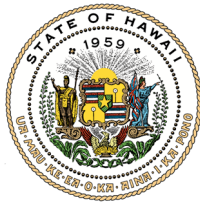


JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



MIKE LAMBERT
DIRECTOR

SYLVIA LUKE
LT GOVERNOR
KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LAW ENFORCEMENT
Ka 'Oihana Ho'okō Kānāwai
715 South King Street
Honolulu, Hawaii 96813

JARED K. REDULLA
Deputy Director
Law Enforcement

TESTIMONY ON HOUSE BILL 550, HOUSE DRAFT 2, SENATE DRAFT 1
RELATING TO FIREWORKS
Before the Senate Committee on
WAYS AND MEANS
Friday, March 28, 2025, 10:02 AM
State Capitol Conference Room 211 & Videoconference
WRITTEN TESTIMONY

Chair Dela Cruz, Vice Chair Moriwaki, and members of the Committee:

The Department of Law Enforcement (DLE) supports House Bill 550, House Draft 2, Senate Draft 1. This bill allows recordings made by law enforcement agencies using unmanned aerial vehicles (UAVs) to establish probable cause for arrests under the Fireworks Control Law when the UAV is recording directly above public property and the act leading to the arrest is committed on public property.

The illegal use of fireworks continues to be a significant public safety concern in our communities. As evidenced by the work of the Illegal Fireworks Task Force established by Act 67, Session Laws of Hawaii'i, 2023, there is an ongoing need to enhance enforcement capabilities to effectively address violations of the Fireworks Control Law. Since its inception, the Task Force has successfully interdicted almost 200,000 pounds of illegal fireworks through coordinated law enforcement operations.

One of the challenges in enforcing fireworks laws has been the difficulty in establishing probable cause for arrests, particularly when illegal fireworks activities occur in areas

that are not easily accessible to traditional law enforcement patrol methods. Unmanned aerial vehicles provide a technological solution that allows officers to safely and effectively monitor public areas for illegal fireworks activity.

This legislation strengthens law enforcement's ability to gather evidence while maintaining appropriate limitations by restricting the use of such recordings to public property only, thus balancing public safety needs with privacy concerns. This additional tool will help the DLE and other law enforcement agencies more effectively enforce the Fireworks Control Law and protect our communities from the dangers associated with illegal fireworks.

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



Hawaiian Humane Society
People for animals. Animals for people.

Date: March 26, 2025

To: Chairs Sens. Donovan M. Dela Cruz
Vice Chairs Sens. Sharon Y. Moriwaki
and Members of the Committee on Ways and Means

Submitted By: Stephanie Kendrick, Director of Community Engagement
Hawaiian Humane Society, 808-356-2217

RE: Testimony in support of HB 550, HD2, SD1: Relating to Fireworks
Friday, March 28, 2025, 10:02 a.m., Room 211 & Videoconference

On behalf of the Hawaiian Humane Society, thank you for considering our support for House Bill 550, HD2, SD1, which allows recordings made by law enforcement agencies who are using, controlling, or operating unmanned aerial vehicles to establish probable cause for arrests under the Fireworks Control Law if the unmanned aerial vehicle is recording directly above public property and the act leading to the arrest is committed on public property.

This measure allows police to shoot drone footage from airspace above public property and use such footage as evidence of fireworks violations. Hawaiian Humane supports providing law enforcement with the tools needed to keep fireworks out of our residential neighborhoods. Despite tragic deaths and injuries spanning many years - and reaching a new level of horror on O'ahu this year - the crime of using illegal fireworks is rarely punished. This measure attempts to clarify rules of evidence and remedy that failure of our legal system.

These bombs increasingly go off without regard to date and terrorize pets and people alike. The unpredictable barrage makes it impossible to prepare and creates sustained stress, which can do lasting damage to emotional, mental and physical health.

Please pass HB550, HD2, SD1, and support local law enforcement.

Mahalo for the opportunity to testify.



Hawaii Representatives & Senators:

On behalf of the Libertarian Party of Hawaii, I am writing to express our strong opposition to any prohibitions and enforcement measures targeting fireworks. We believe Hawaiians have the right to pursue and engage in any activities that bring them joy and fulfillment.

Fireworks prohibitions and regulations infringe upon the freedom of our citizens to partake in this time-honored custom, diminishing the spirit of celebration and unity that fireworks bring.

Implementing strict enforcement measures to crack down on fireworks usage would only serve to burden law enforcement resources, and divert needed attention away from more pressing issues. Prohibitions and heavy enforcement will lead to unnecessary conflict between police and citizens, eroding trust and creating an atmosphere of fear and animosity. Causing harm against another person is already illegal, and crimes can already be prosecuted without these new tyrannical enforcement measures.

The Libertarian Party of Hawaii stands firm in our support of individual freedom and opposes any measures that encroach upon our citizens' rights.

In Freedom,

Abbra Green

Executive Secretary, Libertarian Party of Hawaii

lphisecretary@gmail.com

HB-550-SD-1

Submitted on: 3/25/2025 3:35:33 PM

Testimony for WAM on 3/28/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this important bill. Mahalo.

HB-550-SD-1

Submitted on: 3/25/2025 6:38:12 PM

Testimony for WAM on 3/28/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Lynn Murakami Akatsuka	Individual	Support	Written Testimony Only

Comments:

I strongly support HB 550, HD 2, SD 1 passage this session to provide the tools for enforcement under the Fireworks Control Law.

Thank you.

