

Comments:

This Bill is mixing up unrelated issues! I have no problem with minors applying for expungement of first offenses. However, the amendment to the disorderly conduct charge to include conveying false information is a gross infringement upon freedom of speech! How dare anyone try to make laws controlling speech! That is a violation of basic human freedom. Whoever thinks that is a good idea has no idea what evil they attempting to enact, and how it will eventually come back and bite you, too. Stop deceiving yourself and others that the manifestation of your totalitarian dreams are for the good of the people. They are not.

**HB-169-HD-1**

Submitted on: 3/28/2021 9:33:10 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rene Connolly	Individual	Oppose	No

Comments:

This is a gross government overreach!

This bill literally intends to supercede our Constitution! How can anyone, in the right mind, suggest this manner of censorship? Especially during this most critical time when transparency and UNITY and support are so desperately needed in order to garner TRUST in the government!

This bill will surely anger our people and leave people feeling helpless and desperate and FEARFUL. This DOES NOT garner trust in the slightest!

Do not do this to our people. Do not do this to our law enforcement officers.

**HB-169-HD-1**

Submitted on: 3/28/2021 10:37:55 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marcus Tanaka	Individual	Oppose	No

Comments:

Oppose.



**HB-169-HD-1**

Submitted on: 3/28/2021 10:38:46 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
CARLA SUE JENKINS	Individual	Oppose	No

Comments:

I oppose this bill as it can (and if passed will probably be used, as another way to censor free speech in this state.) Who decides what is misleading information? The US Constitution gives us the right to free speech. Is Hawaii still following the US Constitution?

Will this misleading information have to be in writing? Will it be used at activists' peaceful rallies for some cause that the government does not want questioned or does not agree with? Will the individual police detail involved decide if they don't like the cause & so use this law for their personal agendas? For example, it could easily be used to cancel out a political party rally if the police detail is for an opposing party.

This law is way too broad. This bill is all over the place. Was it originally put up to censor free speech, and then was Section 2 added - the disorderly conduct, the expungement for minors of a first time offence, etc. to get other legislators to vote for this broad bill?

I strenuously oppose this bill.

**HB-169-HD-1**

Submitted on: 3/28/2021 10:49:47 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kim Cordery	Individual	Oppose	No

Comments:

This Bill violates our freedom of speech plain and simple!

This Bill gives no avenue or opportunity for the citizens to dissent or disagree!

What are we turning into,.... a Communist Coutry?

Please Do NOT IGNORE Our Rights by Implementing this Unconstitutional BILL!

**HB-169-HD-1**

Submitted on: 3/28/2021 11:32:58 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Andrew Crossland	Individual	Oppose	No

Comments:

This Bill is in direct opposition to the Constitution and the First Amendment. I strongly oppose.

**HB-169-HD-1**

Submitted on: 3/28/2021 11:44:17 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Adele Henkel	Individual	Oppose	No

Comments:

- To some extent, is redundant law
- Unclear language, undefined terms
- Could set up a precedence of inappropriate advantage to government agents/agencies to misconstrue and/or politicize individuals' intents/words/actions

**HB-169-HD-1**

Submitted on: 3/29/2021 12:07:39 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jessica Koch	Individual	Oppose	No

Comments:

I strongly oppose SB169. As a believer in the freedom of speech, freedom of assembly; right to protest and freedom of free thought, this will cause even more tension between the government and the people of Hawai'i. All it takes is one government official or one group to pressure a government official to say a rally, protest or gathering around a cause or belief is 'promoting misinformation'. Now, what would have been a peaceful productive community event is cancelled or being chaotically disrupted because the governing officials are offended by a different 'truth'. This will cause anger, confusion and frustration on both sides, furthering divides. There is no need to interrupt a peaceful rally or protest just because it does not fit what the governor or mayors believe in. This is not only their state, it is the people's state.

**HB-169-HD-1**

Submitted on: 3/29/2021 2:00:58 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brigitte Otto	Individual	Oppose	No

Comments:

Passage of this bill would take Hawaii another step further towards a police state.

In particular, I am concerned about the following:

"(1) Amend the offense of disorderly conduct to include engaging in conduct with the intent to convey certain false or misleading information"

This would drastically curtail freedom of speech and violate the First Amendment of the U.S. Constitution. Who would decide which information is false or misleading? It could be arbitrarily decided by demagogues. The mainstream media does not always tell us the truth. I am afraid passage of this bill would lead to citizens being punished for exposing lies by demagogues and/or the mainstream media.

"(a) Engages in fighting or threatening, or in violent or tumultuous behavior"

While I am vehemently opposed to violent behavior, I am concerned this might also target those who act in self defense. Further, how would "threatening" be defined? Would it include "threatening" to break up a friendship or to sue someone? This would affect freedom of speech, too.

"(b) Makes unreasonable noise" The laws in place now are sufficient. This bill would specifically target those living in apartment buildings whereas the rich who can afford their own building could make as much noise as they like at any time of the day. I used to live in a building with very noisy neighbors who often had parties until early in the morning. However, I never considered calling the police because of my neighbors' noise. It would have been unfair because the traffic noise in that neighborhood bothered me considerably more. Further, construction workers frequently make a lot of noise, too, at times even during the night. I am not trying to say construction workers should be restricted but would like to point out how unfair it would be to target one specific group and not others.

"(c) Subjects another person to offensively coarse behavior or abusive language [which] that is likely to provoke a violent response" This would restrict freedom of speech, too. How is "abusive language" defined? It is open to interpretation. If anyone

offends another person and the other person uses violence, the former should not be responsible for the latter's violent behavior.

"(e) Impedes or obstructs, for the purpose of begging or soliciting alms, any person in any public place or in any place open to the public" Nobody is obliged to give anything to a homeless person. However, there are those among us who would gladly help if approached. Banning a homeless person from letting anyone know he/she is hungry violates his/her right to freedom of speech and more.

"(f) Engages in any conduct with the intent to convey false or misleading information under circumstances in which the information (i) May reasonably be believed" This would be a blatant violation of the First Amendment of the U.S. Constitution.

**HB-169-HD-1**

Submitted on: 3/29/2021 2:51:13 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
ALICIA SMITH	Individual	Oppose	No

Comments:

I oppose HB169.



**HB-169-HD-1**

Submitted on: 3/29/2021 3:02:23 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brexson Kamano	Individual	Oppose	No

Comments:

Aloha e kĀ• kou,

To all parties reading, I am in strong opposition of this bill as it will prohibit the freedom of speech. Freedom of speech is not a right of the government but the right of all people. The ability for any agency to punish any individual for what they (agency) determine is true or false is unconstitutional and morally wrong. This bill is a lousy attempt to instill fear into the community by silencing people who do not follow government narrative. The people are losing trust in the government and this feble attempt to silence people will not instill trust. This comes out of fear from the government to stop the people from unifying. A free thinker is a governments worst enemy.

Legislators I ask that you kill this bill because it is unamerican and unconstitutional.

Me ke aloha nui,

Brexson Kamano

**HB-169-HD-1**

Submitted on: 3/29/2021 5:37:08 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Edward Hampton	Individual	Oppose	No

Comments:

Gee, what a surprise, another unconstitutional bill written vaguely enough so that the "Offense" can be whatever the state wants it to be.

I can't wait to vote in the next election.

You people should be ashamed of yourselves.

**HB-169-HD-1**

Submitted on: 3/29/2021 5:49:06 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elmer Domingo	Individual	Oppose	No

Comments:

This grossly goes against the Constitutional rights.

**HB-169-HD-1**

Submitted on: 3/29/2021 6:37:18 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gary Bazin	Individual	Oppose	No

Comments:

I strongly oppose this attempt to silence our freedom of speech!

I wish to quote Rebecca Miller's testimony: "I am submitting testimony strongly opposing this tyrannical bill. Who gets to decide what is misleading information? This violates freedom of speech and villifies anyone who's fact based opinion is other than that sanctioned by the government.. I don't know how anyone could think this bill would hold up in a free society. Please re-read the constitution and remember your oath of office to uphold it. To serve as a public servant does not mean to jail citizens for expressing an opinion. Who will hold these essential workers responsible if they abuse their power, charging people with felonies on a whim? It could easily happen if there are no repercussions. We still live in America. But with bills like this we will rapidly become a communist state."

**HB-169-HD-1**

Submitted on: 3/29/2021 6:47:30 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

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

Comments:

The legislature is constantly spewing out false and misleading information to promote a dangerous unconstitutional agenda. In hope of taking away the CONSTITUTIONAL RIGHTS and FREEDOMS of our people. I appear this bill.

**HB-169-HD-1**

Submitted on: 3/29/2021 7:24:28 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bob Gottschalk	Individual	Oppose	No

Comments:

I am opposed to HB169 because it is vague and can be used as a tool to quash legitimate public input during peaceful assemblies as guaranteed under the First Amendment. In particular, the clause “....with the intent to convey certain false and misleading information....” is problematic for the following reasons.

The First Amendment states: “Congress shall make no law....abridging the freedom of speech....or the right of people peacefully to assemble”. If adopted, the provisions of HB169 are exactly the kind of law prohibited under the Constitution.

HB169 appears to establish the State as the arbiter of truth vs. what may be considered “false and misleading information”. Issues important enough to protest should receive robust discussion and input from all sides, including from We the People. Protestors in the United States of America should never be subject to the threat of citation for airing their views, even if they conflict with the currently popular narrative on the issue. We do not live in a communist nation where the narrative is controlled by the State.

HB169 does not establish who is responsible for identifying “false and misleading” information, or whether this responsibility lies with the governor, state lawmakers or the officer who writes a citation. As such, its enforcement may be arbitrary and capricious and could easily be used as a bully stick to silence political opponents or those espousing unpopular positions, regardless of the party in power.

Adoption of HB169 does not pass Constitutional muster and will be struck down under judicial scrutiny, as it will undoubtedly find its way into the courts with the first citation

issued. Let us not rush to be the state that passes an unconstitutional law and be the laughingstock of the nation. Hawaii has too many important issues to tackle.

HB169 is a poorly conceived and flawed bill and must not be adopted.

**HB-169-HD-1**

Submitted on: 3/29/2021 7:38:02 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
joseph Palimoo	Individual	Oppose	No

Comments:

Hi My name is Joseph and I oppose this Unconstitutional bill



**HB-169-HD-1**

Submitted on: 3/29/2021 7:42:13 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rita Kama-Kimura	Individual	Oppose	No

Comments:

I strongly oppose the passing of this bill; it is a dangerously vague bill that can lead to an overreach of power and abuse.

**HB-169-HD-1**

Submitted on: 3/29/2021 7:58:33 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dwana Evans	Individual	Oppose	No

Comments:

I oppose HB Bill 196.

