



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTY-FIRST LEGISLATURE, 2021**

ON THE FOLLOWING MEASURE:
S.B. NO. 726, RELATING TO POLICING.

BEFORE THE:
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

DATE: Tuesday, April 6, 2021 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 325, Via Videoconference

TESTIFIER(S): Clare E. Connors, Attorney General, or
Albert Cook, Deputy Attorney General

Chair Nakashima and Members of the Committee:

The Department of the Attorney General (the Department) opposes this bill.

This bill prohibits law enforcement officers in all circumstances from serving a legal warrant without audibly declaring the officers' office and business and waiting at least thirty seconds prior to entry into a house, store, or other building for the purpose of serving a warrant. It also requires an officer who is serving a warrant to be in uniform, and it prohibits an officer serving a warrant from obscuring or concealing the officer's office in the process of serving a warrant.

Executing a warrant is one of the most dangerous activities for law enforcement officers. Officers are more likely to be shot or killed while executing search warrants than almost any other duty. <https://www.msn.com/en-us/news/crime/police-fbi-agent-shot-while-serving-a-warrant-in-sunrise/ar-BB1djLwN>. When officers execute a warrant, they do not know who is on the other side of the door, whether they are armed, under the influence of drugs, or emotionally unstable. Therefore, allowing law enforcement officers flexibility in executing warrants allows the officers the best opportunity to do their job safely and effectively.

Section 803-11, Hawaii Revised Statutes (HRS), requires an officer serving an arrest warrant to "demand entrance in a loud voice, and state that the officer . . . is the bearer of a warrant of arrest[.]" Section 803-37, HRS, allows an officer serving a legal search warrant to enter a residence with an open door; however, if the door is closed, section 803-37 requires an officer to "declare the officer's office and the officer's

business and demand entrance[]” and only if the door is then not opened is the officer allowed to enter by force.

The Hawaii Supreme Court has added the additional protection for the resident that “when the police demand entrance to a person’s home pursuant to a search warrant, they are constitutionally required to afford the occupants of the home a ‘reasonable time’ to respond before forcing entry.” State v. Naeole, 148 Haw. 243, 470 P.3d 1120, 1122 (2020) (internal citations omitted). The Court went on to explain that it declined to set a bright-line rule on what a “reasonable time” would be in every circumstance, as this bill attempts to do.

“[W]hat would constitute a reasonable period of time to respond to a knock and announcement must be determined by the circumstances of each case.” Monay, 85 Hawai‘i at 284, 943 P.2d at 910 (quoting Garcia, 77 Hawai‘i at 468, 887 P.2d at 678). Pursuant to our constitution, we have not adopted a general or “bright-line” rule for what constitutes a reasonable amount of time in all cases, or even in a subset of cases, as is urged by the parties in this case. Rather, our appellate courts have appropriately determined what constitutes a reasonable period of time by considering the totality of the circumstances in each individual case. Cf. United States v. Banks, 540 U.S. 31, 36, 124 S.Ct. 521, 157 L.Ed.2d 343 (2003) (“***W******e have treated reasonableness as a function of the facts of cases so various that no template is likely to produce sounder results than examining the totality of the circumstances in a given case***; it is too hard to invent categories without giving short shrift to details that turn out to be important in a given instance, and without inflating marginal ones.”).

State v. Naeole, 148 Haw. 243, 470 P.3d 1120, 1125 (2020) (emphasis added).

The Hawaii Supreme Court has also found it to be an unlawful breaking where the serving officer used force to prevent a door from being closed and failed to expressly demand entrance. In State v. Harada, 98 Haw. 18, 29, 41 P.3d 174, 185 (2002), the Court found even though the door was opened by Harada, because the officers used force to keep Harada from closing the door, without expressly declaring their office, their business, and demanding entrance, it was an unlawful breaking in violation of the knock and announce rule.

Therefore, there are already sufficient constitutional protections in place for persons upon whom a warrant must be served, and adding the blanket thirty-second waiting period proposed by this bill would give suspects in all circumstances the opportunity to destroy evidence and/or avoid a lawful arrest.

Given the Hawaii Supreme Court's interpretation of sections 803-11 and 803-37, HRS, the requirement of a thirty-second waiting period under all circumstances before entering a residence to execute a warrant is unnecessary and creates greater risk to officer safety and the successful recovery of evidence in criminal cases.

The Department opposes this bill and requests it be held.

STATE OF HAWAI‘I
OFFICE OF THE PUBLIC DEFENDER

**Testimony of the Office of the Public Defender,
State of Hawai‘i to the House Committee on
Judiciary and Hawaiian Affairs**

April 6, 2021

S.B. No. 726: RELATING TO POLICING

Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee:

The Office of the Public Defender supports S.B. No. 726.

The purpose of the search and seizure provision of the Hawai‘i Constitution, and the fourth amendment to the United States Constitution, is to “safeguard individuals from the arbitrary, oppressive, and harassing conduct of government officials. *The knock-and-announce rule is one mechanism that protects this right. Its purpose is to give the person time to respond, avoid violence and protect privacy as much as possible.*

State v. Naeole, 148 Hawai‘i 243, ___, 470 P.3d 1120, 1124 (2020) (citations omitted) (emphasis added).

Currently, when the officer charged with the execution of a search warrant finds that the doors of the place to be searched are shut, HRS § 803-37 requires three steps before the officer may physically break into the place to be searched: (1) the officer state his/her office; (2) the officer state his/her business; and (3) the officer demand entrance.

We generally support this bill, which seeks to require additional measures to safeguard individuals from oppressive and harassing conduct of government officials. Officers serving warrants should do in uniform, and officers’ agency should be prominently displayed. However, we do have concerns with the “thirty seconds” requirement, which is proposed by this measure.

In State v. Naeole, supra, the police officers at approximately 6:15 a.m. conducted the knock-and-announce procedure four times within a span of about *twenty-five (25) seconds* without any discernable pause between each knock on the defendant’s

modestly sized residence. The Hawai‘i Supreme Court held that giving the defendant only twenty-five seconds to respond at such an early morning hour was unreasonable.

Based on State v. Naeole, the police are forbidden from breaking down doors, gates, or other bars to the entrance if they are not “immediately” opened. However, waiting thirty seconds prior to entry may not be a reasonable amount of time depending on the circumstances, especially if the officer is executing the warrant in the early morning hours or if the residence is a multi-story “monster” house. The Hawai‘i appellate courts have consistently refused to adopt a general or “bright-line” rule for what constitutes a reasonable amount of time in all cases, or even a subset of cases. The Hawai‘i Supreme Court has repeatedly held, “What would constitute a reasonable period of time to respond to a knock and announcement ***must be determined by the circumstances of each case.***” Therefore, requiring a “bright-line” waiting period of thirty seconds, under certain circumstances, may be unconstitutional.

What is a reasonable amount of time for the officers to wait before forcibly entering a residence? As stated above, one of the purposes of knock-and-announce is to give the resident time to respond. Therefore, paraphrasing a supreme court justice’s remarks during the oral argument in State v. Naeole, ***a reasonable amount of time is enough time to give the resident an opportunity to surrender his/her privacy (i.e., open the door).*** Because the amount of time for a resident to respond to a knock-and-announce depends on the time of day, the size of the residence, and other circumstances unique to the situation, this legislature should follow the supreme court and decline to adopt a “bright line” time period. Instead, the phrases, “wait at least thirty seconds” (page 1, line 7 and page 3, line 2), “waiting at least thirty seconds” (page 2, line 12 and page 5, line 9), and “within thirty seconds” (page 3, line 6) should be replaced with the following phrases: “wait a reasonable time,” “waiting a reasonable time,” and “within a reasonable time.”

Finally, we would also like to take this opportunity to urge this committee to require the officers serving the warrant to not only do so in uniform but also to be ***equipped with operable body worn cameras***, as we believe that each county police are equipped with such cameras. Using body worn cameras will certainly strengthen police accountability, enhance transparency, and further the intent of this measure.

Thank you for the opportunity to comment on S.B. No. 726.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

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PROSECUTING ATTORNEY



THOMAS J. BRADY
FIRST DEPUTY
PROSECUTING ATTORNEY

THE HONORABLE MARK M. NAKASHIMA, CHAIR
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
Thirty-first State Legislature
Regular Session of 2021
State of Hawai`i

April 6, 2021

RE: S.B. 726, RELATING TO POLICING.

Chair Nakashima, Vice Chair Matayoshi, and members of the House Committee on Judiciary and Hawaiian Affairs, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”) submits the following testimony, **expressing concerns** regarding S.B. 726.

The purpose of S.B. 726 is to prohibit “no knock warrants” and require law enforcement officers to declare their business and wait at least thirty seconds before entering a house, store, or other building for the purpose of serving a warrant. Our concerns are as follows:

No-knock warrants

It is unclear where the reference to “no-knock warrants” originated from, as we were unable to find any statutory authority for this in either the Hawaii Revised Statutes or Hawaii Rules of Penal Procedure. As such, this provision appears to be unnecessary.

Thirty seconds

The Department is concerned that setting a specific waiting period is overly restrictive, beyond that which is necessary to ensure the public’s constitutional rights and protections. In June 2020, the Hawaii Supreme Court issued an opinion in *State v. Naeole*, 148 Haw. 243, 470 P.3d 1120 (2020), which struck down a search warrant in which the officers waited 25 seconds, but that was based on a “totality of the circumstances” assessment, rather than a set time limit.

What would constitute a reasonable period of time to respond to a knock and announcement must be determined by the circumstances of each case. Pursuant to our constitution, **we have not adopted a general or “bright-line” rule for what constitutes a reasonable amount of time in all**

cases, or even in a subset of cases, as is urged by the parties in this case. Rather, our appellate courts have appropriately determined what constitutes a reasonable period of time by considering the totality of the circumstances in each individual case.

We have treated reasonableness as a function of the facts of cases so various that no template is likely to produce sounder results than examining the totality of the circumstances in a given case; it is too hard to invent categories without giving short shrift to details that turn out to be important in a given instance, and without inflating marginal ones.¹

The Court’s opinion in *Naeole* specifically cited to *State v. Diaz*, a prior case in which police officers executed a search warrant at a video store at approximately 6:45 p.m., during the store’s regular business hours, and waited only fifteen seconds before breaking into an office door. 100 Hawai‘i at 213, 58 P.3d at 1260. In finding that fifteen seconds was appropriate and constitutional under those circumstances, the court considered exigent circumstances:

Exigent circumstances are those under which the demands of the occasion reasonably call for an immediate police response. Such circumstances exist where there is an imminent threat of harm to a person, where there is a danger of serious property damage, where a suspect is likely to escape, or where evidence is likely to be removed or destroyed. Since drugs are by their nature easily destroyed or secreted, exigent circumstances in cases involving searches for drugs exist when the facts show that the occupants of the suspected locale are aware of the police presence and are taking steps which the police realistically fear may lead to destruction of the contraband.²

Thus, while thirty seconds may seem to be a reasonable amount of time for officers to wait in most cases, there is no “one size fits all” appropriate to establish a minimum time frame.

Uniforms

While we understand the concern about plainclothes officers potentially serving search warrants, we would also note that specialized units such as SWAT occasionally serve warrants in unusually dangerous circumstances—such as large-scale drug raids—for which they may wear various degrees of tactical gear, such as body armor, reinforced helmets, etc. Such gear is provided and maintained by the police department, and is crucial for the officers’ safety, but does not resemble standard-issue police uniforms. In light of this, we strongly encourage the Committee to ensure that such gear would be permissible for service of warrants.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu expresses concerns regarding the passage of S.B. 726, and asks that this Committee defer the bill. Thank you for the opportunity to testify on this matter.

¹ *State v. Naeole*, 148 Haw. 243, 470 P.3d 1120 (2020). Emphasis added; internal citations and formatting omitted.

² *Id.* Internal citations and formatting omitted.

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Lihu'e, Kaua'i, Hawaii 96766

April 5, 2021

TESTIMONY OF FELICIA COWDEN
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON
SB 726, RELATING TO POLICING
Senate Committee on Judiciary & Hawaiian Affairs
Tuesday, April 6, 2021
2:00 p.m.
Via Videoconference
Conference Room 325

Dear Chair Nakashima and Members of the Committee:

Thank you for this opportunity to provide testimony in SUPPORT of SB 726, Relating to Policing. My testimony is submitted in my individual capacity as a Member of the Kaua'i County Council.

SB 726 will prohibit the issuance of warrants that permit entry by an officer to a house, store, or other building without first audibly declaring the officer's office and business, including no-knock warrants. SB 726 will also require law enforcement officers serving an arrest warrant at a house or a search warrant at a house, store, or other building to audibly declare the officer's office and business and wait at least thirty (30) seconds for compliance before entry. SB 726 also requires officers serving a warrant to do so in uniform.

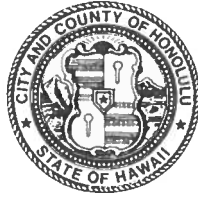
Mahalo for considering my testimony and the work on this important bill. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via E-mail to cokcouncil@kauai.gov.

Sincerely,

FELICIA COWDEN
Councilmember, Kaua'i County Council

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
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CHIEF

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DEPUTY CHIEFS

OUR REFERENCE **SP-JK**

April 6, 2021

The Honorable Mark M. Nakashima, Chair
and Members
Committee on Judiciary and Hawaiian Affairs
House of Representatives
Hawaii State Capitol
415 South Beretania Street, Room 325
Honolulu, Hawaii 96813

Dear Chair Nakashima and Members:

SUBJECT: Senate Bill 726, Relating to Policing

I am Acting Major Shellie Paiva of the Specialized Services Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD opposes Senate Bill 726, Relating to Policing. This bill would require officers serving warrants to first audibly declare their office and business and then wait for at least thirty seconds for compliance before entering a house, store, or other building. Officers serving warrants would also be required to do so in uniform.

