



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
KA 'OIHANA O KA LOIO KUHINA  
THIRTY-SECOND LEGISLATURE, 2024**

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**ON THE FOLLOWING MEASURE:**  
H.B. NO. 1786, RELATING TO ELECTIONS.

**BEFORE THE:**  
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

**DATE:** Tuesday, January 30, 2024      **TIME:** 2:00 p.m.

**LOCATION:** State Capitol, Room 325 and Videoconference

**TESTIFIER(S):** Anne E. Lopez, Attorney General, or  
Mark S. Tom, Deputy Attorney General

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Chair Tarnas and Members of the Committee:

The Department of the Attorney General (Department) provides the following comments with suggested amendments.

This bill appears to address the unprecedented surge in hostility and attacks on election workers. Additionally, it allows for the Chief Election Officer to remove election officials and election workers from their duties for negligence, malfeasance, misconduct, or any other cause.

The Department is concerned about the proposed misdemeanor offense to be added to chapter 11, Hawaii Revised Statutes (HRS), by section 1 on page 1 of the bill, lines 4-9. Assault against anyone is already a misdemeanor under section 707-712, HRS. And that offense does not require proof of interference with an election worker's duties. The term "harass" is not defined in the bill, and it may be clearer and more appropriate to use the existing harassment law under section 711-1106, HRS, to address harassing behavior against election workers. It is a petty misdemeanor, but it still can result in a thirty-day jail sentence. As for assault, election workers can be better protected from assault, simply by adding them as a protected class under section 707-711, HRS, Assault in the Second Degree, a class C felony.

Currently, Assault in the Second Degree, section 707-711, encompasses several protected classes of individuals that have been subject to assaultive type behavior while engaged in the performance of their duty. This section includes but is not limited to

educational workers, emergency medical service providers, persons employed at state and contracted mental health facilities, firefighters, water safety officers, and sports officials. The Department would suggest the following amendment to section 707-711, HRS:

- §707-711 Assault in the second degree.** (1) A person commits the offense of assault in the second degree if the person:
- (a) Intentionally, knowingly, or recklessly causes substantial bodily injury to another;
  - (b) Recklessly causes serious bodily injury to another;
  - (c) Intentionally or knowingly causes bodily injury to a correctional worker, as defined in section 710-1031(2), who is engaged in the performance of duty or who is within a correctional facility;
  - (d) Intentionally or knowingly causes bodily injury to another with a dangerous instrument;
  - (e) Intentionally or knowingly causes bodily injury to an educational worker who is engaged in the performance of duty or who is within an educational facility. For the purposes of this paragraph, "educational worker" means any administrator, specialist, counselor, teacher, or employee of the department of education or an employee of a charter school; a person who is a volunteer, as defined in section 90-1, in a school program, activity, or function that is established, sanctioned, or approved by the department of education; or a person hired by the department of education on a contractual basis and engaged in carrying out an educational function;
  - (f) Intentionally or knowingly causes bodily injury to any emergency medical services provider who is engaged in the performance of duty. For the purposes of this paragraph, "emergency medical services provider" means emergency medical services personnel, as defined in section 321-222,

and physicians, physician's assistants, nurses, nurse practitioners, certified registered nurse anesthetists, respiratory therapists, laboratory technicians, radiology technicians, and social workers, providing services in the emergency room of a hospital;

- (g) Intentionally or knowingly causes bodily injury to a person employed at a state-operated or -contracted mental health facility. For the purposes of this paragraph, "a person employed at a state-operated or -contracted mental health facility" includes health care professionals as defined in section 451D-2, administrators, orderlies, security personnel, volunteers, and any other person who is engaged in the performance of a duty at a state-operated or -contracted mental health facility;
- (h) Intentionally or knowingly causes bodily injury to a person who:
  - (i) The defendant has been restrained from, by order of any court, including an ex parte order, contacting, threatening, or physically abusing pursuant to chapter 586; or
  - (ii) Is being protected by a police officer ordering the defendant to leave the premises of that protected person pursuant to section 709-906(4), during the effective period of that order;
- (i) Intentionally or knowingly causes bodily injury to any firefighter or water safety officer who is engaged in the performance of duty. For the purposes of this paragraph, "firefighter" has the same meaning as in section 710-1012 and "water safety officer" means any public servant employed by the United