Poorly written legislation, who decides what is misinformation? who decides? People have a right to peacefully assemble and protest, your infringing on the constitution. Police showed they cant make that decision, look at the Freedom Rally March 20th, assaulted a mother in front of her to children knee on her neck arrested in front of everyone but not charged? for nothing no violation she was holding her childs hand and had an american flag in the other. She had a mask on. So who decides? police cant be trusted with that. I oppose this infringement.

**HB-169-HD-1**

Submitted on: 3/29/2021 8:19:57 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Henry Vincent III	Individual	Oppose	No

Comments:

I oppose HB169 on the grounds that it violates my 1st Amendmeny right of FREE SPEECH and EXPRESSION! It is expressely bias against religious speech that is not viewed as popular or the same as the accepted by the Board who will determine what is acceptable or not.

Please vote to KILL this unconstitutional measure.

Henry Vincent III

**HB-169-HD-1**

Submitted on: 3/29/2021 8:21:03 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Allan Reaves	Individual	Oppose	No

Comments:

This bill is completely unconstitutional! It is an attack of freedom of speech upon which this country was founded. This bill could be used to quell dissent over controversial vaccines for example. I strongly oppose this bill.

**HB-169-HD-1**

Submitted on: 3/29/2021 8:31:33 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeffrey Schulte	Individual	Oppose	No

Comments:

I strongly oppose this bill as it is an affront to the Constitution of the United States.

"(f) Engages in any conduct with the intent to convey **false** or **misleading** information under circumstances in which the information:"

Who defines what is misleading? Who defines what is true or false? This bill is way too vague.

"(i) May reasonably be believed; and"

Who determines this? Again, vague.

"(ii) Indicates that an activity has taken, is taking, or will take place that could result in death, bodily injury, or property damage, through the use of a firearm or by widely dangerous means."

Again with the vague and all-encompassing language, "widely dangerous" could be interpreted in several ways and with no definitions, it leaves the door wide open to someone in power taking away the rights of a citizen.

Stop trying to make vague laws that infringe upon the rights stated in the Constitution.

Here is Amendment 1 of the US Constitution:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

Now go back and read this bill and you'll see that should this pass it would be in direct conflict with Amendment 1, which would then open the State to lawsuits which then my tax dollars would have to be spent to defend this poorly worded bill.

**HB-169-HD-1**

Submitted on: 3/29/2021 8:36:50 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christine Wolcott	Individual	Oppose	No

Comments:

I am writing to oppose this bill. This bill is directly opposed to our First Amendment rights per the United States Constitution. The state cannot pass a bill that would oppose our constitutional rights. This is illegal and anyone who supports this bill is not protecting our rights as a US citizen. This bill would institute tyranny in our state. Who gets to decide what is false information? This ushers us into police state which sensors our freedom of speech. You swore an oath to the constitution of the United States. It is time to live up to your duty and protect our rights. Oppose this horrific bill!

**HB-169-HD-1**

Submitted on: 3/29/2021 8:53:22 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
d leong	Individual	Oppose	No

Comments:

I, Didi Leong, strongly oppose this measure for reasons that it is unconstitutional!

***This is a direct attack on my 1st Amendment free speech rights in an effort to suppress opposition through peaceful protest or gathering.***

**HB-169-HD-1**

Submitted on: 3/29/2021 9:01:37 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jessica Cheng	Individual	Oppose	No

Comments:

Aloha,

I am writing in opposition to HB169. While aspects of the bill may aim to prevent gatherings from getting out of control, it is a serious infringement of our 1st ammendment right to free speech when the government decides what is deemed "false or misleading information". Differing views and opinions do not automatically mean that the information is false. If you pass this bill, where does the suppression end? How much longer until the rights of the people are taken away by the very government who is supposed to be protecting them? Please do not take this step in the wrong direction, you are not protecting the people, you are harming them.

Mahalo,

Jessica Cheng



**HB-169-HD-1**

Submitted on: 3/29/2021 9:04:32 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melissa Scott	Individual	Oppose	No

Comments:

Aloha,

I oppose this bill because of its attack on homeless people and those seeking justice by the means of public protest. There is an obvious conflict of interest because who will deem what is right and appropriate language? There has been enough conflict between our police force and the public. The wording of this bill sounds like it is imposing a limit on free speech. I also do not understand how this will help the homeless situation plaguing our islands.

Thank you for your time,

Melissa Scott

**HB-169-HD-1**

Submitted on: 3/29/2021 9:05:21 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

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

Comments:

This is a direct attack on 1st Amendment free speech rights!  
Who decides what is misleading information?

**HB-169-HD-1**

Submitted on: 3/29/2021 9:16:30 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christian R Grado	Individual	Oppose	No

Comments:

This bill is such an egregious violation of the 1st Amendment that it is laughable any politician with any knowledge of the constitution wouldn't strike it down immediately, but after this last year of a non-constitutional emergency measure, I'm not surprised anymore.

More specifically: who decides what the "certain false or misleading information" is? Can a random police officer make that determination? Will it be up to the prosecutor? The jury? The judge? This is just another violation of the 4th amendment as well, as someone saying any false information, in person or electronically, will be considered in violation of this statute, and any officer can use it to stop, search, and unreasonably violate their sovereign rights. I, as a citizen, and human being, strongly oppose the addition of this wording to the current statute, and hope that all of you will pull your heads out of the imported sand and realize that you are legislating the human existence into criminality and would all be found guilty of this yourself from your campaign promises alone.

-With the bare respect due to your position, not your personages,

Christian Grado

March 29, 2021

Senate Committee on Judiciary

H.B. 169: Relating to disorderly conduct

Position: **Strongly Opposed**

Chair Rhoads, Vice Chair Keohokalole, and Members of the Committee,

My name is Anuheia Maeda and I oppose H.B. 169.

This bill is unnecessary as there are already existing statutes that protect against false reporting to law enforcement officials, false alarms to government agencies or terroristic threatening. This bill appears to take things one step further by criminalizing false information being transferred to anyone for an event that may or may not even take place with a result that may or may not cause harm or injury. This could apply to almost anything, depending on who is doing the reporting. It also appears to be unfairly targeted at young people that would unnecessarily criminalize them for an ignorant remark or social media post.

I think our time and money would be better spent providing more positive resources or programs rather than criminalizing language that is left up for interpretation.

Thank you for the chance to provide testimony.

Sincerely,  
Anuheia Maeda

**HB-169-HD-1**

Submitted on: 3/29/2021 9:28:50 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Charles Hook	Individual	Oppose	No

Comments:

I adamantly oppose this bill on many levels. Primarily, because it assumes that anyone on this planet knows what is "true". And yet, this bill will allow citizens to be punished if they spread information that is "false". It grossly infringes on a citizen's right to freedom of speech. Furthermore, given its broad scope of interpretation, it leaves the current Governor and State Legislature open to arrest and imprisonment for violating this very bill.

Making it illegal for starving people to beg is a violation of God's law. We are told not to harvest ALL of the crops in our own fields so that there may be food left for the hungry and less fortunate. Woe to the politician who holds himself higher than God!

**HB-169-HD-1**

Submitted on: 3/29/2021 9:41:23 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ho'olaila	Individual	Oppose	No

Comments:

Aloha,

I am writing today to oppose the proposed bill. To introduce such an unlawful bill to legislation is outrageous! This bill goes against our 1st amendment rights as American citizens, this bill wil silence those who dare to go against the narrative. It is unlawful & inhumane to silence fellow citizens. This would have a detrimental impact an society today as we know if the legislation decides to pass such a bill. I oppose this bill because, I want my children to be able to live in a world where they are not afraid to go against the narrative. Where they can express what they feel is right and wrong. If this bill is passed, nobody will be able to do such things as simply expressing themselves. I feel wholeheartedly that this bill in wrong, this bill is being pushed by those who don't want citizens speaking out about government issues. This bill is unconstitutional, and uncalled for! This is the United States of America, where citizens are able to say things in free will. This is NOT communist China! Hawai'i legislation, PLEASE DO BETTER! Work FOR the people, NOT against them!

Mahalo,

Ho'olaila

**HB-169-HD-1**

Submitted on: 3/29/2021 9:44:18 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
simplicity love	Individual	Oppose	No

Comments:

I strongly oppose this bill.  
Your constituents don't want this.  
Plesse focus on what the we the people want.

mahalo

**HB-169-HD-1**

Submitted on: 3/29/2021 9:43:06 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert E Burton	Individual	Oppose	No

Comments:

As a living being on the Island of Maui in the state of Hawaii I do not consent to this bill HB169. I agree with the Office of the Public Defender that "This bill creates an unnecessary subsection for behavior that can be prosecuted under several existing statutes. Furthermore, by creating a subsection directed primarily at adolescents making statements on social media, this bill unfairly stigmatizes students and funnels them into the school-to-prison pipeline."

AND this statement "*A person engages in any conduct with the intent to convey false or misleading information under circumstances in which the information: May reasonably be believed.*" It is unreasonable and puts too much burden on a responding police officer to make a 'freedom of speech' decision.

AND this statement "*A person subjects another person to offensively coarse behavior or abusive language [which] that is likely to provoke a violent response.*" Who interprets "Offensive coarse behavior"?

Finally, this statement "*A person impedes or obstructs, for the purpose of begging or soliciting alms, any person in any public place or in any place open to the public.*" **This will cite homeless people...and again this bill, if enacted would over burden our police force even more!!!**

**I reiterate, as a living being, I do not consent to the Hawaii Legislature passing this bill into 'law'.**

**Robert E. Burton**



POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

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

**LATE**

RICK BLANGIARDI  
MAYOR



SUSAN BALLARD  
CHIEF

JOHN D. MCCARTHY  
AARON TAKASAKI-YOUNG  
DEPUTY CHIEFS

OUR REFERENCE MK-KK

March 30, 2021

The Honorable Karl Rhoads, Chair  
and Members  
Committee on Judiciary  
State Senate  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Rhoads and Members:

SUBJECT: House Bill No. 169, H.D. 1, Relating to Disorderly Conduct

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

The HPD supports House Bill No. 169, H.D. 1, Relating to Disorderly Conduct.

Currently, the Hawaii Revised Statutes does not criminalize the making of false or misleading threats. Previously, the HPD would initiate a terroristic threatening case but would not be able to substantiate the offense due to the "true threat" criteria.

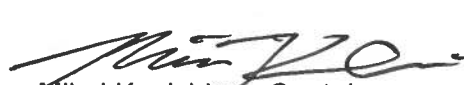
The HPD supports the amendments to the offense of disorderly conduct, which include engaging in conduct with the intent to convey certain false or misleading information. This amendment would help address suspects who make false threats of violence or destruction, and the effects those actions have on educational facilities and law enforcement resources. The HPD will have valuable tools to enforce the law and to hold the suspects accountable for their actions.