The HPD standard is to knock and announce when serving warrants, as required by Hawaii Revised Statutes Section 803-37, power of officer serving. HPD officers are trained when serving warrants to knock three times, declare that they are police and have a search warrant, and then demand entrance. This is done a minimum of three times and is continually announced before, during, and after entry is made. There are also ample safeguards in the process of obtaining warrants to ensure that they are issued only when fully justified. Requests for warrants by the HPD must be vetted and approved by the Department of the Prosecuting Attorney, and final approval must be obtained from a judge.

The thirty-second requirement to wait for compliance can prove to be fatal to officers serving warrants or afford time for evidence to be destroyed. There are many factors that present themselves during an investigation and in the early planning stages of the execution of a warrant that can make thirty seconds for entry extremely hazardous. Some of these factors include the type of crime; possession of firearms or other dangerous weapons; type of evidence being sought in the search warrant; suspect's criminal, drug, and mental

The Honorable Mark M. Nakashima, Chair
and Members
April 6, 2021
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history; size and type of residence/building; number of people within the location; the interior layout of the location; surveillance cameras; etc.

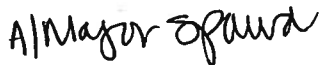
The Hawaii Supreme Court has ruled that the amount of time officers must wait for a response before breaching a door depends on the totality of the circumstances. Exigent circumstances that would allow immediate police response includes imminent threat of harm to a person or danger of serious property damage, where a suspect is likely to escape, or where evidence is likely to be removed or destroyed. It would be detrimental to the safety of the officers and the community to standardize the wait time when no two situations will ever be the same. All of these factors and other variables established in each situation should determine the reasonable amount of wait time before entry after officers identify their office and business and demand entry.

As far as the uniform requirement, the HPD has many different investigative divisions and units that have their own authorized uniform. However, all officers must follow policy when it comes to their presence in public. Regardless of which division or unit they are assigned to, all officers must have their badge displayed and possess body armor, authorized firearm, police identification card, and handcuffs on their person whenever they are engaged in duties that could expose them to injury from a weapon.


The HPD respectfully opposes Senate Bill 726, Relating to Policing.

Thank you for the opportunity to testify.

Sincerely,


Shellie Paiva, Acting Major
Specialized Services Division

APPROVED:


Susan Ballard
Chief of Police

TESTIMONY IN SUPPORT OF SB 726

TO: Chair Nakashima, Vice-Chair Matayoshi, and Judiciary & Hawaiian Affairs Committee

FROM: Nikos Leverenz
Grants, Development & Policy Manager

DATE: April 6, 2021 (2:00 PM)

Hawai'i Health & Harm Reduction Center (HHRC) **strongly supports** SB 726, which would explicitly ban “no knock” warrants and require officers to wait at least 30 seconds before entering a house, store, or other building when executing a warrant. It would also require officers to execute warrants in uniform.

This bill can help forestall otherwise preventable injury and deaths of residents and state and local law enforcement. The states of Virginia, Oregon, and Florida currently ban the use of no-knock warrants, with Virginia enacting its statute in a special session late last year.

A 2014 report from the American Civil Liberties Union notes how the no-knock warrant in drug enforcement actions has eroded the “knock-and-announce” rule:

Drug cases often provide police with vast discretion to use forced entry into a person’s home to execute a search warrant. Even when a court finds that the police have violated the knock-and-announce rule, the Supreme Court has held that the prosecution can still use the evidence seized as a result of a subsequent search at trial, significantly diluting the knock-and-announce requirement’s value as a deterrent to police overreach. (“[War Comes Home: The Excessive Militarization of American Policing](#),” at p. 24.)

Utah, which collects and disseminates data regarding police entry raids, [confirms that no-knock raids are mostly used in narcotics enforcement](#). This was also the case of the death of Breonna Taylor in Louisville, Kentucky, in March of last year, which has precipitated the introduction of measures like this bill in [more than two dozen state and local jurisdictions](#).

A number of officer-involved shootings in Hawai'i, [which have significantly increased in recent years](#), have featured plain clothes officers. This heightens the risk of serious injury and death to residents and officers. (See, e.g., Christina Jedra, “[Honolulu Sued Over Fatal Police Shooting of Waianae Man](#),”

Honolulu Civil Beat, July 2, 2020; Yoohyn Jung, "[Honolulu Police Official Says Suspect Shot Because 'He was not Compliant'](#)," *Honolulu Civil Beat*, January 7, 2020; "[HPD Officer, Man Injured in Shooting Near Pokai Bay](#)," KITV, July 30, 2019; Yoohyn Jung, "[Robbery Suspect Fatally Shot in Fifth Honolulu Officer-Involved Shooting of the Year](#)," *Honolulu Civil Beat*, November 13, 2019; "[Officer Involved Shooting Reported in Glenwood](#)," *West Hawai'i Today*, November 20, 2019; John Burnett, "[Document Details KTA Shooting, Names Officers Involved](#)," *Hawai'i Tribune-Herald*, December 6, 2019.)

Last year the New York Police Department disbanded plain clothes units that "were involved in a disproportionate number of civilian complaints and fatal shootings by police." (Ali Watkins, "[N.Y.P.D. Disbands Plainclothes Units Involved in Many Shootings](#)," *New York Times*, June 15, 2020.)

As the Office of Hawaiian Affairs has extensively noted, [the current punitive approach to drug use falls particularly hard on Native Hawaiians](#), who do not use drugs at a drastically different rates than other races and ethnicities but go to prison for drug offenses at a higher rate. Police practices, prosecutorial practices, and sentencing structures contribute to this ongoing disparity. A punitive approach to drug use also includes an unduly large probation population that has [the highest average term in the nation at almost five years](#), according a recent report from the Pew Charitable Trusts.

The American Public Health Association (APHA) has observed that "substance use mistreatment is too often unavailable or unaffordable for people who want it. A criminal justice response, including requiring arrest to access health services, is ineffective and leads to other public health problems." APHA instead recommends "ending the criminalization of drugs and drug consumers, prioritizing proven treatment and harm reduction strategies, and expanding (and removing barriers to) treatment and harm reduction services." (Policy Statement, "[Defining and Implementing a Public Health Response to Drug Use and Misuse](#).")

HHRC's mission is to reduce harm, promote health, create wellness, and fight stigma in Hawai'i and the Pacific. We work with many individuals who are impacted by poverty, housing instability, and other social determinants of health. Many have behavioral health problems, including those relating to substance use and underlying mental health conditions. Many of our clients and participants have been deeply impacted by trauma, including histories of physical, sexual, and psychological abuse.

Thank you for the opportunity to testify on this important measure.



Dedicated to safe, responsible, humane and effective drug policies since 1993

TESTIMONY IN SUPPORT OF SB 726

TO: Chair Nakashima, Vice Chair Matayoshi, &
Judiciary & Hawaiian Affairs Committee Members

FROM: Nikos Leverenz
DPFH Board President

DATE: April 6, 2021 (2:00 PM)

Drug Policy Forum of Hawai'i (DPFH) supports SB 726, which would explicitly ban no-knock warrants and require officers to wait at least 30 seconds before entering a house, store, or other building when executing a warrant. It would also require officers to execute warrants in uniform.

Three states currently ban no-knock warrants: Oregon, Florida, and Virginia. Hawai'i should join them as a matter of law and practice. More than two dozen jurisdictions have introduced measures like this after the killing of Breonna Taylor in Louisville, Kentucky.

On a national level, most no-knock police entry raids are used in narcotics enforcement. A March 2017 New York Times investigation, [which uncovered the deaths of at least 81 civilians and 13 law enforcement officers between 2010 and 2016 due to forced entry raids](#), underscored the grim reality in many jurisdictions:

As policing has militarized to fight a faltering war on drugs, few tactics have proved as dangerous as the use of forcible-entry raids to serve narcotics search warrants, which regularly introduce staggering levels of violence into missions that might be accomplished through patient stakeouts or simple knocks at the door.... Forcible-entry methods have become common practice over the last quarter century through a confluence of the war on drugs, the rise of special weapons and tactics squads, and Supreme Court rulings that have eroded Fourth Amendment protections against unreasonable searches.

A 2014 report by the ACLU notes how [the aggressive enforcement of the drug war, including the use of forced-entry raids, has become more prevalent even though a punitive approach to drugs is increasingly at odds with public opinion](#):

The routine use of heavily armed SWAT teams to search people's homes for drugs [means] that law enforcement agencies across the country are using this hyper-aggressive form of domestic policing to fight a war that has waning public support and has harmed, much more than helped, communities.

As the Office of Hawaiian Affairs has extensively noted over many years, Native Hawaiians are disproportionately impacted by the operations of this state's criminal legal system. [This includes the current punitive approach to drug use](#). Native Hawaiians do not use drugs at a drastically different rates than other races and ethnicities but go to prison for drug offenses at a higher rate. Police practices, prosecutorial practices, and sentencing structures contribute to this ongoing disparity. A punitive approach to drug use also includes an unduly large probation population that has [the highest average term in the nation at almost five years](#), according a recent report from the Pew Charitable Trusts.

In contrast to a punitive approach, DPFH supports the position of the American Public Health Association in "[ending the criminalization of drugs and drug consumers, prioritizing proven treatment and harm reduction strategies, and expanding \(and removing barriers to\) treatment and harm reduction services](#)."

Thank you for the opportunity to provide testimony.



Young Progressives Demanding Action
P.O. Box 11105
Honolulu, HI 96828

April 5, 2021

TO: HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
RE: Testimony in support of SB726

Dear Representatives,

Young Progressives Demanding Action (YPDA) strongly supports SB726. This bill explicitly bans “no-knock” warrants and requires officers to wait at least 30 seconds before entering a house, store, or other building when executing a warrant. It also requires officers to execute warrants in uniform.

No-knock raids are searches in which a law enforcement officer or officers forcibly enter a dwelling without knocking or announcing their presence. In most states, judges may grant what are called “no-knock warrants,” which pre-authorize these raids. Quick-knock raids are where police still knock and announce themselves when executing a warrant, but they leave very little time after doing so before they forcibly enter the premises.

No-knock and quick-knock raids are often used in conjunction with military-grade equipment and rely on surprise. They are often executed late at night or early in the morning. This frequently leads to violent interactions between police and people who reasonably assume that the intruders invading their home are there to burglarize or harm them and react defensively.

This is what occurred on March 14, 2020, when police murdered Breonna Taylor, a 26-year-old Black medical worker, in her home in Louisville Kentucky during a botched no-knock raid. Taylor’s murder helped re-energize the movement to reform our law enforcement and criminal-legal system, and renewed calls to end systemic racism in our police forces and throughout society. However, Taylor is only one of the most recent victims of no-knock raids.

The *New York Times* reported that, between 2010–16, 94 people have died during no-knock and quick-knock raids, 81 of whom were members of the public. One case involved 26-year-old

Tarika Wilson, who was holding her toddler son when a SWAT team opened fire into her home, killing her and injuring her son.

Three states have expressly banned no-knock raids and the warrants that authorize them. This type of law is now known as “Breonna’s Law” in Taylor’s honor. Hawai’i should become the next state to ban these raids and their warrants.

Mahalo for the opportunity to testify,

Will Caron
Board President & Secretary
action@ypdahawaii.org

SB-726

Submitted on: 4/5/2021 1:28:29 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Golojuch Jr	LGBT Caucus of the Democratic Party of Hawaii	Support	No

Comments:

Aloha Representatives,

The LGBT Caucus of the Democratic Party of Hawai'i, Hawaii's oldest and largest policy and political LGBTQIA+ focused organization, fully supports Senate Bill 726.

Mahalo nui loa for your time and consideration,

Michael Golojuch, Jr.

Chair

LGBT Caucus of the Democratic Party of Hawai'i



Committee: Committee on Judiciary & Hawaiian Affairs
Hearing Date/Time: Tuesday, April 6, 2021, 2:00 p.m.
Place: Via videoconference
Re: *Testimony of the ACLU of Hawai'i in support of S.B. 726, Relating to Policing*

Dear Chair Nakashima, Vice Chair Matayoshi, and committee members:

The American Civil Liberties Union of Hawai'i (ACLU of Hawai'i) writes **in support of S.B. 726**, which expressly prohibits the use of “no-knock” warrants, requires officers to wait *at least* thirty seconds prior to entering a property when executing a warrant, and requires officers to serve warrants in uniform. To further strengthen this measure and clarify that a court may find that *more than* thirty seconds is required depending on the circumstances of a case, the ACLU of Hawai'i respectfully offers two amendments for the Committee's consideration, which are discussed below.

No-knock warrants should be banned nationwide.

No-knock raids are searches in which a law enforcement officer or officers forcibly enter a dwelling without knocking or announcing their presence. In most states, judges may grant what are called “no-knock warrants,” which pre-authorize these raids. A 2014 report by the national ACLU found that no-knock raids are often used in conjunction with military equipment and weaponry when conducting drug searches.¹ On March 14, 2020, Breonna Taylor, a 26-year-old Black medical worker, was murdered in her home in Louisville, Kentucky, during a botched, no-knock raid by Louisville Metro Police wearing plainclothes. While her death renewed national attention on the issue of no-knock warrants and raids, she is far from the first victim of this practice, which has racist roots and is disproportionately deployed against communities of color, particularly Black communities. In 2009, SWAT officers murdered 26-year-old Tarika Wilson when they broke down her front door and opened fire to her home. She was holding her 14-month-old son when she was killed.² The New York Times reported that between 2010 and 2016, no-knock and quick-knock raids led to the deaths of 94 people, 81 of whom were members

¹ *War Comes Home: The Excessive Militarization of American Policing*, American Civil Liberties Union, (June 2014), <https://www.aclu.org/sites/default/files/assets/jus14-warcomeshome-report-web-rell1.pdf#page=23>.