States, the State, or any county as a lifeguard or person authorized to conduct water rescue or ocean safety functions;

- (j) Intentionally or knowingly causes bodily injury to a person who is engaged in the performance of duty at a health care facility as defined in section 323D-2. For purposes of this paragraph, "a person who is engaged in the performance of duty at a health care facility" includes health care professionals as defined in section 451D-2, physician assistants, surgical assistants, advanced practice registered nurses, nurse aides, respiratory therapists, laboratory technicians, and radiology technicians;
- (k) Intentionally or knowingly causes bodily injury to a person who is engaged in providing home health care services, as defined in section 431:10H-201;
- (l) Intentionally or knowingly causes bodily injury to a person, employed or contracted to work by a mutual benefit society, as defined in section 432:1-104, to provide case management services to an individual in a hospital, health care provider's office, or home, while that person is engaged in the performance of those services;
- (m) Intentionally or knowingly causes bodily injury to a person who is sixty years of age or older and the age of the injured person is known or reasonably should be known to the person causing the injury; [øf]
- (n) Intentionally or knowingly causes bodily injury to a sports official who is engaged in the lawful discharge of the sports official's duties. For the purposes of this paragraph, "sports official" and "lawful discharge of the sports official's duties" have the same meaning as in section 706-605.6[-]; or

- (o) Intentionally or knowingly causes bodily injury to any clerk, election official, or election worker who is engaged in the performance of duty. For the purposes of this paragraph, “clerk”, “election official”, and “election worker” have the same meaning as defined in section 11-1.
- (2) Assault in the second degree is a class C felony.

Additionally, the Department suggests deleting wording in subsection (a) relating to assault/harassment type behavior against an election worker (page 1, lines 4-9), to ensure the HRS does not have conflicting statutes with the Department’s suggested amendment to section 707-711, HRS.

**Page 1, Line 4-9, Page 1, Line 11:**

§11- Election workers; protections. ~~(a) In addition to any other crime, it shall be a misdemeanor for any person to intimidate, threaten, harass, or assault any clerk, election official, or election worker with the intent to interfere with, hinder, impair, or obstruct the clerk, election official, or election worker in the performance of their official duties.~~ Nothing in this section shall be construed to prohibit the chief election officer or ~~the elections commission~~ clerk from removing an election official or election worker for negligence, malfeasance, misconduct in office, or any other cause.

Also, the Department suggests replacing “the elections commission” (page 1, line 11) with “clerk” and amending the definition of “election worker” (page. 2, lines 7-8) to include the county clerk.

**Page 2, Line 7-8:**

“Election worker” means an individual designated by the chief election officer or clerk to provide election support services.

The Department notes that the duty to “remove an election official or election worker” does not appear to fall within the purview of the Elections Commission through section 11-7.5, HRS. That duty appears to be granted to the Chief Election Officer and county clerks when applicable. Therefore, the Department believes these amendments are necessary to ensure consistency with existing statutes.

Thank you for the opportunity to submit our comments and suggested amendments on this matter.

State of Hawai‘i  
The Office of the Public Defender

H.B. No. 1786:     RELATING TO ELECTIONS

Chair David Tarnas  
Vice Chair Gregg Takayama  
Honorable Committee Members

The Office of the Public Defender **opposes** this bill.

While election officials across the country are under tremendous stress from rightwing radicals that threaten democracy, putting another criminal offense for prosecutors will not allay that stress. If someone threatened, harassed, or assaulted an election official, prosecutors can already charge that person with terroristic threatening, harassment, assault, and obstructing government operations. Those offenses should be easier to prove because they do not require the specific intent to “interfere with, hinder, impair or obstruct.”