The HPD urges you to support House Bill No. 169, H.D. 1, Relating to Disorderly Conduct, and thanks you for the opportunity to testify.

APPROVED:

Sincerely,

  
Susan Ballard  
Chief of Police

  
Mikel Kunishima, Captain  
Criminal Investigation Division

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 11:04:49 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brett Kulbis	Testifying for Honolulu County Republican Party	Oppose	No

Comments:

Honolulu County Republican Party OPPOSES this bill.

This bill is all over the place, but ultimately it violates free speech and freedom to assemble peacefully!

If passed, this bill would give authorities the power to cite citizens exercising their 1st Amendment rights for, in some bureaucrat's opinion, **"any conduct with the intent to convey false or misleading information under circumstances in which the information: May reasonably be believed."** Guess who decides what is misleading information? Yes a totalitarian government! Isn't this what Big Tech and the lame stream media did in the 2020 elections, now our Legislators want to make it law!

This bill would also criminalize anyone, **"Subjects another person to offensively coarse behavior or abusive language that is likely to provoke a violent response."** Who interprets "Offensive coarse behavior"? All of us have lost our cool at one time and said things that we would normally not say when calm. Now an outburst like that could get you fined! Imagine you say something to your neighbor who believes it is "offensive and course," they would have the right to call police and have you charged.

Then there is this the attack on our vulnerable homeless: **"A person impedes or obstructs, for the purpose of begging or soliciting alms, any person in any public place or in any place open to the public."** This is will negatively impact homeless people, and put them at risk of being jailed for their inability to pay the fine associated with any citation issued.

This bill is not "Pono," there is no "Aloha" in it! This bill violates the 1st Amendment and more. If you value free speech, the freedom to protest and believe our vulnerable homeless should not be targeted because they are homeless.

We strongly urge you to vote NO.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 1:26:40 PM  
Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Enoka-Shayne Bingo	Testifying for Council for Restorative Justice	Oppose	No

Comments:

Whereas, everyone of you have sworn an oath to uphold the constitution, you are all well aware that the people's basic human rights are being heavily violated and laws are being broken by the Hawai'i State Government, its officials, and private influence, not the people of Hawai'i, at which this bill is aimed toward. I concur, that no abuse, or

violations should be acceptable, and this should include our protections from your law enforcement officers, as well as yourselves, for the state officials are the ones who have grossly neglected their sworn oaths, as well as law enforcement officers, as I and hundreds of thousands have witnessed across the world, officers, whether publicly serving, or privately hired, assemble to strategically harrass, threaten, overpower and violate people whom, within their constitutional rights and freedoms, were protecting their communities, identities and freedoms to do so, from tortuous behaviors, orders, rules, regulations, interests and so forth, brought unto us, by yourselves, the Hawai'i State Legislators and other state officials and their partners.

In essence, we are doing the jobs, which you are sworn in and paid to do. This type of hypocrisy governance and legislative actions, cannot and will not be accepted by us, nor will it mend the mistrusts between state, county, legislative, enforcement officials and the people of Hawai'i over the past decades. We do not accept or support this, especially, telling us we are not allowed to be angry or frustrated, or question the obvious falsities, even when we have witnessed the opposite of what you're asking of us. We hold superiority to question and judge your actions and, or inactions to serve the public, in sound mind, not the other way around, respectfully. State department actors or position holders are not above the standards which they attempt to hold us to. Do not censor our freedoms to think, question, speak or assemble in group settings please. Instead, transparency and communication is welcomed and needed between leaders of the State and the public, not privately, or restrictively, amongst leaders and shareholders. You will not infringe, or tortuously violate our unalienable human rights. We will continue to peaceably exercise our unalienable human rights, including the right to peaceably assemble and protest these, any and all heinous tactics and you must all, respectively, govern yourselves and all future legislative measures accordingly, within the limits of the constitution.

Any position holders who disagree with the common laws of the people of Hawai'i, may expeditiously abdicate your positions and we, the people of Hawai'i, and whosoever chooses to stand in righteousness and solidarity, for the aina, and the commonwealth of the people of Hawai'i, will elect a new, more qualified position holder, to echo our requests within the rooms, where and when we are not able to physically do so, respectfully. I oppose this bill, HB 169, in good faith that you will do the right thing and oppose this bill and all similar bills moving forward.

Aloha,  
Enoka Shayne

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 9:45:14 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diane Neuman	Individual	Oppose	No

Comments:

Good Morning. I would like to testify that I'm oppose to the passing of HB169 HD1. Who is to decide what is false or misleading information. It is our constitutional right of the First Amendment to express our opinions. With every opinion there is a counter one. So if it is counter to the person who believes that you are giving false or misleading information, they should decide and cite you. This is totally wrong. We should be able to express what ever we want. That is what freedom of speech is all about. This is unconstitutional this bill and should not be passed. Mahalo

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 9:47:00 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John Calvert	Individual	Oppose	No

Comments:

Aloha Committee Members,

I am strongly opposed to this bill, and I'm surprised that any legislator could have voted for it in the last committee meeting.

It is so wrong on multiple levels that it appears to be a misleading, dangerous joke in itself. Please kill this bad legislation immediately.

Please do the right thing and support freedom of speech. The internet is a powerful tool for people to network and hold their governments accountable. The government needs to keep out of the discussion regarding what information is appropriate or not.

Mahalo,

John Calvert

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 10:04:05 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shelby Goode	Individual	Oppose	No

Comments:

To the Senate Committee,

This written testimony is to represent my heavy opposition to Bill HB 169 Relating to Disorderly Conduct. Bill HB169 is more harmful than helpful and puts the People's Constitutional First Amendment Right in direct harm, proving the Committee's complete disregard and for the preservation of such legal rights.

To censor, fearmonger, and manipulate a Person's ability to speak freely is unjust and dangerously unconstitutional. This is an overreach of the government arm and it only makes the State of Hawaii, and America overall, closer to a communistic reign over the People.

To use the State and County police force to enforce this bill, if passed, would be a direct violation of the oath that each and every Person within the police force took when they entered the force. If legal action is taken by the victim of such bill, the individual representing the police force, impeding on these rights, would be **personally** liable for the legal consequences.

For the State to utilize this citizen tax-paid resource to enforce this illegal bill that impedes on our Nation's-born rights would be immoral, illegal, and I will personally take action to seek out those who voted aye for this bill and have them brought to justice within the legal system. I know I am not the only individual Person who brings these views to the opposition of Bill HB169.

I am disgusted and continuously dissapointed in our State's government and their ability to provide a more effecient, just, and moral State of Hawaii for the People.

With Patriotic Aloha,

Shelby Goode





**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 10:14:42 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
:John :Stern	Individual	Oppose	No

Comments:

The bill is vague and unnecessary.

Who gets to decide what is "misleading information"? I don't want anyone deciding this for me.

Who gets to decide what is "offensive coarse behavior"? I don't want anyone deciding this for me.

The problem with section 2 (e) "...impedes or obstructs...for the purpose of soliciting alms..." is that it violates the rights of the homeless and subjects these people, already in need, to further hardship.

Thank you, John Stern

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 10:24:19 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lisa Ortiz	Individual	Oppose	No

Comments:

We should not be living in America without our freedom as stated in our United States Constitution.

This bill is too open and wide as It is intended to cite protestors when it reads: A person *engages in any conduct with the intent to convey false or misleading information under circumstances in which the information: May reasonably be believed.*

Guess who decides what is misleading information?

They also have this: A person *subjects another person to offensively coarse behavior or abusive language [which] that is likely to provoke a violent response.*

They are telling us how to behave and putting people in fear of doing the "wrong" thing. That is communism. Who interprets "Offensive coarse behavior"?

Then there is this: A person *impedes or obstructs, for the purpose of begging or soliciting alms, any person in any public place or in any place open to the public.* This will cite homeless people.

If you value free speech, the freedom to protest and the freedom to beg if you're hungry and need food, I would oppose this bill.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 10:47:31 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joni Sadler	Individual	Oppose	No

Comments:

I am opposed to the language which is open to interpretation of what information is false. If I do not believe in Jesus and I'm handed a flyer about Jesus I can say the information is false, but that is belief. Who decides?

If someone has lost everything and is begging for help should they be charged for being down on their luck?

I believe there is too much room for misuse in the language.

I oppose

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 10:32:44 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
liliuokalani taliulu	Individual	Oppose	No

Comments:

Aloha

I oppose this bill which challenges and attacks our 1st Ammendment free speech rights to speak up and against any government leadership which we oppose. In this time of state mandates and media hype surrounding this pandemic, we have rights to question and challenge those who say there is only one way to reach optimal health. How are we to question authority on unfair mandates for an unknown virus with with misleading information - questioning is part of science and to say that those who "engage in condue with the intent to convey false or misleading information under circumstatnces in which the information may reasonably be believed" prevents any and all opportunities for discussion. Who decides what is misleading information?

Please protect my rights to free speach and freedom of assembly which includes voicing opposition to unlawful rules. I oppose this bil.

Mahalo for your time

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 10:54:46 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kimo galon	Individual	Oppose	No

Comments:

I oppose SB169 HD1. It is not clear who decides what is hateful or violent messages. This leaves too much to interpretation.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 11:02:54 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

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

Comments:

This is unconstitutional. What happened to home of the free and brave. These are my rights to be able to speak freely and take what I can to educated my self and not let anyone misinform me.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 11:08:54 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Natasha Thorell	Individual	Oppose	No

Comments:

I oppose this bill. This bill degrades our Constitutional First Amendment rights to free speech. It is not the job of HPD, or the government, to "police" shared information. HPD, (and any law enforcement) job is to protect and serve. Not arrest law abiding citizens who do not agree with government narrative or propaganda.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 11:20:33 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
LIBRADO COBIAN	Individual	Oppose	No

Comments:

I STRONGLY OPPOSE HB169. This is censorship and a violation of the First amendment !!!!



**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 11:23:48 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lauren Finley-Jacob	Individual	Oppose	No

Comments:

I adamantly oppose HB169. The following addition in language: "Amend the offense of disorderly conduct to include engaging in conduct with the intent to convey certain false or misleading information" is a very dangerous stance for a government to take unless their main objective is to have authoritarian rule over a subordinate class of citizens that is instructed exactly *how* to think. This language would allow the government to control and dictate what is considered true or false without allowing the individual to decide for themselves, which removes all ability of personal autonomy of opinion to be expressed, which should be protected through the right to free speech. The proposed **Section 2, Point (f)** should *not* be included in the definition of *Disorderly conduct*.