² Christopher Maag, *Police Shooting of Mother and Infant Exposes a City's Racial Tension*, New York Times (January 30, 2008), <https://www.nytimes.com/2008/01/30/us/30lima.html>.

of the public.³ Because the nature of no-knock quick-knock raids capitalizes on surprise and they are often used late at night or early in the morning, they have a high probability of leading to violent interactions between police and members of the public, when residents reasonably believe the police officers invading their home were there to burglarize them, and react defensively.⁴ In response to the role that no-knock and quick knock raids has played in the murders of innocent people, three states – Oregon, Florida, and Virginia – have expressly banned the use of “no-knock” warrants.

A baseline waiting period of at least thirty seconds should be established.

Hawai‘i statute requires officers to knock and announce themselves before forcing their way into a dwelling.⁵ Article 1, Section 7 of the Hawai‘i State Constitution further requires officers to wait a reasonable period of time prior to forcing entry.⁶ What constitutes a “reasonable” time is determined by the facts of the case.⁷ Hawai‘i courts have found that while fifteen seconds was a reasonable time to wait prior to entering a commercial property during business hours,⁸ more than twenty-five seconds was required when executing a warrant early in the morning at a private residence.⁹ S.B. 726 would change Hawai‘i statute to require officers to wait *at least* thirty seconds before forcing their way into a property to execute a warrant, establishing a baseline rule while also allowing courts to determine that, in considering the circumstances of a particular case, *more time* was required to meet the standard of reasonableness. This is necessary to further protect an occupant’s privacy against unreasonable searches and to ban what are essentially quick-knock raids.

³ Kevin Sack, *Door-Busting Raids Leave a Trail of Blood*, New York Times (March 18, 2017), <https://www.nytimes.com/interactive/2017/03/18/us/forced-entry-warrant-drug-raid.html?smid=pl-share>.

⁴ Dara Lind, *Cops do 20,000 no-knock raids a year. Civilians often pay the price when they go wrong*, Vox (May 15, 2015), <https://www.nytimes.com/interactive/2017/03/18/us/forced-entry-warrant-drug-raid.html?smid=pl-share>.

⁵ Haw. Rev. Stat. HRS § 803-37.

⁶ “The protection against unreasonable searches would mean very little if the police, armed with a search warrant, were authorized to break down the door of someone’s premises unless there was an ‘instant’ response.” *Garcia*, 77 Hawai‘i at 467, 887 P.2d at 677 (quoting *State v. Martinez*, 59 Haw. 366, 368, 580 P.2d 1282, 1284 (1978)).

⁷ “[W]hat would constitute a reasonable period of time to respond to a knock and announcement must be determined by the circumstances of each case.” *State v. Monay*, 85 Haw. 282, 284, 943 P.2d 908, 910 (1997) (quoting *State v. Garcia*, 77 Hawai‘i 461, 887 P.2d 671 (App.1995)).

⁸ *State v. Diaz*, 100 Haw. 210, 58 P.3d 1257 (2002).

⁹ “We hold that giving an occupant only twenty-five seconds to respond at such an early morning hour is unreasonable.” *State v. Naeole*, 148 Haw. 243, 470 P.3d 1120, 1127 (2020).

To clarify that a court could still find that the circumstances in a particular case require *more than* thirty seconds, the ACLU of Hawai'i requests that the Committee amend the language on page 3, line 4-7 to reflect the following:

If the doors, gates, or other bars to the entrance are not [~~immediately~~] opened[~~;~~] within a reasonable time of not less than thirty seconds, the officer may break them.

The ACLU of Hawai'i would also support any additional language that the Committee may deem necessary and appropriate to clarify that, depending on the circumstances of a case, thirty seconds may still be an unreasonably short amount of time and that *more than* thirty seconds may be necessary to protect an occupant's constitutional rights.

Exigent circumstances should be limited to those that are imminently life-threatening.

Under certain circumstances, officers may enter a house *immediately* after the announcement if justified by the presence of exigent circumstances.¹⁰ The Hawai'i Supreme Court has found that exigent circumstances exist where there is 1) an imminent threat of harm to a person, 2) a danger of serious property damage, 3) when a suspect is likely to escape, or 4) where evidence is likely to be removed or destroyed.¹¹ The ACLU of Hawai'i respectfully requests that the bill be amended to limit exigent circumstances to include only those that are imminently life-threatening. This change is necessary to prevent future harm and recognizing that the threat of destroyed evidence is nothing compared to the actual loss of human life resulting from no-knock and quick-knock raids.

For the above reasons, the ACLU of Hawai'i requests that the Committee support this measure.

Thank you for the opportunity to testify.

Sincerely,



Mandy Fernandes
Policy Director
ACLU of Hawai'i

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

¹⁰ *State v. Lloyd*, 61 Haw. 505, 512, 606 P.2d 913, 918 (1980).

¹¹ *Id.*



ADA

HAWAII

AMERICANS FOR DEMOCRATIC ACTION

OFFICERS

John Bickel, President
Alan Burdick, Vice President
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DIRECTORS

Melodie Aduja
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Stephanie Fitzpatrick
Jan Lubin
John Miller
Jenny Nomura
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Lyn Pyle

MAILING ADDRESS

P.O. Box 23404
Honolulu
Hawaii 96823

April 5, 2021

TO: Chair Nakashima and members of Judiciary & Hawaiian Affairs Committee

RE: SB 726 Relating to Policing

Support for hearing on April 6

Americans for Democratic Action is an organization founded in the 1950s by leading supporters of the New Deal and led by Patsy Mink in the 1970s. We are devoted to the promotion of progressive public policies.

We support SB 726 as it would prohibit the issuance of warrants that permit entry by an officer to a house, store, or other building without first audibly declaring the officer's office and business, including no-knock warrants. It requires law enforcement officers serving an arrest warrant at a house or a search warrant at a house, store, or other building to audibly declare the officer's office and business and wait at least thirty seconds for compliance before entry.

I hope we have learned from Breonna Taylor's death that no-knock police entry is just plain stupid.

.

Thank you for your favorable consideration.

Sincerely,

John Bickel, President



COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/E-Mail: (808) 927-1214 / kat.caphi@gmail.com



COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

Rep. Mark Nakashima, Chair

Rep. Scot Matayoshi, Vice Chair

Tuesday, April 6, 2021

2:00 PM

SUPPORT FOR SB 726 - PROHIBITING NO KNOCK WARRANTS

Aloha Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai`i for more than two decades. This testimony is respectfully offered on behalf of the more than 4,100 Hawai`i individuals living behind bars or under the "care and custody" of the Department of Public Safety on any given day. We are always mindful that 1,000 of Hawai`i's imprisoned people are serving their sentences abroad, thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

SB 726 is about how law enforcement interacts with the community. The bill reminds us all to never forget Breonna Taylor, a Black medical worker who was murdered by police who mistakenly entered her home while she was sleeping. This bill prohibits law enforcement from entering a home without first announcing themselves. On page 2, lines 13 to 15 says that *an officer shall not be required to wait if exigent circumstances exist that cause waiting to be hazardous or otherwise impracticable.*

Exigent circumstances are defined as "*circumstances that would cause a reasonable person to believe that entry (or other relevant prompt action) was necessary to prevent physical harm to the officers or other persons, the destruction of relevant evidence, the escape of the suspect, or some other consequence improperly frustrating legitimate law enforcement efforts.*"

This sometimes can come down to a judgement call and therein lies a problem if the definition of exigent circumstances is not narrowed. In the case of drug searches, quick knock raids are justified by things like "sounds of scurrying" or "toilets flushing."

Exigent circumstances should be narrowed to only include those circumstances that are imminently life threatening. Human life is more important than the possible loss of evidence.

An article in the Baltimore Sun¹ cites the Baltimore State’s Attorney directive to her prosecutors:

Baltimore State’s Attorney Marilyn Mosby has directed city prosecutors not to authorize “no-knock” warrants, saying the police shooting of Breonna Taylor in Louisville, Kentucky, demonstrates these warrants are too risky. “The ends do not justify the means,” Mosby wrote her staff Wednesday. “Seventeen states do not allow this tactic, and our office will also no longer sign off on this dangerous measure.”

Another article² reported on a comprehensive bill introduced in New York that seeks to not only ban the vast majority of no-knock raids, but also strictly limit other avenues for forcible entry by police. Here is an excerpt from the article:

New York bill, co-sponsored by Sens. Brian Benjamin and James Sanders Jr. and Assembly Member Daniel J. O’Donnell, seeks to limit the use of unannounced, no-knock raids to the most severe circumstances, like the pursuit of a murder suspect or incidents involving active shooters, hostage-taking, terrorism, or human trafficking. It would ban the issuance of no-knock warrants aimed exclusively at searching for drugs, currently the most common use of these heavily militarized raids. But unlike other current and draft state and local legislation, as well as three federal proposals, the New York bill would also impose a host of restrictions on what are known as “knock-and-announce” search warrants, a more common type of forcible entry that has led to dozens of deadly encounters in recent years.

“We must stop the over militarization of our communities,” Sanders said in a statement. “Today, we are putting forth the most comprehensive, groundbreaking legislation in the nation when it comes to these police raids, which should only be used under extreme circumstances and with accountability.”

We respectfully ask the committee to consider amending the bill to include a ban on the issuance of no-knock warrants aimed exclusively at searching for drugs, currently the most common use of these heavily militarized raids.

Community Alliance on Prisons urges the committee to pass this important measure

Mahalo for this opportunity to testify.

Justice is never advanced in the taking of a human life.

Coretta Scott King

¹ Citing death of Breonna Taylor in Louisville, State’s Attorney Marilym Mosby wants to ban no-knock warrants in Baltimore, By TIM PRUDENTE, BALTIMORE SUN | OCT 14, 2020.

² NEW BILL AIMS TO END POLICE RAIDS LIKE THE ONE THAT KILLED BREONNA TAYLOR, Legislation introduced in New York this week is the latest, most ambitious effort to keep police from breaking into people’s homes.

By Alice Speri, December 17, 2020. <https://theintercept.com/2020/12/17/no-knock-raid-new-york-breonna-taylor/>



AF3IRM Hawai'i

TO: House Committee on Judiciary & Hawaiian Affairs

Representative Nakashima, Chair

Representative Matayoshi, Vice Chair

DATE: Tuesday, April 6, 2021

FROM: AF3IRM Hawai'i

RE: SB 726

Position: SUPPORT

Aloha Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

AF3IRM Hawai'i stands in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai'i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai'i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of at least 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai'i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the

circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, we urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

SB-726

Submitted on: 4/5/2021 2:40:27 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ronald Fujiyoshi	Ohana Ho'opakele™	Support	No

Comments:

Ohana Ho'opakele stands in strong support of SB726.

Recent history both here in Hawai'i and in North America have revealed the unjust outcomes of the application of certain laws.

A democracy needs clear checks on the misused application of laws.

Please pass SB726!

Mahalo for the opportunity to testify!



Fernhurst YWCA
1566 Wilder Avenue
Honolulu, Hawai'i 96822
808.941.2231

Kokokahi YWCA
45-035 Kāne'ohe Bay Drive
Kāne'ohe, Hawai'i 96744
808.247.2124

Laniākea YWCA
1040 Richards Street
Honolulu, Hawai'i 96813
808.538.7061

ywcaoahu.org

House Committee on Judiciary and Hawaiian Affairs
Tuesday, April 6, 2021, 2:0pm
Hawaii State Capitol, Rm. 325/Videoconference

Testimony in Support of SB 726

Chair Nakashima, Vice Chair Matayoshi, and members of the committee,

Thank you for the opportunity to testify in **support of SB 726**, which prohibits the issuance of warrants that permit entry by an officer to a house, store, or other building without first audibly declaring the officer's office and business, including no-knock warrants. Requires law enforcement officers serving an arrest warrant at a house or a search warrant at a house, store, or other building to audibly declare the officer's office and business and wait for at least thirty seconds for compliance before entry. Requires officers serving a warrant to do so in uniform.

YWCA O'ahu is dedicated to eliminating racism, empowering women and promoting peace, justice, freedom, and dignity for all. In 1900 we opened our doors to provide opportunity to women for growth, leadership and power to change. Today, over a century later, the YWCA O'ahu is the largest and oldest women's membership organization in the State of Hawaii. We are a charter member of the YWCA USA and is one of more than 200 community associations nationwide that share the mission of empowering women and eliminating racism.

As a new core of women are preparing for our future, we are committed to reinventing the YWCA for the 21st century so it remains relevant to all women as their lives and needs change. The YWCA offers a unique place – a place where women and girls can build relationships for life and have opportunities to move forward in life and give back to their community. Our three centers at the YWCA, Fernhurst, Kokokahi and Laniakea, provide valuable programs and services that develop women and girls' social, economic, leadership and community skills.

No-knock warrants and requiring officers to wait at least thirty seconds before entering a property to execute a warrant will help to develop a baseline standard for law enforcement to follow and will aid in helping to protect people from injury and death related to the execution of search warrants.

Thank you for the opportunity to testify in support of SB 726.

Jen Wilbur
Director of Advocacy
YWCA O'ahu



To: Hawai'i State House of Representatives Committee on Judiciary and Hawaiian Affairs
Hearing Date/Time: Tues., Apr. 6, 2021, 2:00 pm
Place: Hawai'i State Capitol, Rm. 325
Re: Testimony of Planned Parenthood Alliance Advocates in strong support of SB 726

Dear Chair Nakashima and Members of the Committee,

Planned Parenthood Alliance Advocates writes in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai'i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai'i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of *at least* 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai'i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai'i against police violence, I request the Committee to narrow the exigent

circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

Sincerely,

Laurie Field
Hawaii State Director

SB-726

Submitted on: 4/5/2021 3:55:50 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Skye Moore	Rare Disease Hawaii	Support	No

Comments:

As a person that has dealt with Police in Hawaii, I suggest that this Bill Be Pasted without delay and in response to all those that has taken their Public Saftey job for granted and for all the black and brown people those police have abused without proper cause.