There are also constitutional concerns. Many people in this country are unfortunately believe that the 2020 election was stolen. These people nevertheless have a constitutional right to assemble and vociferously express themselves—even when they are misguided, wrong, and ironically want to undermine the constitutional form of government itself. Prosecuting someone with these views for “intimidating,” “threatening,” or “harassing” election officials will inevitably lead to constitutional challenges. If the defense is successful in the courtroom, it could embolden them in the political arena.

Finally, by making this offense “in addition to any other crime,” the offense will not be subject to merger under Hawai‘i Revised Statutes § 701-109(1)(e) and will only increase the penalties to the already adequate criminal offenses in the penal code. Accordingly, the Office of the Public Defender opposes this bill.

Should this committee feel that a new offense like this is still necessary, it is respectfully requested that it be limited to “assault” to remove many of the constitutional problems associated with the freedom of expression and strike the anti-merger provisions.

**LATE**

TESTIMONY  
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS  
HB1786 RELATING TO ELECTIONS

Tuesday, January 30, 2024, at 2:00 pm

State Capitol Conference Room 325 via Videoconference

Submitted in OPPOSITION by Mrs. Jamie Detwiler, President, Hawai'i Federation of Republican Women

Honorable Chair Tarnas, Vice-Chair Takayama, and Committee Members,

INTRODUCTION: I support the intent of HB1786 which is to protect the safety and well-being of the Office of Elections employees.

I oppose HB1786 for the following reasons:

1. Harassment Laws already exist under Hawaii Revised Statutes § 711-1106.
2. Waste of resources. This is duplication of laws that are already in existence under HRS 711-1106. HB 1786 also proposes to appropriate funds to the office of elections to fund this proposed legislation. The appropriation funding amount has been left blank. I recommend that you provide complete information before putting a bill forward.

Please do not pass HB1786. Please vote NO.

Thank you for the opportunity to testify.

Respectfully Submitted,  
Jamie Detwiler



**HB-1786**

Submitted on: 1/29/2024 12:28:38 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gary cordery	Aloha Freedom Coalition & Hi CHD	Oppose	Written Testimony Only

Comments:

Free speech is the cornerstone of a free society, who decides what is intimidation or threatening behavior? There are already laws on the books to prevent unlawful behavior.



## HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-Second Legislature, State of Hawaii  
The House of Representatives  
Committee on Judiciary and Hawaiian Affairs

Testimony by  
Hawaii Government Employees Association

January 30, 2024

### H.B. 1786 — RELATING TO ELECTIONS

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the purpose and intent of H.B.1786, which provides protections for clerks, election officials, and election workers from harassment, threats, abuse, and assault in the performance of their official duties and prohibits the sharing of personal information of clerks, election officials, and election workers for the purposes of harassment, threats, abuse, and assault.

It's undemocratic and blatantly wrong for members of the public to threaten, abuse, or assault county clerks, election officials, and election workers. There has been a desperate need for election workers – without the appropriate number of workers, polling locations could open late, cause inconveniences for voters, or delay statewide election results. We are hopeful that if passed, this legislation will deter individuals from harassing or assaulting workers and volunteers which will provide a safer workplace on election day.

Thank you for the opportunity to provide testimony in support of H.B. 1786.

Respectfully submitted,

Randy Perreira  
Executive Director

**HB-1786**

Submitted on: 1/26/2024 6:08:13 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Andrew Crossland	Individual	Oppose	Written Testimony Only

Comments:

I **oppose** this Bill.

**HB-1786**

Submitted on: 1/27/2024 8:31:19 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kaiulani Bowers	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill because it is subjective and could be weaponized against election deniers

**HB-1786**

Submitted on: 1/27/2024 8:39:44 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael Moylan	Individual	Oppose	Written Testimony Only

Comments:

I oppose Bill HB1786. A misdemeanor to intimidate, threaten, etc. any clerk, election official, or election worker... This is a subjective Bill that may be weaponized against "election deniers."

**HB-1786**

Submitted on: 1/27/2024 9:23:30 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
kelly morgan	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

**HB-1786**

Submitted on: 1/27/2024 9:24:14 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
April Handog	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill as it leaves room for it to be weaponized by the leading party.

**HB-1786**

Submitted on: 1/27/2024 12:35:30 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sharron VanDeusen	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill.