No doctor agrees 100% on the protocol of all diseases, nor does any scientist agree 100% on the results of experiments. There will always be an inherent bias of the participator and observer. To ignore such a basic fact is an extremely negligent and ignorant thing for a government to do.

Further, the language "Impedes or obstructs, for the purpose of begging or soliciting alms, any person in any public place or in any place open to the public" seems to criminalize the homeless or any other disadvantaged individual because of their circumstance. Criminalizing the poor, marginalized, or homeless does *not* make our society better, it perpetuates harmful cycles of classism instead of offering actual help or assistance to those that need it. **Section 2, Point (e)** should not be included in the definition of *Disorderly conduct*.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 11:32:37 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Monique van den Hurk	Individual	Oppose	No

Comments:

I oppose this bill. As American citizens we have the right to peacefully protest and assemble. It is what makes Americans free. The vague wording and subjective interpretation of what is "incorrect behavior" is concerning. The way this bill is worded leaves it open ended and subject to abuse.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 11:39:15 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Wendell Elento	Individual	Oppose	No

Comments:

I oppose HB169 because it will infringe on every concerned citizens' right to free speech. Who is going to be the good information police? Well, if it is going to be the media, Big Tech or government, the process is failing badly now. For example, if you look at the non-crisis at the Southern Board, it is a crisis. And if you live in Hawaii and have to face our COVID lockdowns, and our numbers don't really back up locking down for COVID in the manner we are doing, then shouldn't there be open discussion and debate to find a better path for all. No HB169 is a trojan horse bill that is designed to erode our 1st amendment rights. I oppose HB169.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 11:43:33 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
heather culp	Individual	Oppose	No

Comments:

Aloha ~

The proposed revision adding subsection (f) is overly broad and subject to inconsistent interpretations. While the revision references "intent" as an element of the crime, the broad language "engages in any conduct with the intent to convey false or misleading information....which may reasonably be believed" would halt persons from expressing their opinions in violation of the first amendment right to free speech.

For example, persons who oppose abortion may believe that a fetus is alive from the moment of conception, while pro-choice advocates may honestly disagree. Is a speaker espousing either position intending to mislead others who may reasonably believe the speaker? Debate of cotroversial matters forms the basis of our freedom to express opposing positions. Should that speaker be subjected to criminal prosecution and penalties for expressing his or her opinion? I do not believe so. This proposed amendment will give the enforcement officer broad powers to prejudge what is in the mind of the speaker and unbridled discretion to chill free speech.

Similarly in the current environment, there are those who believe vaccines to be dangerous and others who believe them to be safe. Should someone espousing either position be criminally prosecuted because there is a possibility that someone may believe to be true what that speaker believes? Definitely not!

This proposed amendment is unconstitutional in impairing free speech and should be rejected by this honorable committee. A threat or act of violence as the majority of HRS 711-1101 prohibits is a valid State interest. Curtailing ones constitutional right to free speech is not an analogous valid State interest.

Mahalo,

Heather Culp

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 11:48:28 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chabrielle Quezon	Individual	Oppose	No

Comments:

I strongly oppose this Bill. Everyone should have their God given right to freedom of Speech even if someone else doesn't have the same outlook on it. Its called opinions

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 12:03:24 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dr Gerard Dericks	Individual	Oppose	No

Comments:

The government must not be allowed to decide what information is 'misleading' or to hinder the dissemination of information - regardless of any official 'opinions' of its veracity. This is a violation of our free speech and a threat to the foundations of democracy. The passage of this bill invokes the kind of overbearing control that has historically always led to tyranny. Please oppose in perpetuity any such transgressions of our vital rights to free and unhindered speech and opinion. Thank you.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 12:21:21 PM  
Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Pak Ryder	Individual	Oppose	No

Comments:

I strongly oppose SB169 as this absolutely violates our constitutional 1st ammendment rights!

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 12:26:48 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kyle Kaiser	Individual	Oppose	No

Comments:

Protesting is a right guaranteed by the first amendment in the constitution. We should have the freedom to assemble and protest.



**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 12:29:48 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sue Tagura	Individual	Oppose	No

Comments:

Please do not violate people first amendment rights according to the oath to the constitution taken. Concerns include who and how does disinformation become decided upon and the overreach that can ensue from this. My heart feels so sad for this nation and especially Hawaii whose freedoms are dying..... again.

Thank you for your time and consideration. Please do not pass this bill.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 12:39:18 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sharman O'Shea	Individual	Oppose	No

Comments:

Aloha:

This legislation would unfairly target citizens who wish to disagree with policy, which is protected under our constitution and I don't like to see people out begging but in these times we cannot discriminate against people who are hungry and desperate.

Please VOTE NO on HB 169.

Mahalo Nui Loa,

Sharman

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 12:45:07 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

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

Comments:

I oppose this bill as it goes against my constitutional rights! Freedom of speech is my right and every other person's right in the United States! By passing this you are illegally going against my constitutional rights as an American.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 12:47:45 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Frank Gutierrez	Individual	Oppose	No

Comments:

Reading the language in this bill is very misleading, especially who interprets the misconduct, language, solicitation, and false information. I'm a free citizen according to rights written in the United States Constitution, Bill of Rights and the Hawaii Constitution to gather peacefully. I oppose and disagree with this law and any subsequent law that prohibits individuals exercising their rights. I believe in Freedom of Expression, Freedom of Speech, and Freedom to Assemble.

Respectfully submitted 03/29/2021

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 12:50:40 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Clementine Benemerito	Individual	Oppose	No

Comments:

To Committee Members,

I strongly oppose this bill HB169 HD1! This bill violates free speech and freedom to assemble peacefully. If passed, this bill would give authorities the power to cite citizens exercising their first amendment rights.

Thank you,

Clementine Benemerito

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 1:05:26 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Andi Nora	Individual	Oppose	No

Comments:

Strongly oppose this bill. This is a blatant and dangerous infringement on our First Amendment rights. People have the right to protest and do not need the thought police to tell them what they can or cannot say. This shows you have no faith in people to make their own decisions on what they can believe. This bill sets a very dangerous precedent to eventually telling people that they cannot practice or believe in their religion.

Please listen to your constituents. No one wants this Orwellian nightmare!

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 1:18:53 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Terry Murakami	Individual	Oppose	No

Comments:

I would like to state my opposition to this bill.

I understand the concern of civil unrest that is occurring in this country, however I believe this bill will only make things worse, stir more divisions amongst our neighbors, and give the government more power than the Constitution allows.

The bill isn't clear as far as what is actually considered "false or misleading information." (Section 1) and who actually determines that. This is very critical due to the fact that this statement is so broad and vague that it can be easily used to strip away our freedom of speech. Anyone who disagrees, has concerns about the government and what their agents are doing could easily be criminalized, which will actually lead to more expenditures of significant resources by law enforcement agencies.

Freedom to express different political, social, and even religious views is becoming more restrictive on popular social media platforms such as Facebook, Twitter, and Youtube, and now allowing our government to further control it will polarize and divide us even further. This will lead to more social unrest, violence, and more power for the government over it's citizens. In order to resolve our differences peacefully, which is needed more than ever now, it's vital that we protect our freedom of speech.

Please do not allow this bill to pass

Mahalo,

Terry Murakami

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 1:31:26 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anna Schatzman	Individual	Oppose	No

Comments:

To whom in may concern,

In regards to HB169 I am deeply concerned at the wording used within this Bill. I do believe that I can reasonably understand the intent behind the bill however my concern is that there may be an underlying intent. As mom I would not feel comfortable with the police charging my teenage child with a crime if they posted something on the internet. The bill reads: "Engages in any conduct with with the intent to convey false information or misleading information under circumstances in which the information may be reasonably believed." Pranks, sharing of viral social media information, and the posting of opinions is commonplace amoungst teenagers and adults alike.. Criminalizing such behavior will not curb behavior in my opinion.

Also the wording is alarming to me as a citizen of the United States of America. I implore you to hold up your oath to the Constitution. Freedom of speech is one of our most valued freedoms. Who determines what exactly said "false information or misleading information" is? In a world full of differences of opinions from accredited sources there is no one universal truth. It's absurd to me that this wording is left so open ended to be interpreted by our police force.

That is only one part of this bill that is alarming. The next part focuses on noise. The police will be able to now say that "disorderly conduct" is going to move into an area of higher criminalization if the noise level is "unreasonable". Once again this wording is very open to interpretation. Who determines if a noise level is unreasonable? What in the case of violence including but not limited to police brutality? If someone starts screaming out that can be further criminalized? Noise should not be criminalized. When a human being is making extreme levels of noise that is typically an indication of distress. We should help others in distress. Not criminalize them. Our ability to help others in distress is a vital part of our humanity. HPD would benefit from further training on dealing with human beings in distress. Mental health distress is on the rise from the current events we have all been navigating.

My deepest fear is that this bill is going to be used to target protestors. As citizens of the United States of America protestors have two very foundational rights: Freedom to Assembly and Freedom of Speech.



I see a darker side to the potential enforcement of this bill. Protestors should be able to voice their opinions as loudly as they would like!

If the intent of this bill is to keep school aged students from calling in or posting false reports of violence or potential violence then I recommend that the wording be changed to say exactly that.

If this bill has the potential to be misused, which I believe it does and is going to be used as a way to suppress the voice of the people I strongly urge that you do not vote this bill in.

Sincerely,

Concerned citizen and mom  
Anna Schatzman

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 1:32:11 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anne Delhagen	Individual	Oppose	No

Comments:

This is a violation of our human rights and freedom of speech

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 1:42:41 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Neal Chantara	Individual	Oppose	No

Comments:

I am opposed to anything that infringes upon free speech.

It begins a very slippery slope when anyone can determine what anyone else says.

It is up to God alone to judge.

Many thanks,

Neal

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 1:47:23 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Allison Jordan	Individual	Oppose	No

Comments:

Considering that ignorance of the law is not an excuse, If this becomes law, how will the citizens "know" what information is false or misleading? Where do we learn what information can be conveyed without criminal prosecution?

Does this mean that a citizen who is stating their "opinion" will be prosecuted under this law? How will opinion be differentiated from false information?

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 2:02:39 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Abell	Individual	Oppose	No

Comments:

I will oppose this bill for the following reasons:

First, this bill is devisive, overly broud in it's effect and unAmerican.

It is intended to cite protestors when it reads: *A person engages in any conduct with the intent to convey false or misleading information under circumstances in which the information: May reasonably be believed.*

**And who exactly decides what is false or misleading? Scientists, politicians, police, think tanks, political parties? This is how a communist country operates.**

How is the following to be interpreted?