SB-726

Submitted on: 4/6/2021 1:24:55 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeffrey Hong	Techmana LLC	Support	No

Comments:

I am writing in support of SB 726 "Breonna's Law. I am currently serving on the Executive Committee of the National ACLU and am also a board member of the ACLU of Hawaii. This law will help to provide critical statutory guardrails to our law enforcement. The ACLU is advocating for these protections across the nation in response to the tragic death of Breonna Taylor in Kentucky.

The Kealoha convictions exposed the casual corruption in our police chief, within elements of the prosecutor's office, and across a significant number of officers within the Police Department. It makes the job of the many brave and honest officers that serve our community more difficult. It is obvious that "Breanna's law" was needed in Kentucky, but we also need similar safeguards here. It will help protect the citizens of Hawaii.

Thank you for your consideration.

SB-726

Submitted on: 4/5/2021 1:06:46 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Risa Yamamoto	Individual	Support	No

Comments:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. Can I count on you to join me in supporting this bill and schedule it for a hearing with the House Committee on Judiciary and Hawaiian Affairs?

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

Like most states, Hawai‘i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling. What constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case, with Hawai‘i courts ruling that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am.

Hawai‘i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai‘i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge you to please support S.B. 726 and honor Breonna Taylor's life with this important policy change by scheduling this bill for a hearing and voting yes.

SB-726

Submitted on: 4/5/2021 1:11:49 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
lynne matusow	Individual	Support	No

Comments:

In full support. too many people are hurt by or killed because of these warrants, some of which take place at the wrong address.

SB-726

Submitted on: 4/5/2021 1:29:22 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kari Benes	Individual	Oppose	No

Comments:

Aloha,

I'm testifying in opposition, because while I do agree that what happened to Breonna Taylor's was sad and tragic, however requiring a wait time of 30 seconds could have devastating unintended consequences. Just imagine if a vulnerable person or child was being held hostage, 30 seconds could allow someone with malicious intent to do more harm or escape.

As you make this decision please remember individuals like Lois Cain and the 2 officers that were killed in the Diamond Head hostage situation and please consider making exceptions to this no-knock policy.

Mahalo for reading my testimony,

Kari Benes

SB-726

Submitted on: 4/5/2021 1:34:19 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jen Jenkins	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai’i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai’i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of *at least* 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai’i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant,

allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

Mahalo,

Jen Jenkins

To: COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

From: Wendy Gibson-Viviani RN

RE: SB726 (In Support)

Hearing: Tuesday, April 6, 2021 at 2:00 PM VIA VIDEOCONFERENCE Conference Room 325

Aloha Rep. Mark M. Nakashima, Chair, Rep. Scot Z. Matayoshi, Vice Chair and Members of the Committee,

My name is Wendy Gibson-Viviani and I stand in support of SB726 and the ending of No-Knock Raids. No-knock raids are supposed to be used in only the most dangerous situations, yet they have become commonplace, even in less-than-dangerous situations—with about 20,000 or more no-knock raids every year across America. This has largely been driven by the failed, racist, violent war on drugs.

Both police and innocent civilians are being killed and injured. Police are getting killed by people defending their homes from intruders. Innocent civilians are being killed or injured by the dozens. The most recent example is Breonna Taylor.

One investigator, Kevin Sacks identified 94 people, including 13 law enforcement officers, who had been killed as a result of forcible-entry raids from 2010 to 2016. “But there is no way to know, he emphasized, how comprehensive the numbers are”, because of a lack of record keeping (there are no federal mandates requiring police departments to catalog such operations) <https://www.nytimes.com/2017/03/18/insider/kevin-sack-no-knock-baby-bou.html>

I support SB726 because it will:

- Prohibit the issuance of warrants that permit entry by an officer to a house, store, or other building without first audibly declaring the officer's office and business, including no-knock warrants.
- Require law enforcement officers serving an arrest warrant at a house or a search warrant at a house, store, or other building to audibly declare the officer's office and business and wait at least thirty seconds for compliance before entry.
- Require officers serving a warrant to do so in uniform

All of these are potentially life-saving measures for both the Law Enforcement Officers and civilians.

Thank you for the opportunity to give testimony on this important bill.

Wendy Gibson-Viviani RN/BSN.

Cannabis Nurse and Conscious Objector in the failed, violent, racist, war on drugs.

Kailua

SB-726

Submitted on: 4/5/2021 1:38:21 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl B.	Individual	Support	No

Comments:

Support

and don't be afraid to use Breonna's name and all of the other folks who have died or been injured physically or economically due to officers not knocking or announcing themselves.

" Prohibits the issuance of warrants that permit entry by an officer to a house, store, or other building without first audibly declaring the officer's office and business, **including no-knock warrants**. Requires law enforcement officers serving an arrest warrant at a house or a search warrant at a house, store, or other building to audibly declare the officer's office and business and wait at least thirty seconds for compliance before entry. Requires officers serving a warrant to do so in uniform.

SB-726

Submitted on: 4/5/2021 1:45:02 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Emma Shirai	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai’i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai’i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of at least 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai’i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai’i against police violence, I request the Committee to narrow the exigent

circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

SB-726

Submitted on: 4/5/2021 1:46:36 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Polk	Individual	Support	No

Comments:

While I know that politce want to catch people by surprise, that surprise has someimes resulted in the deaths of innocent people. I strongly support this bill, that would require police to announce their presence before breaking in and to be in uniform.

Please pass SB726

SB-726

Submitted on: 4/5/2021 1:46:54 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Julianna Davis	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai‘i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai‘i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of *at least* 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai‘i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai‘i against police violence, I request the Committee to narrow the exigent

circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

I strongly urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change. We cannot lose any more lives to senseless police violence.

SB-726

Submitted on: 4/5/2021 1:51:33 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Delaney Cole	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai’i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai’i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of at least 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai'i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

I strongly urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change. We cannot lose any more lives to senseless police violence.

SB-726

Submitted on: 4/5/2021 1:55:54 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Staley	Individual	Support	No

Comments:

I strongly support SB726.

SB-726

Submitted on: 4/5/2021 1:56:58 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Anna Chua	Individual	Support	No

Comments:

Dear Chair, Vice-Chair, and esteemed members of the committee,

My name is Anna Chua and I am writing in strong support of SB 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. SB 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Police brutality is evidently prevalent in Hawai‘i and it is imperative to have stringent measures in place that will truly serve and protect our communities, especially those that have historically been and currently are disproportionately impacted by police violence in Hawai‘i. Breonna’s Law will create a baseline standard for officers to adhere to, but allows courts to determine reasonableness in a way that requires more than 30 seconds based on the circumstances of the case.

To further strengthen this bill and protect the people of Hawai‘i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Protecting human life is far more important than the possible loss of evidence. Please honor Breonna Taylor’s life and end no-knock raids and warrants in Hawai‘i by supporting SB726.

Thank you for the opportunity to testify in support of this bill,

Anna Chua

annachua@hawaii.edu

96826

SB-726

Submitted on: 4/5/2021 1:57:14 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Robin Davis	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai’i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai’i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of at least 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai'i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

I strongly urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change. We cannot lose any more lives to senseless police violence.

SB-726

Submitted on: 4/5/2021 1:58:09 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carolyn Eaton	Individual	Support	No

Comments:

Aloha, my name is Carolyn Eaton, and I am an Oahu voter. I support the newly added language related to electioneering, what qualifies, does not qualify as electioneering. Mahalo for considering my views in broad support of SB 726.

SB-726

Submitted on: 4/5/2021 1:59:46 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rayna McClintock	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai’i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai’i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of at least 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai'i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

I strongly urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change. We cannot lose any more lives to senseless police violence.

SB-726

Submitted on: 4/5/2021 2:02:55 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laura Reichhardt	Individual	Support	No

Comments:

Support

SB-726

Submitted on: 4/5/2021 2:08:22 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kristen Young	Individual	Support	No

Comments:

I support SB726 which would explicitly bans “no-knock” warrants and require officers to wait at least 30 seconds before entering a house, store, or other building when executing a warrant. It also requires officers to execute warrants in uniform.

No-knock raids are often used in conjunction with military-grade equipment and rely on surprise. They are often executed late at night or early in the morning which frequently leads to violent interactions between police and people who reasonably assume that the intruders invading their home are there to burglarize or harm them and react defensively.

This is what occurred on March 14, 2020, when police murdered Breonna Taylor, a 26-year-old Black medical worker, in her home in Louisville Kentucky during a botched no-knock raid. Taylor’s murder helped re-energize the movement to reform our law enforcement and criminal-legal system, and renewed calls to end systemic racism in our police forces and throughout society. However, Taylor is only one of the most recent victims of no-knock raids.

The New York Times reported that, between 2010–16, 94 people have died during no-knock and quick-knock raids, 81 of whom were members of the public. One case involved 26-year-old Tarika Wilson, who was holding her toddler son when a SWAT team opened fire into her home, killing her and injuring her son. This is unacceptable and avoidable. We must do all we can to prevent this from happening to anyone else.

Three states have expressly banned no-knock raids and the warrants that authorize them. This type of law is now known as “Breonna’s Law” in Taylor’s honor. Hawai’i should become the next state to ban these no-knock raids and the warrants that authorize them.

I ask that you please pass SB726 for the safety of everyone in our community—both civilians and law enforcement. Thank you for the opportunity to submit testimony in support of this matter.

SB-726

Submitted on: 4/5/2021 2:14:33 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Shayna Lonoaea-Alexander	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members, I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/5/2021 2:24:59 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah Michal Hamid	Individual	Support	No

Comments:

Aloha Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs,

My name is Sarah Michal Hamid and I stand in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai’i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai’i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of at least 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai’i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of

Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

SB-726

Submitted on: 4/5/2021 2:26:48 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kawika Ke Koa Pegram	Individual	Support	No

Comments:

Aloha Chair Nakashima and esteemed members of the House Judiciary and Hawaiian Affairs Committee,

My name is Kawika Pegram. I was one of 12 core organizers for the Hawaii for Black Lives March that occurred in early June that garnered over 10,000 marchers to the steps of the Capitol Building.

Policing in this country is broken. Its foundations are broken. Its policies are broken. Too often we use weapons designed for military application on our people at home, and we conduct ourselves opposite to the good intentions of public safety. Most particularly, in the execution of no-knock warrants.

This leads to violent outcomes, and the deaths of our own people. Innocent or not.

At this stage in the bill's process, you have all heard the cases for and against this bill. So I plead with you to choose the right side. The side that, in an effort to protect ourselves and our people, wants this bill to pass.

Mahalo for your time and the opportunity to testify,

Kawika Pegram

SB-726

Submitted on: 4/5/2021 2:28:03 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Raelyn Reyno Yeomans	Individual	Support	No

Comments:

Strong support

SB-726

Submitted on: 4/5/2021 2:40:17 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Asia Yeary	Individual	Support	No

Comments:

Dear Chair Nakashima and Legislative Committee Members,

Thank you for all that you do for our community. We appreciate you and your service.

I am testifying in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor’s life and end no-knock raids and warrants in Hawai’i by supporting S.B. 726. We cannot wait until there is a tragedy to take action. Now is the time to make these important changes to our law. Please take this seriously and support S.B. 726. Thank you!

Thank you for the opportunity to testify in support of this bill.

Sincerely,

Asia

Mother

Oahu resident

SB-726

Submitted on: 4/5/2021 2:42:32 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Chang	Individual	Support	No

Comments:

With this bill explicitly banning "no-knock" warrants and requiring that officers wait at least 30 seconds before entering a house, this will help assure non-violent actions and allow procedures of warrants to be smooth and safe as possible. With the case of Breonna Taylor, we see that a misinformed and botched no-knock raid led to the death of an innocent citizen. There are many more of these cases that are not shown on the media. Having the thirty-second period of waiting will help to make sure that there is time for people to be aware of the situation especially for hard hearing people like the elderly. This will help with the procedure as the citizens will not assume that the police are not potential intruders invading their homes to burglarize them or potentially harm them.

SB-726

Submitted on: 4/5/2021 2:44:01 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
jessica chadwell	Individual	Support	No

Comments:

I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

Thank you, Jessica Chadwell

SB-726

Submitted on: 4/5/2021 2:46:29 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Pete Wilson	Individual	Support	No

Comments:

I am totaly in favor of Senate Bill 726. Announcing oneself is the introductory act of individual to individual communication. It seems axiomatic that that coutesy should be an integral part of any official introduction to a citizen. The safety of all should be the paramount consideration.

SB-726

Submitted on: 4/5/2021 2:51:56 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Samantha Kaiser	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai’i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai’i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of *at least* 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai'i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

Furthermore, the requirement that police should serve a warrant in uniform seems logical and would seem to protect officers, by preventing someone from mistakenly believing they were home intruders.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

SB-726

Submitted on: 4/5/2021 2:56:20 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Elisabeth Mather	Individual	Support	No

Comments:

Aloha, in light of the events of this past year, it is clear that increased accountability in our police force is necessary. This bill will increase the safety of our communities and accountability of those charged to protect. Please support SB726

SB-726

Submitted on: 4/5/2021 3:01:38 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Virginia Brandford	Individual	Support	No

Comments:

I pray that no one should ever be killed the way Breonna was murdered. I vote for Breonna's Law to be passed. Mahalo Nui Loa

SB-726

Submitted on: 4/5/2021 3:02:21 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Zachary Cross	Individual	Support	No

Comments:

I am writing to urge you to support Breonna's Law (SB726). This is a much needed measure in the progression of criminal justice reform across the U.S. Thank you for receiving this message.

SB-726

Submitted on: 4/5/2021 3:02:28 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Siobhan Coad	Individual	Support	No

Comments:

I am in support of this bill.