**HB-1786**

Submitted on: 1/27/2024 1:16:49 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Leolani Mahuka iwaki	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill!

**HB-1786**

Submitted on: 1/27/2024 1:38:53 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
kamakani de dely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. The actions of anyone questioning the results of an election can be deemed as a threat is the weaponization of the laws against voters rights. I vote NO!

**HB-1786**

Submitted on: 1/27/2024 2:13:38 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mallory De Dely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. The actions of anyone questioning the results of an election can be deemed as a threat is the weaponization of the laws against voters rights. I vote NO!

**HB-1786**

Submitted on: 1/27/2024 4:11:13 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Scott Kidd	Individual	Support	Written Testimony Only

Comments:

Election integrity and protecting the individuals who ensure that is key for ensuring free and fair future elections. Intimidating people who work in the voting systems should be illegal and needs to be discouraged at all levels to include legal repercussions. This is the only way to make sure our voting system stays fair and equitable for all.

**HB-1786**

Submitted on: 1/27/2024 10:07:29 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lesha Mathes	Individual	Oppose	Written Testimony Only

Comments:

Too subjective.

**HB-1786**

Submitted on: 1/28/2024 8:49:32 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ryan Willis	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose

**HB-1786**

Submitted on: 1/28/2024 8:57:32 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kanoë Willis	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose

**HB-1786**

Submitted on: 1/28/2024 10:17:11 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
THOMAS KENT	Individual	Oppose	Written Testimony Only

Comments:

**I OPPOSE THIS BILL**



**HB-1786**

Submitted on: 1/28/2024 10:48:32 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sierra Palpallatoc	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE THIS BILL

**HB-1786**

Submitted on: 1/28/2024 11:08:26 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
lynne matusow	Individual	Support	Written Testimony Only

Comments:

Unfortunately it has come to this. We must maintain the integrity of the elections and protect all election workers. I do not believe the heinous actions on the mainland have come to pass in Hawaii nei, but they will. Just see the two Georgia women who were vilified, incorrectly, by the former president and his allies who then went to court and were awarded millions. Please move this bill forward. mahalo.

**HB-1786**

Submitted on: 1/28/2024 12:34:51 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Teresa Parmenter	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1786

**HB-1786**

Submitted on: 1/28/2024 12:49:52 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
TERI SAVAIINAEA	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 1786.

What constitutes harassment? Who will be responsible for defining “harassment”? This has the likelihood of being subjective and can be used to target constituents of the opposing political party.

I oppose HB 1786.

Thank you,

Teri Savaiinaea

**HB-1786**

Submitted on: 1/28/2024 1:50:58 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Candace Vizcarra	Individual	Oppose	Written Testimony Only

Comments:

STOP MESSING WITH GOD!! HE IS SOVEREIGN AND HE WILL PROTECT HIS PEOPLE AND HOLD ALL EVIL ACCOUNTABLE!!! I HOPE YOU KNOW JESUS....

CONCERNED RESIDENT

**HB-1786**

Submitted on: 1/28/2024 1:57:10 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Terri Yoshinaga	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bad bill.

**HB-1786**

Submitted on: 1/28/2024 2:00:59 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alika Valdez	Individual	Support	Written Testimony Only

Comments:

I support this.

**HB-1786**

Submitted on: 1/28/2024 2:56:27 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
tania victorine	Individual	Oppose	Written Testimony Only

Comments:

Subjective bill that may criminalize election deniers.



**HB-1786**

Submitted on: 1/28/2024 3:56:33 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Rita Wong	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 1786.

**HB-1786**

Submitted on: 1/28/2024 6:27:02 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Heather R Lauro	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Language is too vague and subjective. Appears to weaponize state officials, election workers, etc. with the ability to make false claims for varying opinions. No standard for behavior. Do better!

**HB-1786**

Submitted on: 1/28/2024 7:22:28 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tiffany Salazar	Individual	Oppose	Written Testimony Only

Comments:

Misdemeanor to intimidate, threaten, etc and any clerk, election official or election worker.  
Subjective Bill that may be weaponized against "election deniers".