*A person subjects another person to offensively coarse behavior or abusive language [which] that is likely to provoke a violent response.*

Have we forgotten that we have a FIRST AMENDMENT right in this country? Are we now responsible for others actions because they can't control their emotions.

Now we have to behave a certain way or we are putting people in fear of doing the "wrong" thing. **That is communism.** Who interprets "Offensive coarse behavior"?

*A person impedes or obstructs, for the purpose of begging or soliciting alms, any person in any public place or in any place open to the public. This will cite homeless people. I don't believe anyone should impede or obstruct anyone in their private affairs, but this is biased against the homeless. How about we educate instead of penalizing the homeless.*

Thank you for your consideration,

Lisa Abell

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 2:20:28 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tina Yang	Individual	Oppose	No

Comments:

This Bill is Very Unlawful, Unconstitutional. This violates State and Federal Law and Constitution.

It's violating 1st, 4th, 5th Amendments right from the start along with the Violation of Human Rights, Civil Rights, and Nuremberg Law. America is Not 1930's Nazi Germany or Nazi Japan with all due respect. Whoever came out with this Bill, indeed, shall be legally held accountable and or be Jailed for Inciting, Promoting NAZISM is a Crime Alone. This is also an Extortion of Tax Dollar.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 2:23:25 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lisa Festus	Individual	Oppose	No

Comments:

Please do not vote illegally against the constitution by violating the people of the United States of America's first ammendment rights according to the Oath of the Constitution. Concerns include who and how does disinformation become decided upon and the overreach that can easily ensue from this. Disinformation is still protected by the First Amendment and adults can decide for themselves.

I ask you to consider preserving the Constitution, the First Amendment and it's people and their freedom that it was created to protect and provide for.

PLEASE VOTE 'NO' AND DO NOT PASS BILL HB 169. My heart hurts for Hawaii and it's people and we need to stay on track with our rights, legally.



**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 2:25:49 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ashley Moffat	Individual	Oppose	No

Comments:

I oppose this bill. Please protect our first ammendment freedome of speech. There is no one person who can say what is misleading information. We are all different, we should all have the freedome to express how we feel and what we believe.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 2:34:57 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
SAMANTHA OLSON	Individual	Oppose	No

Comments:

I HIGHLY value freedom of speech and as an American this is our right. As a HUMAN this is our God-given right. Only in a communism society is freedom of speech a crime. I oppose this bill and request you listen to the voice of the people. That you stand by YOUR OATH to protect the constitution and that you do what is right and just for humanity.

I also believe that our last year of businesses being forced to close down will contribute to people needing support and help from our community. This is not rocket science. And as a community we must encourage one another and help each other through these times. No one wishes to have to be homeless or beg to feed their children. And I pray it never gets that bad. But if it does (and we have seen the homeless increase) I don't feel it is a crime to be homeless. This past year has been hard enough on the world and espeically Kauai who has had the most stringent rules for not being able to travel and work. We need lift one another up. And I oppose this bill that vilifies the needy at a time such as these. NO NO NO to HB169!

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 2:40:51 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Isabel Espiritu	Individual	Oppose	No

Comments:

Everyone of you swore to uphold the constiton before stepping into office. This is directly violating my 1st amendmant right. So I, we the people of hawaii oppose this bill!

Mahalo

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 3:19:31 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
natalia swan	Individual	Oppose	No

Comments:

Aloha public servants!

This is a reminder to you in case you have forgotten:

**Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.**

It is not up to Face Book "fact checkers" to determin what is harmful or not for my body!

Strongly oppose this bill and so should you!

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 3:38:57 PM  
Testimony for JDC on 3/30/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Josephine Keliipio	Individual	Oppose	No

Comments:

Dear Members,

I oppose HB 169 HD 1, this is not a dictatorship and you have no business telling us what is misleading information. The Department of Health used the PCR test FRAUDULENTLY all last year to FOOL the public into believing that Hawaii was under a pandemic attack when it clearly WAS NOT. 27,000 cases were generated from the CYCLE THRESHHOLD and NOT due to masking or distancing. The test doesn't even detect active infections.

Sources of my information include Dr Reiner Fuellmich, Dr Sucharit Bhakdi of Germany, Dr Michael Yeadon of UK, Dr Sam Bailey of NZ, the Portuguese Court Case on PCR test, etc.

If you want to stop misleading information, how about you start with the Dept of Health who has been reporting on cases taken from the PCR test and hiding the number of Hawaii residents killed by the vaccine.

STOP attacking the public!

Mahalo,

Josephine Keliipio

Kailua Kona, Hi 96740

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 3:41:32 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jack De Feo	Individual	Oppose	No

Comments:

Greetings and Aloha,

It is shocking to me that such a Bill would be even considered at such a time as this. This Bill is a blatant attack on our protected free speech and intentionally blurs the line between fact and fiction. While at the same time strips the individual of the ability to determine the parameters of what's true or false and takes that decision making ability from the hands of the communicator and puts into the domain of the wrong doer who is being exposed for unbecoming or illegal conduct and turning such an effort into an Orwellian double think nightmare of unacceptable proportions of absurdity! Please come to your sense of duty and realize that you took an oath to preserve and protect The Constitution against all enemies foreign and domestic. Any violation of our God given protected rights will be met with stiff opposition that will have unintended consequences that none of us choose to engage in, should you choose to ignore the will of the people, who put you in office. I plead to your conscience and good will to uphold the promise you made to the people of Hawaii and honor the oath you took to the Hawaii State Constitution.

Mahalo & God Bless You All For Making The Right Decision In This All Important Matter,

Jack De Feo

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 4:15:08 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Barbara G Garcia	Individual	Oppose	No

Comments:

This is a violation of our right to free speech. Please don't deny us this right.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 4:15:12 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cheryl R Beralas	Individual	Oppose	No

Comments:

There are already laws on the books addressing false reporting threats to law enforcement per Public Defeder's testimony. Moreover, recently, we have seen law enforcement and government institutions, including courts, executing laws unevenly, depending on political positions. Example: 50 HPD officers and a peaceful freedom rally. Were there 50 HPD officers at the stop Asian Hate Rally? Based on obvious politically motivated, uneven application of law enforcement, how can HPD be granted more police power? Government accountability first. We are living under the cloud of "false and misleading information" widely accepted, leading to harm to life, propoerty, and well-being in a statistical-empty virus "emergency," put out my the government itself. Who is to judge "intent"? UNNECESSARY BILL drawing more confusion in application.



**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 4:46:57 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jack De Feo	Individual	Oppose	No

Comments:

Greetings and Aloha,

It is shocking to me that such a Bill would be even considered at such a time as this. This Bill is a blatant attack on our protected free speech and intentionally blurs the line between fact and fiction. While at the same time strips the individual of the ability to determine the parameters of what's true or false and takes that decision making ability from the hands of the communicator and puts into the domain of the wrong doer who is being exposed for unbecoming or illegal conduct and turning such an effort into an Orwellian double think nightmare of unacceptable proportions of absurdity! Please come to your sense of duty and realize that you took an oath to preserve and protect The Constitution against all enemies foreign and domestic. Any violation of our God given protected rights will be met with stiff opposition that will have unintended consequences that none of us choose to engage in, should you choose to ignore the will of the people, who put you in office. I plead to your conscience and good will to uphold the promise you made to the people of Hawaii and honor the oath you took to the Hawaii State Constitution.

Mahalo & God Bless You All For Making The Right Decision In This All Important Matter,

Jack De Feo

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 4:47:57 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Geneve Chong	Individual	Oppose	No

Comments:

I oppose HB169 because it infringes upon our 1st Amendment rights -- our freedom of speech, our freedom to assemble, our freedom to protest. Uphold your oath of office, and uphold our Constitution!

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 4:51:45 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Killeen Partridge	Individual	Oppose	No

Comments:

While I understand the reasoning of Section 1, the bill's vague description in Section 2.1.F, as well as the written purpose of the amendment, cause concern for the protection of our 1st Amendment rights.

Even though the bill initially states that the purpose is to criminalize "threats," it goes on to say "physical inconvenience & alarm," "convey certain false or misleading information" that "an activity has taken, is taking, or will take place that could result in death...by widely dangerous means."

My concern is that this could be used to curtail 1st Amendment right to protest and right to free speech, as it is vague enough that even a citizen's protest sign could be deemed "misleading" about an event and someone could be "alarmed." The amended wording does not clearly make a case that it is referring to "threats" as it first mentioned in Section 1. Therefore, who is to decide what constitutes false or misleading information? What about alarm? You? CNN? If someone holds a sign that says "Cuomo murdered thousands of elderly thanks to his crap nursing home covid policies" and you believe this is false information (as everyone did six months ago before the mainstream media got a hold of the story), what is to stop that person from being cited for this new definition of disorderly conduct?

I strongly oppose this bill until the language can be clearly updated to prevent the infringement on our inalienable right to freedom of speech and protest and eliminates the aforementioned vague wording to more closely align with the amendment goals in Section 1.

Mahalo.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 4:57:09 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ronnie McCamley	Individual	Oppose	No

Comments:

Please do not pass this bill! Now more than ever, we ALL need to express ourselves FREELY. Any regulation against our freedom of speech or expression is against our rights to free speech, and our constitution!

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 5:01:59 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anne Plath	Individual	Oppose	No

Comments:

I Strongly OPPOSE THIS BILL!!!

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 5:04:12 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Ibanez	Individual	Oppose	No

Comments:

I oppose this bill 100%. This bill goes against the first amendment which provide that " Congress make no law respecting an establishment of religion or prohibiting it's free exercise. The first amendment was put in place to protect the people of the united States of America in there freedom of speech, the press, assembly, and the right to petition the Government for a redress of grievances." By passing this law, how then are the people of the united States of America free? We will no longer be able to exercise our own opinions in public. If we express our opinions and it goes against what the government feels or thinks or expresses does this mean we get arrested and charged for doing so? If so, is that not tyranny? We live in the great lands of the United States of America. We are supposed to be the land of the free! This is not Free! By passing this bill, it will be the beginning of communism in this country. If any man or woman has any basic common sense you would see that this is absolutely insane and goes against our human rights. I pray the Lord fills whoever up with the spirit of courage to stand up for the rights of the PEOPLE, I say all this in the name of Jesus Christ our lord and saviour, amen.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 5:29:22 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Maata Tukuafu	Individual	Oppose	No

Comments:

I strongly oppose this bill. It is yet another measure to take away our rights to protest, another way to stop the common people from voicing their concerns within an increasingly communist-type government. WHO will be the ones to determine what is "misleading information?" The police? Please do not pass this bill. Too many open ended questions here.