SB-726

Submitted on: 4/5/2021 3:03:36 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alani Bagcal	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

My name is Alani Bagcal and I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai’i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai’i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of *at least* 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai’i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of

Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change. Breonna Taylor and her family have still not received justice.

Alani Bagcal

96815

SB-726

Submitted on: 4/5/2021 3:04:32 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ryan Santana	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

My name is Ryan Santana and I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai’i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai’i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of *at least* 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai’i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of

Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change. Breonna Taylor and her family have still not received justice.

Ryan Santana

96815

SB-726

Submitted on: 4/5/2021 3:05:55 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
RIE DOI-STEWART	Individual	Support	No

Comments:

This must need for us. Please listen our voice. Rie Doi-Stewart

SB-726

Submitted on: 4/5/2021 3:05:56 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sue Costa	Individual	Support	No

Comments:

I support the prohibition of no knock warrants. We must work toward building relationships between our law enforcement officers and people living in our towns and cities. Surprise entries don't provide time for error correction (in the case of wrong addresses or residents in absentia). We need to build trust and respect in our neighborhoods instead of encouraging fear and aversion.

SB-726

Submitted on: 4/5/2021 3:06:19 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Adam J. Babica	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai‘i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai‘i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence [at 6:15am](#). S.B. 726 creates a critical baseline of *at least* 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai‘i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai‘i against police violence, I request the Committee to narrow the exigent

circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

SB-726

Submitted on: 4/5/2021 3:09:22 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nezia Azmi	Individual	Support	No

Comments:

I fully support this bill. It's the right and practical thing to do to make our communities safer. Mahalo.

SB-726

Submitted on: 4/5/2021 3:10:00 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Veryl Ann Grace	Individual	Support	No

Comments:

I am in support of SB726 because the lack of such legislation has resulted in tragedy in many cases across our nation. Our law enforcement officers should be required to let the person they are engaging with, whether it is for an arrest or a search, know that they are law enforcement.

This measure does not put unreasonable responsibilities on our law enforcement community and following this measure could save lives both those of our citizens but also of our law enforcement community.

Please consider passing this measure.

Sincerely,

Veryl Ann Grace

Hilo Hawaii

SB-726

Submitted on: 4/5/2021 3:12:20 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laura Ramirez	Individual	Support	No

Comments:

Aloha,

No-knock warrants are a recipe for disaster. Police sneaking or barging into people's homes unexpected is exactly how innocent people, women, children, and officers end up shot, seriously injured, and killed. This type of cowboy policing does not make our community safer and it damages the relationship and trust between citizens and law enforcement. Please support this bill to ban no-knock warrants.

Mahalo!

SB-726

Submitted on: 4/5/2021 3:12:56 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara L. George	Individual	Support	No

Comments:

SUPPORT Breonna's Law SB 726 in the strongest terms!!!

SB-726

Submitted on: 4/5/2021 3:15:26 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
helena lambeth	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members, I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/5/2021 3:16:16 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Adriana Fontan	Individual	Support	No

Comments:

SB-726

Submitted on: 4/5/2021 3:17:28 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nicole Fontañín Sánchez	Individual	Support	No

Comments:

SB-726

Submitted on: 4/5/2021 3:18:57 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carla Allison	Individual	Support	No

Comments:

My name is Carla Allison and I strongly support SB726. Hawaii needs to ensure we have the best police force possible, the best at serving and protecting. SB726 clearly bans dangerous no-knock warrants and requires officers executing warrants to wait at least thirty seconds before entering a property. SB726 also requires officers to be uniformed when executing a warrant, allowing citizens to clearly identify the officers as law enforcement and help prevent situations in which citizens believe that a burglary is taking place. Setting forth these clear parameters will ensure police officers are trained and our community protected from any confusion and/or police misconduct. We don't want any Breonna Taylor tragedies in Hawaii. Please support our police officers and our communities by supporting SB726.

SB-726

Submitted on: 4/5/2021 3:19:40 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Doris Segal Matsunaga	Individual	Support	No

Comments:

Support SB 726

SB-726

Submitted on: 4/5/2021 3:23:08 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Julia Paul	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members,

I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726.

Mahalo nui.

Hawaii resident for 40 plus years and a supporter of civil liberties for all.

SB-726

Submitted on: 4/5/2021 3:23:28 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Richard L Lawyer	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members,

I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action. Thank you for the opportunity to testify in support of this bill.

Mahalo,

Richard L. Lawyer

Waikoloa, Hawaii

*Testimony of Jacquie Esser to the House Committee on Judiciary & Hawaiian Affairs in **Strong Support** of S.B. No. 726, a bill that bans no-knock and quick knock raids.*

April 6, 2021

S.B. No. 726: RELATING TO POLICING.

Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee:

I submit this testimony in **strong support** of S.B. No. 726 which amends Chapter 805 and 803-11 of the Hawai‘i Revised Statutes (“HRS”) by banning no-knock warrants and affirmatively requiring law enforcement to always knock, clearly identify themselves as law enforcement, and wait *at least* thirty seconds for compliance before entry. I also wish to offer recommendations on how to limit the practice of so-called “quick knock” raids, where law enforcement rely on exigent circumstances to circumvent waiting at least thirty seconds prior to entry.

No-knock warrants and requiring officers to wait *at least* thirty seconds before entering a property to execute a warrant must be expressly banned by the Hawai‘i State Legislature to develop a baseline standard for law enforcement and to protect people from injury and death related to the execution of search warrants.

This bill, however, could be strengthened by narrowing the circumstances that constitute exigent circumstances in section 2 of the bill and permit “quick knock” raids to only situations where two conditions are met:

1. The underlying investigation involves an offense that by its nature includes serious physical harm or death (e.g., murder, rape, human trafficking);

and

2. The circumstances justify immediate entry to prevent imminent physical harm or death.

Human life is more important than the possible loss of evidence.

Thank you for the opportunity to testify in strong support of S.B. No. 726.

SB-726

Submitted on: 4/5/2021 3:25:49 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaikea K. Blakemore	Individual	Support	No

Comments:

We must do all we can to protect citizens from police brutality. What happened to Brianna and countless others is and always will be unacceptable. Many police forces if not all need to be retrained and defunded to support less stressful social interventions (like crisis workers, counselors, medical personnel). If some police officers feel that fear is a reason for them to fire a gun, then why would we allow for no-nock warrants that would make the person they interact with fearful? Police should never escalate situations in this manner if escalation can lead to death. Police are public servants. They should never be given a license to kill or harm, rather extensive training in de-escalation and social support. Programs should be created to make sure killings like this never happen again.

SB-726

Submitted on: 4/5/2021 3:28:10 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
John NAYLOR	Individual	Support	No

Comments:

Please support Hawaii's version of Breonna's Law !

SB-726

Submitted on: 4/5/2021 3:28:20 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Danielle Sato	Individual	Support	No

Comments:

I believe banning "no-knock" warrants is an essential measure to protect our communities, and bring about some justice in response to the countless number of lives who have been lost to police brutality. I am writing in STRONG SUPPORT of S.B. 726. Thank you.

SB-726

Submitted on: 4/5/2021 3:29:11 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cherice Hill	Individual	Support	No

Comments:

Good Afternoon Nakashima and Committee members, I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/5/2021 3:29:29 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
B.A. McClintock	Individual	Support	No

Comments:

Please support this important bill!

SB-726

Submitted on: 4/5/2021 3:29:50 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tiare Sua	Individual	Support	No

Comments:

Yes! You can say something like:

Aloha Chair Nakashima and Committee members,

I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action. Thank you for the opportunity to testify in support of this bill.

Mahalo,

Tiare Sua

SB-726

Submitted on: 4/5/2021 3:30:41 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brenna Dicks	Individual	Support	No

Comments:

A person's home, mortgaged though it may be, has long been considered under our legal system to be "his or her castle." This principle is embodied in the fourth amendment to the United States Constitution, which prohibits "unreasonable searches and seizures." The Fourth Amendment is to be construed in the light of what was deemed an unreasonable search and seizure when it was adopted, and in a manner which will conserve public interests as well as the interests and rights of individual citizens. The plain language of the fourth amendment suggests that the search and seizure itself was of primary concern to our founding fathers.

The no-knock warrant, requiring court authorization to dispense with an announcement, reasserts the general principle that reasonableness of a search demands notice of authority and purpose. No-knock warrants fly in the face of this very basic American right to notice. Further, considering the sheer volume of "bad information" or "unreliable sources" used to obtain a no-knock warrant supports the idea that at any time, day or night, a private citizen's home may be damaged and entered by terrifying force by the State. This is not what our founders intended.

Further, many crimes for which no-knock warrants are issued are victimless: "No one should lose their life in pursuit of a crime without a victim, and 'no-knock' warrants should be forbidden," states Constitutional scholar Senator Rand Paul. In the case of Breonna Taylor, her boyfriend's selling of drugs was a victimless crime whereby she lost her life because of this constitutionally unacceptable overreach by the State.

Balancing the need for policing and the need for preservation of constitutional rights, the constitutional rights of the individual should always prevail. There are a too many risks to civilians and to the officers themselves with no-knock warrants and they should be prohibited in the State of Hawaii first, and undoubtedly more states will follow. Hawaii sets the standard for many changes in support of human rights and this prohibition of no-knock warrants should lead the nation in protecting both our law enforcement and our rights as private citizens.

SB-726

Submitted on: 4/5/2021 3:31:19 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
ANDREW ISODA	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members, I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/5/2021 3:32:04 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sandra Fujita	Individual	Support	No

Comments:

I support SB726 because no--knock warrants and raids can potentially endanger the innocent.

SB-726

Submitted on: 4/5/2021 3:35:50 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kimberly Dark	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members, I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/5/2021 3:36:45 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Marilyn Mick	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members, I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

Sincerely, Marilyn Mick, Honolulu

SB-726

Submitted on: 4/5/2021 3:37:11 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Support	No

Comments:

SUPPORT

SB-726

Submitted on: 4/5/2021 3:38:22 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jake Jacobs	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members,
I support S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was tragically murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action. Thank you for the opportunity to testify in support of this bill.
Mahalo,

SB-726

Submitted on: 4/5/2021 3:38:44 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
John Zwiebel	Individual	Support	No

Comments:

Facism begins with a Police State. HI needs to lead the way in opposing the police state the USA has become. The appropriate response to drug problems is not more police, especially not a more militarized police with near "secret police" powers. The appropriate response is better jobs, better education, better health care. If you continue to allow all the wealth this nation creates to flow only to the Oligarchy, many of whom appear to me to be "above-the-law" criminals, you will be fomenting rebellion. There will be no choice for the "rest of us" but to rebel and throw of the shackels of this new "pseudo-slavery" that the "American Empire" is forcing on the world for the benefit of no one I know. I don't want to see or hear of another George Floyd or Kollin Elderts. Derek Chauvin and Christopher Deedy should be extreme aberations in this world, not an everyday event.

SB-726

Submitted on: 4/5/2021 3:42:49 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mona Bomgaars	Individual	Support	No

Comments:

In view of contemporary events within the United States, we have learned of some policing practices that are risky and harmful to innocent citizens. This is one that must be stopped. I in fact would go further and lengthen the time to wait before entering and then only with a signed warrant. This process is not only dangerous to innocent civilians it can be dangerous to officers. Please pass this bill.

SB-726

Submitted on: 4/5/2021 3:43:04 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
DJ Iijima	Individual	Support	No

Comments:

Aloha Chairman Nakashima and Committtee members

I am testifying in strong support of S.B. 736, which bans "no- knock." Warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law". named after the 26 year old Black medical worker Breonna Taylor, wjp was murdered in her own home by the Louisville police during a botched no knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting the SB 726. Thank you for letting have this opportunity to testify in support of this bill.

Mahalo Nui

Dj Rusty Iijima

SB-726

Submitted on: 4/5/2021 3:50:19 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara L Franklin	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members:

I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action. This is common sense action to prevent possible tragedy.

SB-726

Submitted on: 4/5/2021 3:51:26 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
B. Lani PrunÃ©s	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members, I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726.

We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/5/2021 3:52:32 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Amanda Schaefer	Individual	Support	No

Comments:

Dear Chair Nakashima and Committee members:

I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is also known as "Breonna's Law," and is named after 26-year-old black medical worker Breonna Taylor, who was murdered by Louisville police during a botched no-knock raid while she slept in her own home. Please honor Breonna Taylor's life , and prevent such tragedies in Hawai'i, by ending no-knock raids and warrants by supporting SB726. We cannot wait until there is a tragedy here before we take action.

Thank you for the opportunity to testify in support of this bill.

Sincerely,
Amanda Schaefer

SB-726

Submitted on: 4/5/2021 3:52:54 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
I. Robert Nehmad	Individual	Support	No

Comments:

“Aloha Chair Nakashima and Committee members, I’m testifying in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor’s life and end no-knock raids and warrants in Hawai’i by supporting SB726. We cannot wait until there is a tragedy to take action.”

Mahalo

SB-726

Submitted on: 4/5/2021 3:55:06 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Chantell Cambia	Individual	Support	No

Comments:

Aloha Chair and Committee members, I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/5/2021 3:55:39 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Priscilla Stuckey	Individual	Support	No

Comments:

Aloha, I am testifying in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to audibly declare their business, to wait at least thirty seconds for compliance before entering a property when executing a warrant, and to serve a warrant in uniform. Breonna Taylor, after whom SB726 is called “Breonna’s Law,” was murdered in her own home by Louisville police during a botched no-knock raid. Breonna Taylor should be alive today. The provisions in SB726, had they been in place in Louisville, could have prevented her murder. Please honor Breonna Taylor’s life and end no-knock raids and warrants in Hawai’i by supporting SB726. People’s lives in Hawai’i are precious and need to be respected through laws such as SB726.