**HB-1786**

Submitted on: 1/28/2024 8:19:31 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
CHESTER LUM	Individual	Oppose	Written Testimony Only

Comments:

Thank you for allowing me to submit testimony opposing this bill.

HB1786, although its intentions are honorable, I believe is highly subjective and does not define the activities that would hinder, restrict, or obstruct the election worker of their duties. An example of asking an election worker a question can be interpreted by an election worker as hindering the task they are currently performing and can be charged as a misdemeanor to the person asking the question because the election worker stops what they are doing to respond to the person asking the question.

Once again, thank you for allowing me to submit testimony opposing this bill.

Chester Lum

**HB-1786**

Submitted on: 1/28/2024 8:53:09 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
James R Cabodol Jr	Individual	Oppose	Written Testimony Only

Comments:

We the people should be allowed to express our constitutional right to freedom of speech, and by doing so we should never be infringed or intimidated upon. This bill I strongly oppose

**HB-1786**

Submitted on: 1/28/2024 9:05:53 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jessica Penner	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Threatening someone is already a crime - we don't need to give "special protections" to county and state employees. Many county and state employees in my county already openly treat the public with disdain and this will be yet another tool to weaponize against a minority political community (or any individual the employees considers bothersome for any reason) while no meaningful reform is given to ensure the transparency and accountability of our "public servants"

**HB-1786**

Submitted on: 1/28/2024 9:13:25 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Vivek Pathela	Individual	Oppose	Written Testimony Only

Comments:

Subjective and weaponizing Bill. OPPOSE

**HB-1786**

Submitted on: 1/28/2024 9:25:28 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Robin Gusich-Batara	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1786 as it is very subjective and has the potential to be used to weaponize our judicial system against anyone with opposing views. We already have laws against harrassment, assault, and such adverse behavior towards ANY citizen. Let those laws be enforced to provide the same protection sought by this bill.

Thank you



**HB-1786**

Submitted on: 1/28/2024 9:45:35 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
AnnMarie Hamilton	Individual	Oppose	Written Testimony Only

Comments:

What constitutes harassment? Who will be responsible for defining “harassment”? This has the likelihood of being subjective and can be used to target constituents of the opposing political party.

**HB-1786**

Submitted on: 1/28/2024 10:00:29 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Leslie Miles	Individual	Oppose	Written Testimony Only

Comments:

Oppose. This is another subjective bill that could be used against people or groups that question or bring to light issues with elections. The fact that someone disagrees or brings forth complaints could be weaponized against them to say they are "threatening" or "harassing" election officials.

Thank you.

**HB-1786**

Submitted on: 1/28/2024 10:04:10 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jacob Wiencek	Individual	Support	Written Testimony Only

Comments:

Aloha Representatives,

On behalf of Hawaii Young Republicans, we support this bill. The last 8 years have proven a stressful time, especially for our election workers. In face of increasing, and increasingly violent threats, adding additional legal protections to those making the machinery of our elections work is crucial. Secure, fair, clean, and safe elections are simply not possible if election workers remain vulnerable. We urge the committee to support this legislation.

**HB-1786**

Submitted on: 1/28/2024 10:19:23 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Amanda Scardilli	Individual	Oppose	Written Testimony Only

Comments:

OPPOSING DUE TO:

THIS BILL IS AN ATTACK ON FREE SPEECH!

IT IS OUR FIRST AMMENDMENT RIGHT TO SAY WHATEVER WE WANT. IT IS ANOTHER THING TO ACT ON IT. LOOK AT PRESIDENT BIDEN FOR EXAMPLE. HE SAID A LOT OF THINGS BUT IS ACTING ON OTHERS. THIS IS A FREE COUNTRY!

FREE SPEECH IS SO IMPORTANT THEY MADE IT THE FIRST AMMENDMENT!

Mahalo for listening,

Amanda Scardilli

**HB-1786**

Submitted on: 1/28/2024 10:31:48 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marlies Lee	Individual	Oppose	Written Testimony Only

Comments:

Keep Free Speech

**HB-1786**

Submitted on: 1/29/2024 6:02:47 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alice Abellanida	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. It is too subjective.

