

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



MIKE LAMBERT
Director

SYLVIA LUKE
LT GOVERNOR
KE KE'ENA

JARED K. REDULLA
Deputy Director
Law Enforcement

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LAW ENFORCEMENT

Ka 'Oihana Ho'okō Kānāwai

715 South King Street
Honolulu, Hawaii 96813

TESTIMONY ON SENATE BILL 116 SENATE DRAFT 1
RELATING TO DISCRIMINATION
Before the Senate Committee on
JUDICIARY

Tuesday, February 11, 2025; 10:00 a.m.

State Capitol Conference Room 016 & Videoconference

WRITTEN TESTIMONY ONLY

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

The Department of Law Enforcement (DLE) supports the intent of Senate Bill 116 S.D.1. The purpose of this bill is to give an individual recourse through civil action when harmed from discriminatory reporting to law enforcement. The bill establishes provisions for civil remedies and if passed, requires the DLE to consult with the Hawaii Civil Rights Commission to provide guidance to the public.

Law enforcement is regularly called upon when reports of criminal activity or other urgent matters affecting public safety occur. A core value of the DLE is to honor the rights of all individuals. Any fraudulent reporting, which includes seeking law enforcement assistance with the intent to discriminate or otherwise cause harm to another based on a protected class is contrary to DLE's mission to stand for safety with respect for all.

DLE has no objection to consulting with the Hawaii Civil Rights Commission or any other appropriate agency should this measure be enacted.

Thank you for the opportunity to submit testimony on this measure.



Where LGBTQIA+ Rights Meet the Labor Movement
A constituency group of the Hawai'i State AFL-CIO

February 7, 2025

Senate's Committee on Judiciary
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

Hearing: Tuesday, February 11, 2025 at 10:00 AM

RE: STRONG SUPPORT for Senate Bill 116

Aloha Chair San Buenaventura, Vice Chair Gabbard, and fellow committee members,

Pride at Work – Hawai'i is an official chapter of [Pride at Work](#) which is a national nonprofit organization that represents LGBTQIA+ union members and their allies. We are an officially recognized constituency group of the AFL-CIO that organizes mutual support between the organized Labor Movement and the LGBTQIA+ Community to further social and economic justice.

Pride at Work - Hawai'i strongly supports Senate Bill 116, which seeks to establish civil liability for individuals who misuse law enforcement resources to harass, intimidate, or discriminate against others based on actual or perceived protected characteristics.

For too long, marginalized communities—including LGBTQIA+ individuals, people of color, and people with disabilities—have been subjected to discriminatory and malicious calls to law enforcement. These false or biased reports not only waste critical public safety resources but also endanger the lives and well-being of those targeted. We have seen numerous national and local cases where discriminatory 911 calls have escalated into dangerous confrontations, further eroding trust between historically oppressed communities and law enforcement.

By enacting Senate Bill 116, Hawai'i will send a strong message that weaponizing law enforcement against marginalized groups is unacceptable and will have legal consequences. This legislation ensures accountability by providing civil remedies for those harmed by discriminatory reporting. Furthermore, the requirement for the Department of Law Enforcement and the Hawai'i Civil Rights Commission to offer public guidance on this matter is a proactive step in preventing such abuses and fostering education on civil rights protections.

Pride at Work - Hawai'i is committed to advocating for policies that protect the dignity and safety of LGBTQIA+ workers and all marginalized communities. We urge the committee to pass SB 116 without hesitation, affirming Hawai'i's commitment to equity, justice, and civil rights for all.

In solidarity,

Michael Golojuch, Jr. (he/him)
President
[Pride at Work – Hawai'i](#)



Advocating for the Hawai'i LGBTQIA+ Community

February 8, 2025

Senate Committee on Judiciary
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

Hearing: Monday, February 10, 2025, at 3:02 PM

RE: **Strong Support for Senate Bill 116 SD 1**

Aloha Chair Rhoads, Vice Chair Gabbard, and committee members,

I am writing in strong support of Senate Bill 116 Senate Draft 1 on behalf of the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus. (LGBTQ+) Commission, which was established by the 2022 Hawai'i State Legislature with the following purpose:

“...to improve the State's interface with members of the lesbian, gay, bisexual, transgender, queer, plus community; identify the short- and long-range needs of its members; and ensure that there is an effective means of researching, planning, and advocating for the equity of this population in all aspects of state government.”

The Hawai'i State LGBTQ+ Commission strongly supports Senate Bill 116, which establishes civil liability for individuals who make discriminatory reports to law enforcement with the intent to infringe upon the rights of others based on actual or perceived protected characteristics. This legislation is a crucial step toward addressing the misuse of law enforcement resources and the weaponization of bias against marginalized communities in Hawai'i.