SB-726

Submitted on: 4/5/2021 3:57:38 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kristen Laguana	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members, I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/5/2021 3:59:12 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Millicent Cox	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members,

I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

Mahalo for your concern.

SB-726

Submitted on: 4/5/2021 4:04:49 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lindsay Roth	Individual	Support	No

Comments:

Please support this to protect citizens

SB-726

Submitted on: 4/5/2021 4:07:24 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Taryn S. Lau	Individual	Support	No

Comments:

Barging in to a private residence, even with the intent to catch a crime in action, without announcing oneself causes foreseen harm and damage to innocent bystanders, further damaging the relationship between the police and the community they're meant to serve. This law will be a good-gaith effort to practice diligence when raiding a home, most notably in investigations for nonviolent crimes.

SB-726

Submitted on: 4/5/2021 4:32:45 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Teri L Skillman	Individual	Support	No

Comments:

Aloha JHA Chair and Committee,

I stand in support of SB726 which requires law enforcement officers serving an arrest warrant at a house or a search warrant at a house, store, or other building to audibly declare the officer's office and business and wait at least thirty seconds for compliance before entry. Requires officers serving a warrant to do so in uniform. We have seen too many instances of error and personal rights violated.

Mahalo for the opportunity to submit my testimony.

SB-726

Submitted on: 4/5/2021 4:45:01 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tadia Rice	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members,

I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

Mahalo.

SB-726

Submitted on: 4/5/2021 4:46:02 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kylie Akiona	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee Members,

My name is Kylie Akiona, I am a student at UH Mānoa from Mililani.

I am testifying in **strong support of S.B. 726 as is**, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Taylor’s murder helped reenergize the movement to reform our law enforcement and criminal-legal system, and renewed calls to end systemic racism in our police forces and throughout society. The New York Times reported that between 2010 and 2016, no-knock and quick-knock raids led to the deaths of 94 people, 81 of whom were members of the public. One case involved 26-year-old Tarika Wilson, who was holding her toddler son when a SWAT team opened fire into her home, killing her and injuring her son.

HPD is currently testifying against this bill with the defense of having to risk “ruining evidence”, and already having a similar law in place. Unfortunately, this is not necessarily true-- Under certain circumstances, officers may enter a house *immediately* after the announcement if justified by the presence of exigent circumstances. The Hawai’i Supreme Court has found that exigent circumstances exist where there is 1) an imminent threat of harm to a person, 2) a danger of serious property damage, 3) when a suspect is likely to escape, or 4) where evidence is likely to be removed or destroyed.

Saving someone’s live is objectively more valuable than “saving evidence”. Human lives should continue to be the priority of policing and criminal justice, NOT the possible loss of evidence.

Please honor Breonna Taylor’s life and end no-knock raids and warrants in Hawai’i by supporting S.B. 726. Far too many innocent people needlessly lost their lives in these raids. **We cannot wait until there is a tragedy to take action.**

Thank you for the opportunity to testify in support of this bill.

Mahalo nui,

Kylie Akiona

kylieakiona2@gmail.com

SB-726

Submitted on: 4/5/2021 4:55:54 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Edward Coll	Individual	Support	No

Comments:

Support the bill

SB-726

Submitted on: 4/5/2021 5:15:57 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Patrick Karjala	Individual	Support	No

Comments:

I am writing today to offer my testimony in SUPPORT of SB726. The intent of this bill is clear, however it may be necessary to add to the bill that the Officer should make effort to verify the accuracy of the information on the Warrent before attempting to serve it. This will further assist in preventing the serving of Warrents at an incorrect address or location, or to the wrong party.

SB-726

Submitted on: 4/5/2021 5:22:50 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Donavan Albano	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members,

My name is Donovan Kamakani Albano, a lifelong resident of O‘ahu, Hawai‘i. I’m testifying in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor’s life and end no-knock raids and warrants in Hawai‘i by supporting SB726. We cannot wait until there is a tragedy to take action.

Thank you for the opportunity to testify.

SB-726

Submitted on: 4/5/2021 5:31:47 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nanea Lo	Individual	Support	No

Comments:

Hello,

My name is Nanea Lo. I'm writing in support of SB726.

This bill explicitly bans “no-knock” warrants and requires officers to wait at least 30 seconds before entering a house, store, or other building when executing a warrant. It also requires officers to execute warrants in uniform.

No-knock raids are often used in conjunction with military-grade equipment and rely on surprise. They are often executed late at night or early in the morning. This frequently leads to violent interactions between police and people who reasonably assume that the intruders invading their home are there to burglarize or harm them and react defensively.

This is what occurred on March 14, 2020, when police murdered Breonna Taylor, a 26-year-old Black medical worker, in her home in Louisville Kentucky during a botched no-knock raid. Taylor’s murder helped re-energize the movement to reform our law enforcement and criminal-legal system, and renewed calls to end systemic racism in our police forces and throughout society. However, Taylor is only one of the most recent victims of no-knock raids.

The New York Times reported that, between 2010–16, 94 people have died during no-knock and quick-knock raids, 81 of whom were members of the public. One case involved 26-year-old Tarika Wilson, who was holding her toddler son when a SWAT team opened fire into her home, killing her and injuring her son.

Three states have expressly banned no-knock raids and the warrants that authorize them. This type of law is now known as “Breonna’s Law” in Taylor’s honor. Hawai’i should become the next state to ban these no-knock raids and the warrants that authorize them.

Please support this bill.

me ke aloha ‘Ä• ina,

Nanea Lo

SB-726

Submitted on: 4/5/2021 5:48:11 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Pablo Wegesend	Individual	Support	No

Comments:

I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. This allows the police the chance to deal with the people in the home in a peaceful manner and it will save lives of both police officers and civilians. Violence should be a last resort and it should only be used when the peaceful protocols (knocking, announcing, waiting at least 30 minutes, being in uniform) has been exhausted!

S.B. 726 is known as "Breonna's Law," named after 26-year-old African-American medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Even though the incident happened thousands of miles away from Hawaii, every lawmakers need to understand that if it happened somewhere, it can happen anywhere. Please do not wait until a similar tragedy happen in Hawaii before we take measures to prevent future incidents here.

SB-726

Submitted on: 4/5/2021 5:56:09 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Noelani Ahia	Individual	Support	No

Comments:

I strongly support this bill for the following reasons:

This bill explicitly bans “no-knock” warrants and requires officers to wait at least 30 seconds before entering a house, store, or other building when executing a warrant. It also requires officers to execute warrants in uniform.

No-knock raids are often used in conjunction with military-grade equipment and rely on surprise. They are often executed late at night or early in the morning. This frequently leads to violent interactions between police and people who reasonably assume that the intruders invading their home are there to burglarize or harm them and react defensively.

This is what occurred on March 14, 2020, when police murdered Breonna Taylor, a 26-year-old Black medical worker, in her home in Louisville Kentucky during a botched no-knock raid. Taylor’s murder helped re-energize the movement to reform our law enforcement and criminal-legal system, and renewed calls to end systemic racism in our police forces and throughout society. However, Taylor is only one of the most recent victims of no-knock raids.

The New York Times reported that, between 2010–16, 94 people have died during no-knock and quick-knock raids, 81 of whom were members of the public. One case involved 26-year-old Tarika Wilson, who was holding her toddler son when a SWAT team opened fire into her home, killing her and injuring her son.

Three states have expressly banned no-knock raids and the warrants that authorize them. This type of law is now known as “Breonna’s Law” in Taylor’s honor. Hawai’i should become the next state to ban these no-knock raids and the warrants that authorize them.

SB-726

Submitted on: 4/5/2021 5:58:24 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
maisie klem	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai’i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai’i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of at least 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai'i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

SB-726

Submitted on: 4/5/2021 6:02:57 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brooke Hunter	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai‘i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai‘i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of at least 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai‘i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than 30 seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further

strengthen this bill and protect the people of Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in Section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

Sincerely,

Brooke Hunter

SB-726

Submitted on: 4/5/2021 6:03:11 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Courtney Mrowczynski	Individual	Support	No

Comments:

I strongly **SUPPORT** SB726!!!

SB-726

Submitted on: 4/5/2021 6:15:55 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Thaddeus Pham	Individual	Support	No

Comments:

Aloha JHA Committee,

As a public health professional and concerned community member, I write in **STRONG SUPPORT** of SB726, which expressly bans no-knock warrants and require officers to wait thirty seconds before entering a property to execute a warrant.

The Legislature could strengthen these measures by narrowing the circumstances that constitute exigent circumstances to only include those that are imminently life-threatening. Human life is more important than the loss of evidence.

Measure like this are important to not only ensure safety in our communities and also to rebuild trust with our local law enforcement. Even without a criminal record, my immediate reaction to any police encounter is fear and mistrust. Please pass SB726 to ensure that we, as community members, can look to our officers for safety rather than fear.

Mahalo,

Thaddeus Pham (he/him)

SB-726

Submitted on: 4/5/2021 6:37:45 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Colleen Rost-Banik	Individual	Support	No

Comments:

Aloha. My name is Colleen Rost-Banik and I'm a resident of Honolulu. I strongly support SB 726 which bans no-knock warrants. I hope you will join me in this effort of greater police transparency.

Thank you for your time and serious consideration of this bill.

Respectfully,
Colleen Rost-Banik

SB-726

Submitted on: 4/5/2021 6:39:00 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Thomas Gourley	Individual	Support	No

Comments:

I feel passage of SB 726 is necessary to protect innocent citizens from unwarranted police action. No more people need to be murdered by police due to police incompetence or disregard

Thank you

Thomas Gourley

SB-726

Submitted on: 4/5/2021 6:40:44 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Want	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” No knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai’i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai’i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of at least 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai’i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai’i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

SB-726

Submitted on: 4/5/2021 6:42:09 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cindy Nawilis	Individual	Support	No

Comments:

My name is Cindy Nawilis and I support SB726, which bans no-knock warrants, requires officers to wait 30 seconds before forcibly entering a property when executing a warrant, and requires officers to be in uniform when serving a warrant. After the tragedy last year that costed Breonna Taylor's life, this law which is now called Breonna's Law must be in place in every jurisdiction.

SB-726

Submitted on: 4/5/2021 6:48:11 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Taylor Brack	Individual	Support	No

Comments:

I urge the Judiciary and Hawaiian Affairs committee to pass this bill without delay. Such a measure would go a long way to make Hawaii residents feel safe in their homes and businesses. No knock warrants are dangerous and they should not be tolerated. Most people I know would be surprised that they are legal. What Breonna Taylor's story shows us is that whatever benefit law enforcement derives from being able to invade people's homes without warning cannot possibly measure the harm that results. The home is not a place where police should feel comfortable shooting first and asking questions later. We must do what we can to ensure that no one suffers a fate similar to Ms. Taylor's!

SB-726

Submitted on: 4/5/2021 6:50:03 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kiley Igarashi	Individual	Support	No

Comments:

S.B. 726

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I, Kiley Igarashi, am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai’i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai’i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of at least 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai’i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which

will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

SB-726

Submitted on: 4/5/2021 6:53:49 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Justin Jansen	Individual	Support	No

Comments:

Aloha,

The violence perpetrated by police forces here in Hawaii and in the United States is one of the biggest threats Indigenous and Black communities face. It is domestic terrorism carried out by the state and it must end.

While the tragic murder of Breonna Taylor is one of the more recent instances - these murders have been happening for a very long time and with frequency.

It is your responsibility to do everything you can to remedy this horrific situation.

I strongly support SB726 and urge you to think deeply about doing the same. It is a step in the right direction - but one of many steps needed.

Mahalo,

Justin Jansen

SB-726

Submitted on: 4/5/2021 7:04:54 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Constance Perry	Individual	Support	No

Comments:

Aloha Chair Nakashima and committee members,

I'm testifying in strong support of SB. 726 which bans 'no-knock' warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant and requires officers serving a warrant to do so in uniform. SB 726 is known as Breonna's Law, named after the 26 year old medical worker who was murdered in her own home in the middle of the night. Please honor Breonna Taylor's life and end no-knock warrants in Hawai'i by supporting SB 726. Let's not wait until there is a tragedy in our beloved Hawai'i to take action. Thank you for considering my testimony and support of this bill.

Mahalo,

Constance (Connie) Perry

SB-726

Submitted on: 4/5/2021 7:26:25 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Noah Humphrey	Individual	Support	No

Comments:

My name is Noah Humphrey and I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid.

There must be justice, there must be an action that helps those survive in the times that we are facing in terms of injustice. As an African American man, there are underlying effects to these problems of no-knocks warrants. We must end these no-knocks to prevent a death like Breonna's again. Please honor Breonna Taylor’s life and end no-knock raids and warrants in Hawai’i by supporting SB726. We cannot wait until there is a tragedy to take action.”

SB-726

Submitted on: 4/5/2021 7:31:33 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mykie E. Menor Ozoa-Aglugub	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai’i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai’i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of at least 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai’i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of

Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I respectfully urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

Thank you for your time and consideration,

Mykie E. Menor Ozoa-Aglugub, J.D.

SB-726

Submitted on: 4/5/2021 7:31:37 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ally Trest	Individual	Support	No

Comments:

Aloha all.

My name is Ally Trest and I support SB726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. SB726 is known as "Breonna's Law", named a 26-year-old Black, medical worker named Breonna Taylor, who was murdered in her own home by Louisville police, as the result of a botched, no-knock raid.

Please honor Breonna Taylor's life and choose to pass this bill as a measure of protecting the constituents you represent. End no-knock raids and warrants in Hawai`i by supporting SB726. We cannot wait until another tragedy occurs to take action.

Mahalo for your efforts in serving this community.

Ally Trest

SB-726

Submitted on: 4/5/2021 7:34:41 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
beth kupper-herr	Individual	Support	No

Comments:

I believe no-knock entries violate individual's civil rights. They should absolutely be banned.