**HB-1786**

Submitted on: 1/29/2024 6:05:19 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kathy Jenkins	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1786.

**HB-1786**

Submitted on: 1/29/2024 7:42:09 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Noela von Wiegandt	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

This bill is once again a divisive bill, if someone does not agree with an outcome of an election and vocalizes his or her opinion or objection, a citizen is protected under The First amendment, most citizens are polite to the clerks that provide all the services out there in The State, C&C etc, there are a few bad apples who do get rude etc, but to create a bill that could be weaponized against the majority of Citizens, just because a clerk may be having a bad day, or doesn't agree with the citizens, is just too much and not good at all. Thank you very much.

Noela von Wiegandt



**HB-1786**

Submitted on: 1/29/2024 8:13:05 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jessica Caiazzo	Individual	Oppose	Written Testimony Only

Comments:

Aloha my name is Jessica “Priya” Caiazzo and I strongly oppose HB1786. This bill once again can actually do more harm then good for those who are restoring the legitimacy, back into our voting system. This could lead to abuse of power, retaliation for different views ect. I have been to the elections commission board and shared my thoughts, been mistreated, often ignored and I can see that my filing of documents and more could be mislabeled under this bill.

Mahalo,

Jessica "Priya" Caiazzo

**HB-1786**

Submitted on: 1/29/2024 8:15:00 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Thomas Stanton	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1786 on the premise that Hawaii citizens should be able to contact their election officials broadly to ask them to rectify problems with our local elections. There have been multiple instances where election officials have simply ignored serious problems brought to their attention. Hawaii citizens need to have a voice in their elections so I respectfully ask you to vote no.

Mahalo,

Tom Stanton

**HB-1786**

Submitted on: 1/29/2024 8:53:17 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Laura Cushnie	Individual	Oppose	Written Testimony Only

Comments:

This Bill could be used to weaponize against citizens requesting any and/or all election integrity information that is rightfully requested. NO!

**HB-1786**

Submitted on: 1/29/2024 9:46:48 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Corinne Solomon	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Tarnas and JHA Committee Members,

I oppose HB1786 as it is written for the following reasons:

1. We already have [Hawaii Revised Statute §711-1106](#) on harassment. It comprehensively covers the definition of harassment and the charge for harassment conviction. We do not need a second law to cover the same thing.
2. Why does there need to be a special fund to scrub election workers' personal data from the internet? Isn't that something that the state IT department could do expediently and efficiently?

Section (b) is about "doxing", i.e., sharing personal information publicly, and protects election workers from doxing. Will anyone else in Hawai'i be protected from doxing, or just election workers?

If Hawai'i does not already have a doxing law then perhaps that needs to be addressed, so that all people of Hawai'i are protected from doxing, instead of just election workers.

I recommend:

- Removing section (a), the harassment charge section
- Removing the entirety of Section 3, the section about funding for internet scrubbing of election worker data
- Broadening the scope of the doxing section to protect all people in Hawai'i from doxing

Please do not pass this bill as written.

Mahalo for this opportunity to submit testimony.

Respectfully submitted,

Corinne Solomon, HD20

**HB-1786**

Submitted on: 1/29/2024 10:04:56 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark Au	Individual	Oppose	Written Testimony Only

Comments:

Chair Tarnas, Vice Chair Takayama, and Committee members, I oppose this bill because while i appreciate and support the intent to provide protections for clerks, election officials, and election workers from harassment, threats, abuse, and assault in the performance of their official duties, I am concerned that this bill will infringe on and/or impact our free speech of expressing one's opinion toward these same persons we wish to protect. May I suggest that similar to the section defining election worker: *SECTION 2. Section 11-1, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows: "Election worker" means an individual designated by the 8 chief election officer to provide election support services.*” The same be done defining in accordance with the law, defining and providing examples of harrassment, threats, abuse and assault. This will clarify and strengthen the bill by protecting our clerks, official and workers while preserving and protecting the rights of persons to freely and reasonably "speak out" without being afraid of being charge with a misdemeanor and criminalizing free speech. While worthy of its intent, there is a potential for this bill to be a chilling effect by limiting one's right to express their opinions in an election.