Mahalo, Ma'ata Tukuafu 808-895-7896

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 5:36:30 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tisa Herold	Individual	Oppose	No

Comments:

I strongly oppose



**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 6:08:05 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Laurie Puglia	Individual	Oppose	No

Comments:

This is outrageous! We have free speech in this country. This looks like something a Communist country would do. Take this bill and SCRAP it! I strongly oppose this bill.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 6:26:08 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kachina woolger	Individual	Oppose	No

Comments:

I am so disappointed to see this Bill even is suggested. What happened to the Aloha Spirit? What happened to our Rights under the Constitution?

I am very concerned that passing this Bill would mean that those people who are PEACEFULLY protesting against anything can be issued with citations simply because the Governor or others does not agree with that they say. Not acceptable.

And adding vagrants to the bill is clearly aimed at getting rid of those unfortunate people who have no homes. Considering what has happened during covid already on the islands, this is despicable.

NO TO THIS BILL

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 6:35:40 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joli Johnston	Individual	Oppose	No

Comments:

I am writing today to oppose HB169 HD1. This bill is blatantly unconstitutional as an assault on free-speech and should not be allowed to pass. Once we give government the authority to police our speech and exchange of information, it will undoubtedly be abused. Who is to determine what is "true" or "false?" Please look back to history to any controversial topic such as tobacco safety, DDT, glyphosate, asbestos, fluoride, lead, opioids. In each of these cases "the science was settled," with the support of doctors, government officials and regulating bodies. Thanks to the courage and resolve of critical voices from the populace, we now know that there was corruption and suppression of information keeping those harmful substances in place. Thanks to those who questioned what doctors, politicians and prominent public figures of the time were saying, we now know that tobacco, DDT, and glyphosate cause serious harm to the body.

This bill would effectively kill our right to be critical of questionable information and policies. Who would be determining what is false and misinformation? What gives that entity the authority to determine what is true and false? Speaking towards the COVID pandemic, there are a myriad of issues that were raised by critical voices which turned out to be true. People were being fired, censured and censored for spreading "false and misleading information" questioning the validity of the PCR test and the effectiveness of other therapeutics. Now fast forward 1 year and some of our largest regulatory bodies are now admitting that the PCR test can be highly inaccurate depending by the amplification cycles being used. There are a myriad of life saving therapeutics that have been proven successful. Health agencies and entire countries have reversed their initial moratorium on Hydroxychloroquine, yet doctors are still losing their jobs because of the political pressure to regard this intervention as dangerous regardless of whether it is the "truth" or not. Here we see how easily information can be politicized for some unknown gain. Again, thanks to those voices that were initially labeled false, we now know this information to be true.

This is the true beauty of scientific inquiry and critical thinking. It is not about being right or wrong, it is about protecting our right to have critical questioning, open and

transparent debate and discussion. This is the cornerstone of democracy and should be upheld in the highest regard. Right now we are witnessing an unprecedented suppression of science and free-speech because it threatens political, financial and political agendas. Please do your part and OPPOSE this bill.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 6:40:39 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
James Herold	Individual	Oppose	No

Comments:

This bill powers the police to shut down free speech, and possibly criminalizing dissenting / opposing speech of the WOKE mob and those opposed to anything "they" disagree with. It is a travesty against the First Amendment of the Constitution of the United States of America. Our Legislature should be ashamed to be legislators! Period.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 6:41:32 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Amber Tranetzki	Individual	Oppose	No

Comments:

Upon hearing about this bill I had assumed that it was in relation to the incident from this past rally where two law abiding citizens were arrested for not wearing a mask and not following orders, is what's being said. Not many realize that this mask mandate is that a mandate, it is not law, nor does it override the Constitution and the rights we have to freedom of speech, and freedom to gather. To set this tyrannical bills and push it to make it seem it is law by having HPD do the bidding is so unfortunate that as people who prided ourselves on aloha, it has been smothered and simply choked by whatever else motives are behind these bills and control.

This bill is clearly against our right of freedom of speech. Whether it goes against the narrative or the story that majority are trying to indoctrinate with, who decides what is mis-information? Why do we all need to believe in the same story, why the push back, the intimidation, the fear? If everyone is entitled to their own opinions, we have the right to express that without hindrance or intimidation or an attempt to "shut up" the voices of those speaking up and out against these behaviors and information that do not align with the leadership of this state.

I thank you for choosing to uphold the integrity of the role you play and the position you carry. To uphold the Constitution to law abiding citizens. There are so many other things that can be focused on, more dangerous people walking the streets getting away with heinous crimes because they feel they can. Where is Hawaii? Where is our home? What has happened to what everyone deems, paradise. How have we drifted so far away from the core of aloha....

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 6:42:31 PM  
Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kevin J. Cole	Individual	Oppose	No

Comments:

Aloha,

HB 169 is a clear attempt to codify speech. The First Amendment protect all speech, even unpopular speech. Whom is to say what is allowed and what is not? We do not need people dictating what may or may not be said.

V/R

Kevin J. Cole, Col USAF Ret.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 6:52:09 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rob Hernandez	Individual	Oppose	No

Comments:

This bill is all over the place! It is intended to cite protestors when it reads: A person *engages in any conduct with the intent to convey false or misleading information under circumstances in which the information: May reasonably be believed.*

Guess who decides what is misleading information?

You are telling us how to behave and putting people in fear of doing the "wrong" thing. That is communism. Who interprets "Offensive coarse behavior"?

Then there is this: A person *impedes or obstructs, for the purpose of begging or soliciting alms, any person in any public place or in any place open to the public.* This will cite homeless people.

If you value free speech, the freedom to protest and the freedom to beg if you're hungry and need food, I do oppose this bill.



**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 6:43:39 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lori Larrison	Individual	Oppose	No

Comments:

This is unconstitutional. The 1st amendment gives us the right to free speech.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 7:08:54 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jo Cassidy	Individual	Oppose	No

Comments:

I strongly oppose this bill as it is unconstitutional and an infringement on our civil rights. This bill should be considered illegal and against freedom of speech.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 7:25:00 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marissa sterling	Individual	Oppose	No

Comments:

I OPPOSE HB169 BECAUSE IT GOES AGAINST FREEDOM OF SPEACH, ITS GOES AGAINST THINKING DIFFERENTLY, IT GOES AGAINST OUR 1ST AMENDMENT! THIS BILL HAS NO RIGHT IN OUR COUNTRY LAND OF THE FREE! THIS IS TYRANNY AND WE THE PEOPLE DO NOT SUPPORT!

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 7:42:25 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Langton	Individual	Oppose	No

Comments:

Aloha,

I cannot state strongly enough how much I oppose HB169 and its companion Bill SB395.

HB 169, Section 2f is written in vague enough terms to be applied against especially important and fundamental Human Rights. The First Amendment protects the people's right to Protest and Petition the government. Redress inherently requires one to speak against the state's opinion, sharing of information regarding any such item could therefore be considered 'conveying false or misleading information'. which under this Bill is a crime.

These bills are a dangerous threat to our Constitutional Rights and are completely illegal!

***The First Amendment to the United States Constitution*** prevents the government from making laws ***which regulate an establishment of religion, or that would prohibit the free exercise of religion, or abridge the freedom of speech, the freedom of the press, the freedom of assembly, or the right to petition the government for redress of grievances. It was adopted on December 15, 1791, as one of the ten amendments that constitute the Bill of Rights.***

These proposed bills also incorporate the use of digital media and the internet for 'spreading misinformation'. This then means that our social media platforms, currently being censored by Big Tech, are also going to be policed by the State of Hawaii? This is unacceptable. No state or federal government can make illegal, the people's right to disagree with authorities, nor their ability to openly share their thoughts and information.

It is not surprising to see HPD support in this change in law. After the extremely heavy response to a peaceful rally on March 20th, its clear that HPD's role will be to snuff out any opposition to the State. Hawaii will become a police state under these conditions, with little protection from the whim of the state.

Please remember the government does not give the people their Constitutional Rights. Nor do they have the ability or authority to take them away- under any situation or

condition. These are UNALIENABLE RIGHTS. The Constitution is a document written to remind government large and small of these rights and that their only role is to protect them, not to infringe on them in any manner.

It is abhorrent both personally and as a citizen of the United States to see the path of dictatorship that Hawaii is traveling. Each new Bill seems set on revoking and stomping on another of our Constitutional Rights. Every legislator, office holder and public official has sworn an oath to both the Constitution of the United States and the Constitution of Hawaii. This bill, and any similar that ignore the Rights laid out in these foundational documents, will not be tolerated. It is 100% illegal, in direct violation of the Constitution and therefore CANNOT pass!

In Strong Opposition,

Laurie Langton

Hauula, HI

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 7:43:14 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

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

Comments:

I oppose bill HB169. Communism is creeping in our state and wants to silence us like Hitler. I very much hate communism as much as Child Trafficking. Those who support communism Bills are the same who ignores Child Trafficking. Please support Freedom and End communism Bills, especially Child Trafficking, mahalo.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 7:43:57 PM  
Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Amy C. Patterson	Individual	Oppose	No

Comments:

Why are you trying to shred the Constitution? Do you love communism? And hate freedom?

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 7:46:08 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Greg J. Patterson	Individual	Oppose	No

Comments:

Why are you trying to censor free speech?



**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 7:47:12 PM  
Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Keith A. Smith	Individual	Oppose	No

Comments:

I oppose HB 169 because it is too arbitrary to enforce. Misleading information is too broad a brush to enforce and infringes on free speech rights. Keith Smith, Koloa, HI

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 7:48:13 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Hunter C. Patterson	Individual	Oppose	No

Comments:

Why are you trying to criminalize law abiding citizens?

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 7:49:20 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Matt S	Individual	Oppose	No

Comments:

I oppose this bill. While I do not endorse false or misleading language, "false and misleading" are often subject to interpretation depending on your personal views as our current culture is showing.

We do not need whiners who take it upon themselves to be offended at anything they disagree with as the arbiters of what is false or misleading. This bill takes us down a very dangerous and slippery path of who gets to decide on what is false and misleading and who gets to call and file a complaint first and supposedly be "right".

Use some common sense please and vote this massive assault on first amendment rights down as it should be.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 8:15:23 PM  
Testimony for JDC on 3/30/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Loree Jean Searcy	Individual	Oppose	No

Comments:

I am opposed to HB169 for the reasons that ... ***"the intent to convey false or misleading information under circumstances in which the information (i) May reasonably be believed"*** is a statement which is highly suspect to the person **interpreting** and **judging** the information presented. Whom is the person or persons **judging**, " a police officer in riot gear similar to the officers who attended the March 20th Freedom Rally at Kapiolani Park"? Just by the fact that, the governinging body, ie police, has **no authority** to judge information as "misinformation", according to the Constitutional First Amendment makes this bill unconstitutional and a violation of our freedom of speech. We are free to assemble and to express our ideas without hindrance.