SB-726

Submitted on: 4/5/2021 7:36:59 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Eissas Ouk	Individual	Support	No

Comments:

“Aloha, my name is Eissas Ouk and I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid.

Please honor Breonna Taylor’s life and end no-knock raids and warrants in Hawai’i by supporting SB726. We cannot wait until there is a tragedy to take action.”

SB-726

Submitted on: 4/5/2021 7:38:14 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ramona Hussey	Individual	Support	No

Comments:

Aloha Committee Members,

I urge your support for SB726 which would prevent no-knock warrants and require 30 seconds for householders's response to police entry. The argument that Hawaii has not had this problem is a false argument. If there has truly not been any occasions for no-knock warrants, then there should be no problem banning them, since we know from mainland experience how dangerous they are. There is no justification for waiting until innocent people are killed by police trying to use a no-knock warrant to change our laws. Please pass this bill and prevent needless innocent deaths.

Sincerely,

Ramona Hussey

SB-726

Submitted on: 4/5/2021 7:41:16 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Anne	Individual	Support	No

Comments:

I support this bill very strongly. This is a straightforward issue that deserves our full support. There can be no justification no knock entry by police into the home of anyone. The case of Beronna Taylor's totally unnecessary death illustrates clearly the risks of not passing this law. Please pass it!

SB-726

Submitted on: 4/5/2021 7:46:11 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Charmaine Doran	Individual	Support	No

Comments:

Please pass this Bill. It is vital to the safety of our residents and to maintaining the long-term integrity of and faith in our local justice and political systems. Mahalo,

Charmaine T. Doran

Member, Pearl City Neighborhood Board.

SB-726

Submitted on: 4/5/2021 7:59:32 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Silvia Jaimes	Individual	Support	No

Comments:

I am testifying in strong support of SB 726

SB-726

Submitted on: 4/5/2021 8:05:41 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
briana kawata	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai’i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai’i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of at least 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai'i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

SB-726

Submitted on: 4/5/2021 8:15:19 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara J. Service	Individual	Support	No

Comments:

I am testifying in strong support of SB726, "Breonna's Law." For one thing, there is a possibility that law enforcement could be at the wrong address. No-knock warrants have no place in the American justice system. Please vote against this practice.

Mahalo for the opportunity to provide testimony on this measure.

Barbara J. Service MSW (ret.)

Senior advocate

SB-726

Submitted on: 4/5/2021 8:16:47 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Quartero	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members, I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants and requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action. Thank you very much.

SB-726

Submitted on: 4/5/2021 8:20:20 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Iole	Individual	Support	No

Comments:

i strongly support this because i'm against losing any more people to police brutality. breonna taylor should still be here today and nobody should ever fear for that to happen to them too.

SB-726

Submitted on: 4/5/2021 8:30:04 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Robin Berenstein	Individual	Support	No

Comments:

History has shown us again and again that no-knock warrants are a problem, don't make us safer and can result in death! Let's get rid of them now. Support SB 726. Mahalo.

SB-726

Submitted on: 4/5/2021 8:33:51 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
tenika wentworth	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai‘i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai‘i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of at least 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai‘i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai‘i against police violence, I request the Committee to narrow the exigent

circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

Thank you,

Tenika Wentworth

SB-726

Submitted on: 4/5/2021 8:35:02 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Greg Mebel	Individual	Support	No

Comments:

Please support SB726. It makes sense and keeps Hawaii safe. The idea of police transparency protects citizens and police alike. Any argument to contrary seems against the type of democratic government we have and strive toward.

Mahalo for your consideration and your public service.

SB-726

Submitted on: 4/5/2021 8:41:38 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Allen	Individual	Support	No

Comments:

S.B. 726

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai‘i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai‘i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of at least 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai'i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

SB-726

Submitted on: 4/5/2021 8:45:50 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Abby Lasiter	Individual	Support	No

Comments:

I fully support this bill and the rights and liberties and lives it seeks to protect.

SB-726

Submitted on: 4/5/2021 8:54:43 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Theresa Myers	Individual	Support	No

Comments:

Dear Committee members,

I strongly support SB726, Breonna's Law, and urge you to pass it. Learning from the horrible circumstances that led to Breonna's death last year and passing this law to protect others would be a way to honor her life. No-knock warrants have historically been used disproportionately in communities of color and have no place in Hawaii. We can take this opportunity to protect our communities and prevent a similar tragedy here.

Sincerely,
Theresa Myers, MD

SB-726

Submitted on: 4/5/2021 8:55:31 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Martha Jenkins	Individual	Support	No

Comments:

I wholeheartedly support this small but necessary step towards restructuring a broken criminal justice system. Mahalo for making the right call and voting 'ae.

SB-726

Submitted on: 4/5/2021 8:58:19 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
CAROLINE SINAVAIANA GABBARD, PhD	Individual	Support	No

Comments:

“Aloha Chair Nakashima and Committee members, I’m testifying in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor’s life and end no-knock raids and warrants in Hawai‘i by supporting SB726. We cannot wait until there is a tragedy to take action.”

SB-726

Submitted on: 4/5/2021 9:04:35 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
janice palma-glennie	Individual	Support	No

Comments:

aloha,

police accountability to a fair, democratic society. that doesn't mean we don't fund police, it means that money and focus go where they should, and this law will help improve our system by making sure that all people are safe with and from the police.

mahalo,

janice palma-glennie

kailua-kona

SB-726

Submitted on: 4/5/2021 9:07:47 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kristen Alice	Individual	Support	No

Comments:

I strongly urge you to pass this bill today, before someone loses their life in Hawai'i.
Mahalo.

SB-726

Submitted on: 4/5/2021 9:15:08 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Corinne Hite	Individual	Support	No

Comments:

My name is Corinne and I am writing to support S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black essential medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid.

Please honor Breonna Taylor’s life and end no-knock raids and warrants in Hawai’i by supporting SB726. We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/5/2021 9:25:13 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Allison Campo	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members, I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/5/2021 9:27:33 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brandon Cha	Individual	Support	No

Comments:

To the House Judiciary and Hawaiian Affairs Committee,

I strongly urge you to pass SB 726 to ban "no-knock" warrants in our state. The events surrounding Breonna Taylor in Kentucky show how quickly events can spiral out of control even for the most well-meaning police officers.

Banning such measures will make our community safer and our homes and neighborhoods more secure. I thank you for considering this testimony.

- Brandon Cha

SB-726

Submitted on: 4/5/2021 9:28:18 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kyrsten Kidani	Individual	Support	No

Comments:

I support SB 726. End no-knock raids and warrants. Please honor Breonna Taylor's life.

SB-726

Submitted on: 4/5/2021 9:30:51 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Josiah Saifoloi	Individual	Support	No

Comments:

My name is Josiah Saifoloi and I support S.B. 726, which bans "no-knock" warrants. requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law", named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid.

Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/5/2021 9:36:23 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lesley Harvey	Individual	Support	No

Comments:

My name is Lesley Harvey and I am writing to strongly support of SB726, banning “no-knock” warrants, requiring officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and to do so in uniform.

Known as “Breonna’s Law,” SB726 serves to protect citizens from the horrific outcome of the no-knock warrant executed at the home of Breonna Taylor in the middle of the night. Breonna Taylor, a 26-year-old Black medical worker, was murdered by Louisville police during a botched no-knock raid. **I cannot begin to imagine the abject terror she felt, awaken to sounds she surely would have attributed to intruders breaking into her home. Any reasonable citizen would think the same. The potential for a citizen to feel they are acting within the law by protecting themselves, their family, and their property is high if plainclothes officers forcibly enter their property without warning and without announcing themselves.** No-knock warrants endanger everyone in or near the premises. This is a practice that is unnecessary and fatally dangerous.

Please honor Breonna Taylor’s life and ensure no Hawai’i citizen is subject to unannounced intruders breaking into their home in the middle of the night by ending no-knock raids and warrants in Hawai’i by supporting SB726. There is no reason to wait for tragedy to enact smart legislation.

SB-726

Submitted on: 4/5/2021 9:37:54 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jonah Bobilin	Individual	Support	No

Comments:

My name is Jonah Bobilin and I am a resident of Pearl City. I am writing in support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid.

No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

Hawai’i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants and requiring officers executing warrants to wait at least thirty seconds before entering a property. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place.

I implore you to please honor Breonna Taylor’s life and end no-knock raids and warrants in Hawai’i by supporting SB726. We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/5/2021 9:48:04 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Marjorie Ino	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai’i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai’i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of at least 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai'i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

SB-726

Submitted on: 4/5/2021 9:50:32 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Chuck Taylor	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members,

I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/5/2021 10:05:38 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Fiandach	Individual	Support	No

Comments:

Aloha Chair and Committee Members,

I am testifying my unwavering support of SB726. The nation witnessed the police practice that murdered an innocent. Breonna Taylor did not need to die. Hawaii should not wait for our own tragedy to make this positive change in banning no-Knock warrants. Please do the right thing and support SB726.

Sincerely and with aloha,

Amy Fiandach

SB-726

Submitted on: 4/5/2021 10:06:17 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carrie Ann Shirota	Individual	Support	No

Comments:

Aloha Chair Nakashima, Vice Chair Matayoshi and Committee Members:

Please pass SB726 to prohibit no-knock warrants safeguard individuals' Constitutional rights under the Fourth Amendment.

This measure could literally save a person's life and prevent families from having to bury their child, as Breonna Taylor's family experienced.

Mahalo for the opportunity to submit testimony in support of SB726.

Sincerely,
Carrie Ann Shirota, Esq

Honolulu, Hawaii

SB-726

Submitted on: 4/5/2021 10:18:16 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Gorman	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members, I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/5/2021 10:37:19 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laura Boles	Individual	Support	No

Comments:

1. like:

My name is Laura Boles and I am writing in strong support of SB726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. SB726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid.

Please honor Breonna Taylor’s life and end no-knock raids and warrants in Hawai’i by supporting SB726. We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/5/2021 10:40:16 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Scott D Israel	Individual	Support	No

Comments:

I would like to see this bill become law though 30 seconds is not an adequate amount of time to expect someone to wake up and open their door in the middle of the night. Police work that isn't life or death or dealing with an ongoing emergency situation should be conducted during reasonable hours. This bill is better than nothing but a great deal more thought needs to be given to police training, professional standards, upholding the law, along with providing suitable compensation that professional police work deserves. Thank you.

SB-726

Submitted on: 4/5/2021 10:43:38 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley de Coligny	Individual	Support	No

Comments:

I support SB726, which bans "no-knock" warrants.

SB-726

Submitted on: 4/5/2021 10:56:51 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Henry boothe	Individual	Support	No

Comments:

Aloha,

My name is Henry Boothe and I strongly SUPPORT SB726 to ban 'no-knock' warrants and provide other requirements of officer contact with citizens. The murder of Breonna Taylor in 2020 showed us the deadly and tragic consequences of sloppy and erratic policing (with lethal dangers to the officer as well), of which I believe these requirements can help address by organizing officer decision making towards a more controlled and safer interaction.

Mahalo,

Henry Boothe

SB-726

Submitted on: 4/5/2021 11:53:10 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Diana Bethel	Individual	Support	No

Comments:

Aloha,

I am writing in strong support of SB726. This bill would prohibit the issuance of warrants that permit entry by an officer to a house, store, or other building without first audibly declaring the officer's office and business, including no-knock warrants. It requires law enforcement officers serving an arrest warrant at a house or a search warrant at a house, store, or other building to audibly declare the officer's office and business and wait at least thirty seconds for compliance before entry. It also requires officers serving a warrant to do so in uniform.

SB726, which would ban no-knock entry into someone's house, would reduce the risk of injury or death to the occupants due to their natural response of defending themselves against presumed burglars or other intruders who might harm them.

There are numerous examples of no-knock entry situations in which police mistakenly entered the wrong residence or were pursuing the wrong person and the occupants were killed or injured. A more restrained approach that would allow police to identify themselves as well as give them time to verify the occupant's identity would prevent many senseless deaths.

Please pass SB726 to help save lives and prevent careless mistakes on the part of the police.

Mahalo,

Diana Bethel, Honolulu

SB-726

Submitted on: 4/5/2021 11:58:47 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Katelyn McAniff	Individual	Support	No

Comments:

My name is Katelyn McAniff and I am writing in strong support of SB726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. SB726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid.

Please honor Breonna Taylor’s life and end no-knock raids and warrants in Hawai’i by supporting SB726. We cannot wait until there is a tragedy to take action, we need action now.

SB-726

Submitted on: 4/6/2021 12:10:41 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Corinne Carson	Individual	Support	No

Comments:

No-knock warrants can lead to tragedy. Please end them in Hawaii.

SB-726

Submitted on: 4/6/2021 12:19:20 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Clara Ontal	Individual	Support	No

Comments:

Aloha,

My name is Clara Ontal and I support SB 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. SB 726 is named after Breonna Taylor, a Black medical worker who was murdered in her own home by Louisville police during a botched no-knock raid.

Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

Clara Ontal

SB-726

Submitted on: 4/6/2021 12:50:45 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lucy Fagan	Individual	Support	No

Comments:

Aloha,

My name is Lucy Fagan and I am writing in strong support of SB726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. SB726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid.

Please honor Breonna Taylor’s life and end no-knock raids and warrants in Hawai’i by supporting SB726. We cannot wait until there is a tragedy to take action.

Thank you.

SB-726

Submitted on: 4/6/2021 4:17:01 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Donelle Sawyer	Individual	Support	No

Comments:

Aloha e Chair Nakashima and Committee members. I strongly support S.B. 726, banning “no-knock” warrants, requiring officers to wait thirty seconds or more before forcibly entering when executing a warrant, and requiring officers serving a warrant to do so in uniform. This bill is known as “Breonna’s Law,” for the 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Her death deserves justice. Please honor Breonna Taylor’s life and end no-knock raids and warrants in Hawai’i by supporting SB726. We cannot wait until there is a tragedy to take action.”