For these reasons, I oppose this legislation as written.

Thank you for the opportunity to submit written testimony

Mark Au

**HB-1786**

Submitted on: 1/29/2024 10:13:36 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Terry Murakami	Individual	Oppose	Written Testimony Only

Comments:

This bill is very subjective and unnecessary which could easily be used against people who may raise legitimate complaints/concerns about the integrity of election results.

**HB-1786**

Submitted on: 1/29/2024 10:27:57 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Chloe S	Individual	Oppose	Written Testimony Only

Comments:

I am in opposition of House Bill 1786. This bill is extremely subjective. This bill could be weaponized against people who simply have questions/doubts about the state of our elections.

**HB-1786**

Submitted on: 1/29/2024 11:40:07 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Vick Penn	Individual	Oppose	Written Testimony Only

Comments:

Good Morning,

I'm writing to OPPOSE Bill HB 1786.

Like HB1766, this bill is also a danger to our Democracy! It is highly subjective and most likely will be used as a way to target individuals and groups.

This bill too, can have the potential to be politically one-sided. It allows for any person to say that they felt intimidated or threatened by another person, based on knowing a person's political affiliation or religious convictions or maybe even based on the way a person looks at another person.

We have law enforcement to do the job of investigating the FACTS of an event. Our legal system is capable of finding an incident a misdemeanor or not. WE DO NOT NEED A BILL for this.



**HB-1786**

Submitted on: 1/29/2024 12:21:38 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kim Cordery	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill as it gives way to silencing my 1st amendment-freedom of speech!

**HB-1786**

Submitted on: 1/29/2024 1:15:21 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Scott Shedko	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

Individual protections are already guaranteed. This bill could curtail free speech, depending on who gets to decide the definition of "harassment" and other terms.

**HB-1786**

Submitted on: 1/29/2024 1:28:37 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Adriel Lam	Individual	Oppose	Written Testimony Only

Comments:

There have been no demonstrated threats or records of "any person to intimidate, threaten, harass, or assault any clerk, election official, or election worker with the intent to interfere with, hinder, impair, or obstruct the clerk, election official, or election worker in the performance of their official duties."

The Chief Elections Officer is not a law enforcement officer with the requisite training to discern or recognize protected Constitutional rights under the law.

Please conduct your due diligence and provide for the record any report by the Office of Elections and the several County Clerks on such activity that this legislation proposes to address.

**LATE**

**HB-1786**

Submitted on: 1/29/2024 3:00:52 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Krista Vessell	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB1786 as written in regards to the statement: "Provides protections for clerks, election officials, and election workers from harassment, threats, abuse, and assault in the performance of their official duties," as it is written. Without defining "harassment, threats or abuse," a person attempting to gain answers to questions or requesting clarification or evidence multiple times from clerks, election officials and election workers who are purposefully ignoring or avoiding their duties and responsibilities can be labeled as "harassment, threats or abuse." Please define what constitutes "harassment, threats or abuse" and acknowledge that election workers cannot avoid direct questions and engagement from voters.

I also have the same issue with "Prohibits the sharing of personal information of clerks, election officials, and election workers for the purposes of harassment, threats, abuse, and assault," for the same reason. If an election worker is not doing their job, then the public has the right to know.

**HB-1786**

Submitted on: 1/29/2024 7:14:28 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Melvin Amaral	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill.

**LATE**

**HB-1786**

Submitted on: 1/29/2024 7:24:28 PM

Testimony for JHA on 1/30/2024 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lucricia Amaral	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill.

**HB-1786**

Submitted on: 1/30/2024 12:25:48 AM

Testimony for JHA on 1/30/2024 2:00:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Vernelle Oku	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Election officers or clerks should be held accountable for all their actions as public servants under the payroll of our tax dollars. There are already laws in place against harassment for all individuals, including taxpayers; there shouldn't be special protections for public servants versus we the people who pay their salaries.

All public servants should be held accountable for their actions and the public should be able to hold them accountable.