No one can pass a bill to take away our right to freedom of speech.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 8:21:24 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jesika H.	Individual	Oppose	No

Comments:

I oppose HB169 as this is a Bill that is infringing upon our First Amendment rights.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 8:28:20 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jacqueline Bosman	Individual	Oppose	No

Comments:

Aloha,

I find this Bill, HB169, extremely vague to who and what can be interpreted as misinformation. It seems entirely unconstitutional to suppress the concerns of certain groups especially concerning very dangerous things. We need more open communication not more 'fact checkers' shutting down different narratives that do not align with bigger agendas-- ones that don't help or work for the people. After all the government does work for the people so they should be the first ones listening.

I know the Bill mentions firearms after a lengthy lead in.. What exact misinformation is this being based on about guns that has, would or did cause a lot of death? I'm not sure we're getting the entire picture here. Could this actually be a bill that could hurt our 1st amendment rights? I sure hope not. I urge you to Oppose this dangerous, Yes-dangerous, no fact check or bigger opinion needed, Bill. It is our rights as citizens to voice concern no matter what. Apart from the violence this may aim to stop I see it doing more harm than good.

Best,

Jacqueline

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 8:49:49 PM  
Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
michelle andrews	Individual	Oppose	No

Comments:

I believe that this impedes on the 1st amendment.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 9:00:42 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

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

Comments:

I am protecting my freedom and oppose this bill.



**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 9:14:46 PM  
Testimony for JDC on 3/30/2021 9:45:00 AM

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

Comments:

**oppose**

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 9:35:29 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eva Dr	Individual	Oppose	No

Comments:

I strongly oppose this unconstitutional bill HB169. Freedom of speech or different perspectives should not be censored and criminalized!

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 9:59:49 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bryon Sales	Individual	Oppose	No

Comments:

Vahemently OPPOSED! URGENT! This is the beginning of the end and a giant leap into an orwellian society void of freedom and NO ALOHA Spirit! After reading this vague, proposal purposefully ambiguous lever of control that is attempting to be put in place for local law enforcement to detain anyone without any clear, definable reasoning is asinine! This will NEVER stand no matter what your decision is.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 10:07:55 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
elysha woolger	Individual	Oppose	No

Comments:

I OPPOSE THIS BILL

This appears to mean that people who are protesting can be arrested even when they are peacefully protesting which is protected by our Constitution

Also, I don't like the fact that unfortunate people who have no homes are mentioned in this bill - this seems like an excuse to get rid of them.... where is the Aloha Spirit

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 10:47:51 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Gellert	Individual	Oppose	No

Comments:

**I strongly urge you to oppose HB169. This bill impedes on our constitutional first amendment right to free speech.**

**Under section 1 F of HB169 it states, “Engages in any conduct with the intent to convey false or misleading information under circumstances in which the information May reasonably be believed.”**

**The term “misleading information” is subjective. It gives the government authority to call any speech that goes against the narrative or what the government wants people to believe, as “misleading” and thus criminal.**

**Even information that is true can be labeled as criminal if the government labels it as a lie. This bill gives Hawaii’s government the power to stop people from assembling to protest. This bill is simply unconstitutional and should be null and void.**

**In Village of Skokie v. National Socialist Party of America (Ill) (1978) the Supreme Court ruled all**

speech is protected, even hate speech and in [Cohen v. California \(1971\)](#), the majority explained that under the “premise of individual dignity and choice upon which our political system rests” government restriction should be avoided except in the most severe circumstances. “[V]erbal tumult, discord, and even offensive utterances” do not rise to that level of severity.

This bill sounds like the government will have the same power as a dictator - controlling what We The People can and can't say. We are in America, not China, not Venezuela. We have the freedom of speech and the freedom to assemble. I strongly urge you to **OPPOSE** this bill and uphold the Constitution.

Thank you for your time. I pray you do the right thing and stand for our freedom, not for the special interests behind this unconstitutional bill.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 10:51:45 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chris Wikoff	Individual	Oppose	No

Comments:

**H.B. No. 169: RELATING TO DISORDERLY CONDUCT**

My name is Chris Wikoff, a legal resident, property owner and tax paying citizen of Hawaii. I hereby submit my testimony to strongly OPPOSE H.B. No. 169. I remind the Hawaii House of Representatives that the issue of the regulation of speech was settled at the founding of our great Nation through the First Amendment to the Constitution of the United States. "Congress shall make no law...abridging the freedom of speech, or of the press..." I also provide the Hawaii House of Representatives the definition of abridging as the present participle of abridge which means to "limit or curtail". Therefore, the pertinent meaning of the First Amendment to the Constitution of the United States as written by the Founding Fathers of our Nation and which remains the supreme law of the land is that Congress shall not limit or curtail the speech of any citizen. States are not permitted to abrogate the God given Constitutional Rights of any citizen of the United States. On this premise alone, H.B. No. 169 should never have made it to the Hawaii House of Representatives for consideration. It is shocking that our tax payer dollars are being wasted on this level of tripe. It is an offense to every citizen of Hawaii that this Bill is before the House.

The proposed Bill is also wholly subjective in its characterization of what constitutes the crime from which it presumes to protect us leaving a large swath of uncertainty to its application as demonstrated in lines 11 thru 14 which "Amend the offense of disorderly conduct to include: (1) engaging in conduct with the intent to convey certain false or misleading information..." Here the uncertainty lies in the word "certain" itself for which no definition is provided as to what "certain false or misleading" even means leaving the interpretation totally open to the enforcing party and subject to that party's whims and ineptitudes.

Further, I would like to point out that of the twenty testimonies to the original rendition of the this bill, as recorded in the testimony file named HB169\_TESTIMONY\_JHA\_02-23-21\_.PDF, that there was only one testimony in support of the bill. With that level of wisdom imparted to the Hawaii House of Representatives, HB169 should have been summarily placed in the circular file known as the trash bin before wasting another moment of time or taxpayer's money on further consideration. The one testimony in support of HB169 entered by Susan Ballard, Chief of Police for the City and County of Honolulu, stated that "Currently, the Hawaii Revised Statutes does not criminalize the

making of false or misleading threats." However, this statement only serves to demonstrate the ambiguous and uncertain meaning of "...certain false or misleading information..." as Police Chief Ballard has presumed that it applies to "threats" which is precisely how the language of HB169 can be construed by any enforcer because of its uncertain language and it may be construed in many other ways heretofore unknown because of its uncertain language.

Even the STATE OF HAWAII OFFICE OF THE PUBLIC DEFENDER, the first testimony in the file named HB169\_TESTIMONY\_JHA\_02-23-21\_.PDF, opposes HB169 noting that "this bill subjects...misdemeanor statutes to legal challenges based on misuse of prosecutorial discretion", the operative words being "misuse of prosecutorial discretion".

For all of the above reasons and for all of the reasons submitted by the nineteen of twenty opposing parties, I STRONGLY OPPOSE HB169 and I ask that the Hawaii House of Representatives retract HB169 from further consideration.



**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 10:53:20 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jonathan Thomas	Individual	Oppose	No

Comments:

I oppose bill HB169. Adding the act of spreading misinformation to the definition of disorderly conduct can be quite subjective and can easily infringe upon free speech rights. Although I may not agree every idea floating around right now, the sharing of those opinions, whether false or not, is what makes our country quite remarkable. The freedom to express our ideas needs to be protected not punished.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 10:59:21 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Krista Thomas	Individual	Oppose	No

Comments:

I STRONGLY oppose bill HB 169. Who gets to be the one to determine what is "false" or "misleading" or what someone else's intent was on sharing information? When we subjectively police and/or monitor "false" or "misleading" information we place a very unhealthy amount of power on those who are set apart as official authority - encouraging censorship and our countries right to freedom of speech. We are all capable of sifting through information and deciding for ourselves what is true and what is false. We do not need government stepping in and policing to decide what truth is for us. Government is way overstepping it's bounds on this bill which is a direct attack on freedom of speech.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 11:02:59 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kristofor gellert	Individual	Oppose	No

Comments:

I oppose this unconstitutional bill because it violates our freedom of speech. We may chose to express our first amendment rights in anyway we chose.

**LATE**

**HB-169-HD-1**

Submitted on: 3/29/2021 11:16:53 PM  
Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Yeung Yeung Yu	Individual	Oppose	No

Comments:

I strongly oppose HB 169 and I ask the Hawaii House of Representatives to retract it from further consideration. This proposed bill violates the first amendment of our constitution --- "Congress shall make no law... abridging the freedom of speech or of the press..."

Though seemingly couched in academic and technical language , the content and wording are very confusing, thereby subjecting this bill to a wide range of interpretation and misinterpretation and hence resulting in various enforcements that merely serve to tyrannize citizens and shut down their voices. I wonder how and why this bill was even written. It's just a waste of the taxpayer's money.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 12:03:30 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
James Inouye	Individual	Oppose	No

Comments:

I am not a brilliant guy, but even I know that this bill infringes on the first ammendment right of free speech. What are you people thinking or do you have the capacity to think? We are allowed to lie all day, all of the time if that is what we wish to do. I do not believe we have such a thing as the speech police and I don't believe we elected you bozos to be such. What is next, the thought police? Oh, my bad. We already have that in Washington. I oppose this bill and I hope you elected officials will do the right thing and oppose it also. Thank you.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 12:39:10 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
carla favata	Individual	Oppose	No

Comments:

Stop with this nonsense. Who is deciding what is considered misinformation? I oppose this.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 3:13:27 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ramon Maui Quizon	Individual	Oppose	No

Comments:

HB169 (Amends the offense of disorderly conduct to include engaging in conduct with the intent to convey certain false or misleading information) I OPPOSE this bill.

This bill is all over the place, but ultimately it violates free speech and freedom to assemble peacefully.

If passed, this bill would give authorities the power to cite citizens exercising their 1st Amendment rights for, in some bureaucrat's opinion, "any conduct with the intent to convey false or misleading information under circumstances in which the information: May reasonably be believed." Then who decides what is misleading information? The government? This is exactly what Big Tech and the media did in the 2020 elections, now our Legislators want to make it law?

This bill would also criminalize anyone, "Subjects another person to offensively coarse behavior or abusive language that is likely to provoke a violent response." Who interprets "Offensive coarse behavior"? All of us have lost our cool at one time and said things that we would normally not say when calm. Now an outburst like that could get you fined? What if I say something to my neighbor who believes it is "offensive and course," they would have the right to call police and have me charged?

Then there is this the attack on our vulnerable homeless: "A person impedes or obstructs, for the purpose of begging or soliciting alms, any person in any public place or in any place open to the public." This will negatively impact homeless people, and put them at risk of being jailed for their inability to pay the fine associated with any citation issued.