1.

SB-726

Submitted on: 4/6/2021 6:04:25 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gabriella MoraVeracruz	Individual	Support	No

Comments:

I am in support of this bill to provide a greater level of safety within our society.

SB-726

Submitted on: 4/6/2021 6:57:43 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Brown III	Individual	Support	No

Comments:

Aloha Chair, Vice Chair, and members of the Committee,

I write in **STRONG SUPPORT** of this measure. Please honor the life of Breonna Taylor, and protect the lives of many others in the future, by passing this bill out of Committee.

In Solidarity,

Joey Brown

Kailua, 96734

SB-726

Submitted on: 4/6/2021 7:01:37 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Steven Mitchell	Individual	Support	No

Comments:

Please stop no knock warrants. We have the technology to avoid this from happening again to anyone. Mahalo for your efforts.

SB-726

Submitted on: 4/6/2021 7:16:59 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Greg Puppione	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members, I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/6/2021 7:42:37 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jacquelynn Levien	Individual	Support	No

Comments:

Dear Legislators:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. Can I count on you to join me in supporting this bill?

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

Like most states, Hawai‘i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling. What constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case, with Hawai‘i courts ruling that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am.

Hawai‘i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai‘i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge you to please support S.B. 726 and honor Breonna Taylor's life with this important policy change by voting yes.

Sincerely,

Jacquelynn Levien

Kailua, Hawai'i

SB-726

Submitted on: 4/6/2021 8:20:05 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Edward Halealoha Ayau	Individual	Support	No

Comments:

I support this measure and this Committee to approve it, mahalo.

SB-726

Submitted on: 4/6/2021 8:23:36 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
cathy lee	Individual	Support	No

Comments:

Legislators have supported the movement for Black Lives Matter and also acknowledged the racial discrimination and criminalization of Native Hawaiians and Micronesians here in Hawai'i. If they truly acknowledge and support these realities, SB726 should not be a contentious bill. We should do everything we can to prevent any more deaths at the hands of HPD and an obvious way to eliminate one potential avenue police officers have across the nation is to ban "no-knock" warrants and require officers to wait at least 30 seconds before entering a house, store or other building when executing a warrant. It also requires officers to execute warrants in uniform.

No-knock raids are often used in conjunction with military-grade equipment and rely on surprise. They are often executed late at night or early in the morning. This frequently leads to violent interactions between police and people who reasonably assume that the intruders invading their homes are there to burglarize or harm them and react defensively.

Three states have already expressly banned no-knock raids and the warrants that authorize them. Hawai'i should become the next state to ban these no-knock raids and the warrants that authorize them. The defense of "this is not an issue in Hawai'i" is not good enough. We should be doing everything we can to take preventative measures to protect our communities.

SB-726

Submitted on: 4/6/2021 8:54:14 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
alizabeth hilihema rose	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members,

I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/6/2021 8:55:02 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lucia Xiong	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities. The same racist ideology exists here and many policies unfairly target Micronesian, Pacific Islander, and other darker skinned communities. This law could potentially mitigate these inequities in Hawaii as well.

While, like many states, Hawai’i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai’i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of *at least 30 seconds*, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai’i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes

that a burglary is taking place. To further strengthen this bill and protect the people of Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

Thank you for your consideration,

Lucia Xiong

SB-726

Submitted on: 4/6/2021 9:06:56 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Randal Bartlett	Individual	Support	No

Comments:

Support SB726

SB-726

Submitted on: 4/6/2021 9:09:19 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Esme Yokooji	Individual	Support	No

Comments:

My name is Esme Yokooji and I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

Like most states, Hawai’i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling. What constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case, with Hawai’i courts ruling that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am.

Hawai’i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai’i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge you to please support S.B. 726 and honor Breonna Taylor's life with this important policy change by scheduling this bill for a hearing and voting yes.

SB-726

Submitted on: 4/6/2021 9:15:21 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Edwin Lesperance	Individual	Support	No

Comments:

Aloha Chair Nakashima and Committee members, I'm testifying in strong support of S.B. 726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. S.B. 726 is known as "Breonna's Law," named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawai'i by supporting SB726. We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/6/2021 9:22:14 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brynn Matsuoka	Individual	Support	No

Comments:

S.B. 726

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai‘i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai‘i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of at least 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai‘i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes

that a burglary is taking place. To further strengthen this bill and protect the people of Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change. Thank you.

SB-726

Submitted on: 4/6/2021 9:40:39 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nadia Alves	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai‘i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai‘i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of at least 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai‘i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai‘i against police violence, I request the Committee to narrow the exigent

circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

Thank you,

Nadia

SB-726

Submitted on: 4/6/2021 9:52:41 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michaela Johnson	Individual	Support	No

Comments:

My name is Michaela Johnson and I support SB726, which bans "no-knock" warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform. SB726 is known as "Breonna's Law", named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville policed during a botched no-knock raid.

Please honor Breonna Taylor's life and end no-knock raids and warrants in Hawaii by supporting SB726. We cannot wait until there is a tragedy to take action.

SB-726

Submitted on: 4/6/2021 10:16:29 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nicole Williams	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai’i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai’i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of at least 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai'i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai'i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

SB-726

Submitted on: 4/6/2021 10:51:01 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alice Kahaleua	Individual	Support	No

Comments:

I support SB726 and I would like to see added

on to this bill is that Officers utilize their body cameras for the duration of the search to record all interactions taking place. As a citizen I don't trust the police because they have repeatedly violated my rights. One morning I woke up and there were four police officers standing in my room.! They demanded that the maintenance man let them in with managements keys.! They had no warrant and was there to serve a Trespassing paper to my boyfriend.! It was approximately 8am and my partner and I were both naked under the covers. I woke up to the sound of men's voices in MY House in MY room.! Being a victim of sexual assault and being sexually violated as a child was traumatizing for me to wake up to the sound of men in my room. More than one man... Four of them. I was confused and afraid. I did not know what was going on.! I have lost trust in our law enforcement.! This incident was by far humiliating as well. Who do I report to when there is so much corruption within our justice system.?

SB-726

Submitted on: 4/6/2021 11:08:15 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
MICAH KAIMANA PACATANG	Individual	Oppose	No

Comments:

I, MICAH KAIMANA PACATANG, hereby oppose SB726.

SB-726

Submitted on: 4/6/2021 11:38:21 AM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Randy Gonce	Individual	Support	No

Comments:

Aloha Chair,

This is an extremely important measure to pass. Police departments can not be allowed to continue to conduct "no-knock" warrants in our communities. Please pass this measure.

-Randy Gonce

SB-726

Submitted on: 4/6/2021 12:04:41 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
brandi corpuz	Individual	Support	No

Comments:

Aloha my name is Brandi Corpuz and I support this bill because no one should be shot in their own home by police when being served a warrant. Thank you, brandi Corpuz Kihei Maui

SB-726

Submitted on: 4/6/2021 12:46:04 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Ruiz	Individual	Support	No

Comments:

Dear Chair Rhonda and members of the Committee:

I am a concerned constituent and support this bill. "No Knock" warrants were initially created in extreme scenarios where lives are in imminent danger such as hostage situations or to capture snipers. Since being implemented in the 20th century, they instead have been used for petty-level drug searches where law enforcement agencies are more concerned with protecting evidence than saving human lives.

The state of Kentucky did an analysis on no knock raids and based on facts this policy does not save lives instead it frequently results in bodily harm. This being in either injury or death to the individual in the home being targeted. Many of these citizens are innocent. Such as the case with Breonna Taylor. Whose murder sparked outrage, media attention, and protests--even here in Hawai'i.

No-knock raids have become the main driving force that leads to injury and death under the veil of policing by law enforcement. Kentucky since 2020 has strongly requested the ban on issuing no-knock warrants, as well as several other types of forced entry raids as a movement towards demilitarizing local law enforcement.

Department of Attorney General for Hawai'i states that this bill would lead to destruction of evidence or an individual fleeing. And that 30 seconds to give an individual to respond should not be mandated. With that being said, Police officers have a dangerous job. Myself and others completely understand that. And we support what they do for the communities. However, they also hold a responsibility to serve and protect. Giving 30 seconds (not even a minute) for an individual to respond who doesn't know their home is about to be raided, is a form of protection to the citizen. It gives them time to prepare to deal with armed police officers by being aware of the situation and cooperate. Especially, if they're innocent. It is heavily traumatizing to deal with armed police even with 30 seconds of time but at least there is still some form of time allocated to the home owner or resident.

The state where Breonna Taylor is from have taken steps to reform the no-knock procedures or ban them completely. As of May 2020, no-knock warrants were suspended by Louisville Mayor Fischer as a response to Breonna Taylor's death. And June 2020, Breonna's law was passed in agreement by all of the Louisville metro council.

Please support SB726. This bill is needed to keep Hawai'i's residents safe and to truly save their lives. Breonna Taylor's case gives Hawai'i opportunity to not allow the same to happen here.

Thank you for your time in regards to this matter.

Carmen Mitchell, Banning No-Knock Warrants Is an Important First Step in Addressing Police Violence Through Demilitarization Kentucky Center for Economic Policy (2020), <https://kypolicy.org/banning-no-knock-warrants-first-step-in-addressing-police-violence-demilitarization/> (last visited Apr 6, 2021).

S.B. 726

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs:

I am writing in strong support of S.B. 726, which bans “no-knock” warrants, requires officers to wait at least thirty seconds before forcibly entering a property when executing a warrant, and requires officers serving a warrant to do so in uniform.

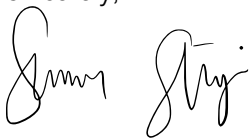
S.B. 726 is known as “Breonna’s Law,” named after 26-year-old Black medical worker Breonna Taylor, who was murdered in her own home by Louisville police during a botched no-knock raid. No-knock and quick-knock raids rely on surprise and are often used late at night or early in the morning, often leading to violent interactions between police and people who reasonably assume that the police officers invading their home late at night are there to burglarize them and react defensively. The practice has racist roots and is disproportionately deployed against communities of color, particularly Black communities.

While, like many states, Hawai‘i requires officers to knock, announce themselves, and wait a reasonable amount of time before forcing their way into a dwelling, what constitutes a reasonable period of time between announcement and forced entry depends on the circumstances of the case. Hawai‘i courts have ruled that 15 seconds was reasonable when executing a search warrant at a commercial building during business hours, but that 25 seconds was not a reasonable period of time when forcing entry into a private residence at 6:15am. S.B. 726 creates a critical baseline of *at least* 30 seconds, while allowing courts to determine that more time was required given the circumstances of the case.

Hawai‘i must take steps to prevent unnecessary death by expressly banning the issuance of no-knock warrants, and requiring officers executing warrants to wait at least thirty seconds before entering a property. Courts would still be free to determine that, based on the circumstances of a case, police were required to wait more than thirty seconds. S.B. 726 also requires officers to be uniformed when executing a warrant, allowing property occupants to clearly identify the officers as law enforcement, which will help prevent circumstances in which the occupant of a home mistakenly believes that a burglary is taking place. To further strengthen this bill and protect the people of Hawai‘i against police violence, I request the Committee to narrow the exigent circumstances in section 2 of the bill to those that are imminently life-threatening. Human life is more important than the possible loss of evidence.

For these reasons, I urge the Committee to please pass S.B. 726 and honor Breonna Taylor's life with this important policy change.

Sincerely,



Summer Shiigi
Business Owner
Honolulu Resident

SB-726

Submitted on: 4/6/2021 1:39:54 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
cori farrow	Individual	Support	No

Comments:

No police officer should have the authority to walk into anyone's home. Especially not when they cannot be trusted to not kill people. Police are not judge, jury, and executioner. They should not have the authority or protection to act as such. Too often, that is the case when there is nothing to stop police from walking into someone's home.

SB-726

Submitted on: 4/6/2021 1:46:23 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Max Castanera	Individual	Support	No

Comments:

Aloha mai kakou,

My name is Max Pono Castanera and I was born and raised in Mokapu, Kailua, Oahu and will be graduating from the John A Burns School of Medicine as a physician in one short month.

There is no doubt that officers have a difficult job. Just like physicians, we entrust these professionals with our lives and seek them in the most vulnerable of situations. As physicians, we are vulnerable to litigation for outcomes that may be due to chance alone. Officers are vulnerable to injury and even death for situations that may also be due to chance alone. In order to protect both the citizens of Hawaii and the officers who serve this place, **I strongly support the passing of SB 726.**

Let us prevent the tragedy that occurred in Kentucky to Breonna Taylor from happening here in Hawaii. Let it be known from that example how dangerous no-knock warrants can be - causing residents to react out of fear and attempting to harm those forcefully entering their homes. I strongly urge you to pass this legislation to protect our residents and our officers from unnecessary harm. Mahalo nui for your time and consideration.

SB-726

Submitted on: 4/6/2021 2:01:29 PM

Testimony for JHA on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Keisa Liu	Individual	Support	No

Comments:

Aloha Chair Nakashima, Vice Chair Matayoshi and Committee members. My name is Keisa Liu and I am testifying in support of SB726 Relating to Policing.

My biggest concern is safety of our community, our whole community, including our police. This bill would eliminate the element of surprise by requiring officers to be in uniform, announce their presence and to wait thirty seconds before entering a property. This reduces the risk of loss of life, not just for the people whose property the officer is entering but also for the officer themselves.

Breonna's boyfriend shot at the officers because he did not know they were officers. He believed them to be intruders and was well within his second amendment right to bare arms to protect his life and property. That put the officers' lives at risk and we lost Breonna's life that day.

So I am urging those of you who may think that in not passing this bill, you are supporting our police, just recognize that you are actually putting their lives at risk, as well as the lives of our community members, unnecessarily.

Mahalo for your time and for listening to my concerns today.