HB-550-SD-1

Submitted on: 3/25/2025 9:35:56 PM

Testimony for WAM on 3/28/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Nicholas Zehr	Individual	Oppose	Written Testimony Only

Comments:

Honorable Chair, Vice Chair, and Members of the Committee,

I appreciate the legislature’s commitment to public safety; however, I strongly oppose the provisions in this bill on the grounds of privacy, fiscal responsibility, and respect for cultural practices. While the intent of preventing dangerous fireworks is understandable, the approach outlined here is overly invasive, financially imprudent, and potentially detrimental to individual liberties.

The bill authorizes the use of unmanned aerial vehicles (UAVs) to capture video footage that can establish probable cause for fireworks-related arrests—even when such evidence is collected without traditional witness corroboration. While it is recognized that individuals in public spaces have a reduced expectation of privacy, the shift toward relying primarily on automated surveillance creates risks:

- **Erosion of Due Process:** Permitting drone recordings to serve as sole evidence without the safeguard of direct witness authentication diminishes traditional checks on law enforcement. For instance, without robust oversight, misinterpretations of footage may lead to wrongful arrests, a concern substantiated by similar issues seen in other jurisdictions with expansive surveillance programs.
- **Potential for Mission Creep:** Once deployed for fireworks enforcement, there is a real risk that these surveillance measures could be expanded to other areas of law enforcement without adequate legislative oversight. To address these concerns, I propose that any use of UAVs be accompanied by strict limitations, transparent audit trails, and independent review to ensure accountability.

The bill allocates \$1,000,000 per year for the acquisition of UAVs. While public safety is essential, this expenditure appears disproportionate given the nature of the offense:

- **Cost-Benefit Analysis:** There is insufficient evidence provided that the investment in drone technology will yield benefits commensurate with its cost. More cost-effective measures—such as community-based oversight, targeted public education on fireworks safety, or improved local enforcement training—could be pursued without compromising personal freedoms or subjecting taxpayers to high surveillance expenses.
- **Alternative Funding Priorities:** Hawai‘i faces several pressing fiscal challenges including infrastructure, housing, and healthcare. Redirecting these funds toward

addressing such critical issues would provide more tangible benefits to our communities while still allowing for responsible, limited law enforcement where necessary.

Fireworks have long held a place in Hawai'i's cultural and community celebrations. A blanket approach to enforcement risks undermining traditions without sufficiently distinguishing between dangerous practices and benign cultural expressions:

- **Tailored Regulation vs. Blanket Enforcement:** Instead of enforcing a broad, punitive measure that might inadvertently penalize responsible behavior, a more nuanced approach would **differentiate between harmful fireworks use and legitimate cultural activities**. Regulatory measures should respect personal freedoms and cultural heritage while ensuring safety, such as through permitting systems or designated celebration zones.
- **Balancing Public Safety with Liberty:** Recognizing the importance of public safety, I encourage the legislature to **incorporate specific safeguards that prevent the misuse of surveillance technology** and ensure that enforcement is both targeted and respectful of individual rights. This balanced approach would address the legitimate concerns of public harm without sacrificing personal liberty.

In summary, while the bill's intent to curb dangerous fireworks use is commendable, its reliance on pervasive UAV surveillance, questionable fiscal priorities, and potential disregard for cultural practices raise significant concerns. I urge the legislature to reconsider this approach and instead adopt a strategy that maintains strong protections for civil liberties, ensures fiscal prudence, and honors the cultural traditions of Hawai'i.

Thank you for your consideration.

Sincerely,
Nicholas Zehr

HB-550-SD-1

Submitted on: 3/26/2025 7:46:25 PM

Testimony for WAM on 3/28/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Beverly Heiser	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Committee Members,

I SUPPORT HB550, HD2, SD1

The use of illegal fireworks on public property presents a danger to cars, and its' occupants driving by, or trying to make their way down a street. A loud unexpected boom can startle a driver. Hot ambers can cause burn marks on cars. Misfired aerials can break windows or enter a car if the window is down. Pedestrians are in danger of getting injured from fireworks. Public parks and other public places are left with debris that can cause injuries such as sharp pieces of plastics or sticks from aerials. Fireworks leave a mess of tubes, pieces of cardboard, and papers, that scatter everywhere and can be difficult to clean-up if violators leave this mess behind.

Allowing law enforcement agencies to use drones to establish probable cause for arrest may be a good way to solve this problem.

Please support HB550, HD2, SD1 to use as another way to crack down on illegal fireworks and places where fireworks should not be used.

Thank you for the opportunity to testify.

HB-550-SD-1

Submitted on: 3/26/2025 3:23:20 PM

Testimony for WAM on 3/28/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael A. Cobb Jr	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. No warrantless searches or use of drones to spy on the people.

HB-550-SD-1

Submitted on: 3/26/2025 1:28:44 AM

Testimony for WAM on 3/28/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Chiwa	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Senator Dela Cruz, Vice Chair Senator Moriwaki and Members of the Committee on Ways and Means.

Please vote for HB 550 HD 2 SD 1 which I strongly support. It's my understanding that this bill will help law enforcement in its work against illegal fireworks.

Mahalo.

Jennifer Chiwa

Makiki and life long resident of Oahu

HB-550-SD-1

Submitted on: 3/25/2025 10:11:03 PM

Testimony for WAM on 3/28/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

I am in full support of every bill which will work to stop the lawlessness of illegal fireworks. We need to take a holistic approach to the problem, to make the community safe from the horrific noise, injuries, death of what clearly is not cultural behavior, to save those with PTSD from more trauma, and to spare our pets from this terror. Please support all fireworks bills, throw the book at those using illegal fireworks and increase enforcement.

Using drones is an important tool. They will clearly catch those in the act when law enforcement is not on the scene.