This bill is not "Pono," there is no "Aloha" in it. This bill violates the 1st Amendment and more. I value free speech, the freedom to protest, and believe our vulnerable homeless should not be targeted because they are homeless.

I urge the committee to vote NO on HB169.

v/r,

R.MAUI QUIZON, Mililani Mauka



**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 3:39:34 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Amy Marie Long	Individual	Oppose	No

Comments:

This is embarrassing to be at a place today when we have politicians pushing acts for police officers to arrest anyone who has a free right to speech. Who is to say who is right or wrong in this world on topics, and it is not in any interest to the public to allow armed officers the right to restrict any person wanting to express themselves. Everyone has a right to free speech and everyone should have a right to listen to any perspective(s) to help conclude their own. Any politician pushing for this authoritative control over the public and against free speech should be ashamed of themselves!

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 7:16:36 AM  
Testimony for JDC on 3/30/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Maiko Leslie	Individual	Oppose	No

Comments:

I strongly oppose to this HB 169

This is United State of America . Already during this "pandemic " the govonor has been breaking the law " constituon " for tyranny use of "emergency order " . We the people and government must respect the constituion of this country. Which says The First Ammendmet to the united states concitoun prevents the gocerment from making law which regulate an establishment of religion ,orthat would prohibit hte free exercise of religion ,or abridge the freedom of speech , the freedom ofthe press , the freedom of assembly ,or the right to petitoin the government for redress of grievences. It was adopted on 1971 ,of December 15, as one of the 10 amendments that constitute the Bill of Rights.

There should be a place where the people can challenge the goverment and express our rights safely than goverment controlling the community , how to think, how to live, how to behave . The goverment and police took an oath to work for the people , not to take force to each others profits amd agenda. The public opions , gathering should be taking considered to eache matters and lisiten to the public opions so the goverment and the police can lead us people insted of being fearful of differnt opions and gathering

If you surpress the free thinking of the people ,control their behavior there will be more violence and more riots . There should always be a civil place , safe place to the citizen of Hawaii to speak frreely to the goverment and to the Police.

As now, according to the March 20th event that took. place in Kapiolaniu park. Honolulu police officers handeling the peaceful rally , gathering was not right. The familes were not needed to use force and the arrest was not needed . If this was a demonstration of showing the control and the power to the people , again it is important that this HB169 should not go through.

WHO DO YOU WORK FOR ????  
PLEASE think about the oath you took , and serve right to the people in Hawaii , under the Constitution of America and Hawaii.

I oppose to this HB 169 and the compaion to SB395.

Thank you.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 7:47:53 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jemaa kealoha	Individual	Oppose	No

Comments:

I strongly oppose this bill for it infringes on our rights to peaceful free speech.  
Thank you.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 8:16:24 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Leona Souza	Individual	Oppose	No

Comments:

The section

***"A person engages in any conduct with the intent to convey false or misleading information under circumstances in which the information may reasonably be believed. "***

***This is an ATTACK on free speech. Define who determines "false or misleading". Everyone has a right to their opinion. It's up to others in what their take on it is. Not up to the government to decide.***

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 8:25:49 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Donna P. Van Osdol	Individual	Oppose	No

Comments:

Dear Members of the Committee:

While I know my testimony comes very late, I nonetheless want to express my objection to this bill. More importantly, I want to clearly state that my members respect our officers in blue as well as any other first responder because we know the importance of their presence in our communities.

However, this bill goes against our Freedom of Speech because what one person may consider misleading information another may consider truth. I highly doubt anyone can clearly define what misleading information is.

I also want to reiterate that 99.99% of the unrest, violence, disrespect, and vulgar language displayed at all of the riots were done by socialist and communistic groups, and NOT peace-loving Americans who abide by our laws such as myself.

We also have the right to a peaceful assembly, and as our elected officials who have sworn an oath to abide by our Constitution you need to make sure you are not violating any part of it. I see this bill as an attempt to take away our ability to a peaceful assembly.

Thank you for your time and consideration. Kill this dangerous bill.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 8:27:47 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dewi Maile Lim	Individual	Oppose	No

Comments:

This bill is intended to cite protestors and reads: "*A person engages in any conduct with the intent to convey false or misleading information under circumstances in which the information: May reasonably be believed*".

Who is to say what is misleading or not? What happened to freedom of speech?

There is also this: A person *subjects another person to offensively coarse behavior or abusive language [which] that is likely to provoke a violent response.*

Who interprets "Offensive coarse behavior"? To me, this is all about silencing dissent.

There is also this: A person *impedes or obstructs, for the purpose of begging or soliciting alms, any person in any public place or in any place open to the public.* This will cite homeless people. What good does this do to help address the growing issue of homelessness in Hawaii?

This bill and any other to come that impedes on people's right to share their opinions and in many cases, FACTS, is one more step in the direction into total tyranny.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 8:46:59 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joshua Peralta	Individual	Oppose	No

Comments:

This is a direct attack on our 1st amendment free speech rights.



**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 8:33:39 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jacob Medina	Individual	Oppose	No

Comments:

I respectfully oppose HB 169. The following clauses are infringements on free speech and opinion:

(f) Engages with any conduct with the intent to convey false or misleading information under circumstances in which the information:

(i) May be reasonably believed; and

(ii) Indicates that an activity has taken, is taking, **or will take place** that **COULD** result in death, bodily injury, or property damage, through use of a firearm or widely dangerous means.

This is completely subjective and many activities **COULD** result in death, bodily injury, or property damage. Furthermore it is becoming increasingly harder to determine what information is misinformation and no one should be held responsible for the actions of others. If someone commits a crime they are accountable for their own actions. This bill is unconstitutional and would move us into dangerous territory.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 8:48:14 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

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

Comments:

This is a direct attack on our 1st amendment free speech rights.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 8:48:59 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

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

Comments:

This is a direct attack on our 1st amendment free speech rights.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 8:51:08 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kyle LaBenz	Individual	Oppose	No

Comments:

This is a direct attack on our 1st amendment free speech rights.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 8:54:21 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

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

Comments:

I strongly oppose HB 169. Read your founding documents - the US Constitution is a part of the Hawaii Constitution forming a government for the people and by the people. This bill is fundamentally unconstitutional at its core. The US Bill of Rights and especially the First Amendment are reserved for the people that formed the government and given to us by God - THEY STAND OUTSIDE OF GOVERNMENT PERIOD. Anyone who votes yes (aye) for this bill is violating his/her oath of office!! All of you who belong in office please vote no. Thank you.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 9:27:09 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Megan Pearl	Individual	Oppose	No

Comments:

I oppose this very dangerous and unconstitutional bill. This bill if passed will give the Honolulu Police Department the authority to arrest those that engage in their or the government's definition of "misinformation." This is a direct breach of the first amendment of the constitution without question. People will not be allowed to exercise their freedom to protest or post anything on social media that goes against the government definition. Which, by definition, is communism, tyranny, dictatorship. I Oppose this unconstitutional bill.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 9:33:55 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ali Ameden	Individual	Oppose	No

Comments:

This proposal is so vague it makes no sense. It just another mechanism to control and harrass the citizens. Why don't you people ever propose something to help US! The PEOPLE you are supposed to be serving? You have lost your way and the meaning of what a public servant is.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 9:43:28 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Angelika Whitecliff	Individual	Oppose	No

Comments:

I strongly oppose Bill 169. Who decides what is “misleading information”? Who interprets “coarse behavior” or “abusive language”? This ambiguous language opens the door for constitutional violations. Further, our homeless population should be helped, not cited for begging. This is unchristian and not representative of the values of our community. I strongly stand against this bill which has the tainted seed of a burgeoning communist ideology.



**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 11:36:09 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Corine Tilson	Individual	Oppose	No

Comments:

I oppose HB169. Hawaii legislators need to remember the rights we have that guarantees freedom of speech! You do not get to decide what's "misleading", WE THE PEOPLE will decide. Censorship is simply more tyranny. PLEASE, see where this blatant disregard of our 1st amendment is going and OPPOSE HB169

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 11:46:09 AM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Deirdre Madrid	Individual	Oppose	No

Comments:

This is in direct contradiction with our first amendment of the US Constitution.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 12:21:28 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sarah Daigle	Individual	Oppose	No

Comments:

This is not okay. Who decides and defines what false or misleading information is? That's a very vague claim, considering there are lots of false truths, half truths and straight-out lies being thrown around from every side, every professional right now. My vote is no.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 12:35:12 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Salla	Individual	Oppose	No

Comments:

I strongly oppose Bill 169. Who decides what is “misleading information”? Who interprets “coarse behavior” or “abusive language”? This ambiguous language opens the door for constitutional violations. Further, our homeless population should be helped, not cited for begging. This is unchristian and not representative of the values of our community. I strongly stand against this bill which has the tainted seed of a burgeoning communist ideology.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 8:34:29 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ginger Amaral	Individual	Oppose	No

Comments:

This is a very dangerous bill that needs to be disposed of. Don't let Hawaii turn into a communist mess that doesn't allow for free speech. Everyone has an opinion and the citizens should be able to decide for themselves which view they believe in. The beauty of being an American!

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 9:16:01 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kamea Makamae	Individual	Oppose	No

Comments:

I am in opposition of this bill, it is unconstitutional to allow anyone to restrict a free person their right to free speech. This government is far reaching its job which is to represent the people of Hawaii, you work for us not the opposite. HPD should be concentrating on real crimes, not being used to enforce unconstitutional laws.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 9:19:02 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Maureen Walsh	Individual	Oppose	No

Comments:

I strongly disagree with this bill. The principles that this country was founded on are being stripped away under the guise of safety. It's hard to trust what is considered misleading information when the people in charge- especially during this current pandemic- have gone back on their word, flipped flopped on mandates and what is considered "science" and have gone after anyone asking questions or speaking out. This is wrong. Giving more power to the police in this arena when there is so much crime on the island that gets overlooked is absurd. I pray that the truth comes to light and people remember what values this county was built upon.

**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 9:52:17 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jenna Murad	Individual	Oppose	No

Comments:

Hi strongly oppose HB169 for it's attack upon individual freedoms as stated in our US Constituon to peacefully assemble. All who vote for this I'll condtder an enemy of freedom and the principles thus country was founded on and will work hard to let everyone know who dies not support the constitution. Our freedoms are citizens are at risk and it's our public servants job to uphold the oaths they swore on. Please do what's right.



**LATE**

**HB-169-HD-1**

Submitted on: 3/30/2021 10:10:54 PM

Testimony for JDC on 3/30/2021 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michelle Wong	Individual	Oppose	No

Comments:

I strongly **oppose** HB169. Unconstitutional.