Too often, individuals from historically marginalized groups, including māhū, LGBTQIA+ individuals, Native Hawaiians, people of color, and persons with disabilities, are subjected to unjustified and discriminatory calls to law enforcement. These calls not only endanger the individuals targeted but also strain community trust in law enforcement and perpetuate systemic discrimination. SB 116 establishes necessary accountability for those who make such calls with malicious intent, ensuring that those who seek to weaponize law enforcement as a tool of harassment face appropriate consequences.

However, while we commend the inclusion of protections based on sexual orientation and gender identity, we respectfully request an amendment to explicitly include **gender expression** in the list of protected classes. Gender expression—how an individual outwardly presents their gender through clothing, behavior, or mannerisms—is often targeted in instances of discrimination. Without this explicit protection, gender-nonconforming and transgender individuals remain vulnerable to discriminatory police reports simply for expressing their authentic selves.

Hawai'i has long been a leader in advancing civil rights and protecting the dignity of all its residents. Enacting SB 116, with the addition of gender expression, reinforces our state's

HI State LGBTQ+ Commission Testimony in Strong Support of SB 116 SD 1

commitment to equity, safety, and justice for all communities. We urge the committee to pass this bill with our recommended amendment to ensure comprehensive protections against discriminatory law enforcement reporting.

Should you or any member of your staff have any questions regarding this testimony you can reach the Hawai'i State LGBTQ+ Commission at hawaiiistatelgbtqpluscommission@gmail.com.

Mahalo nui loa for your time and consideration,

Kathleen O'Dell, Ph.D. (she/her)

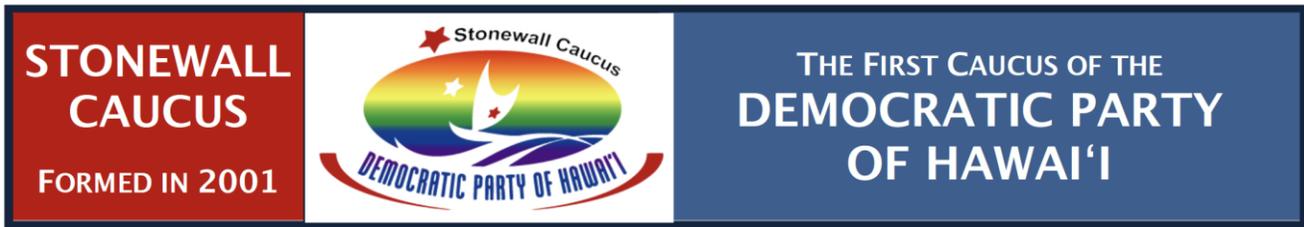
Chair

[Hawai'i State LGBTQ+ Commission](#)

Requested Amendment

§ -1 Discriminatory reporting; law enforcement officer; civil remedy.

(a) Any person who knowingly causes a law enforcement officer to come to a location to contact a person on the basis of the person's actual or perceived race, color, ancestry, ethnicity, national origin, place of birth, sex, age, religion, disability, sexual orientation, ~~or~~ gender identity, or gender expression with the specific intent to:



TESTIMONY FROM THE STONEWALL CAUCUS OF THE DEMOCRATIC PARTY OF HAWAII

SENATE COMMITTEE ON JUDICIARY

FEBRUARY 11, 2025

Testimony in Support of Senate Bill [116 SD1], Relating to Discrimination

Aloha Chair Rhoads, Vice Chair Gabbard and esteemed Members of the Committee,

My name is Abby Simmons, Chair of the Stonewall Caucus of the Democratic Party of Hawai'i, in strong support of Senate Bill [116 SD1], which seeks to address and prevent the harmful misuse of law enforcement through discriminatory reporting against individuals based on their protected characteristics.

This bill is vital for several reasons:

1. Protecting Civil Rights and Preventing Harm:

Discriminatory reporting is not just a misuse of law enforcement resources; it causes real harm to individuals and communities. Such actions infringe upon people's constitutional rights, subject them to humiliation and harassment, and can damage their reputations, economic opportunities, and sense of safety. These reports, often baseless, reinforce systemic discrimination and undermine the principles of fairness and equality that our society strives to uphold.

2. Promoting Accountability:

SB [116] establishes clear accountability for those who knowingly misuse law enforcement in this discriminatory manner. By providing victims with civil remedies, including damages and injunctive relief, this legislation ensures that those harmed have a means of redress. The minimum damages provision of \$1,000 and coverage of attorney fees are crucial in making justice accessible to individuals who may otherwise lack resources to pursue legal action.

3. Preventing Misuse of Law Enforcement Resources:

Baseless, discriminatory calls divert law enforcement from addressing genuine emergencies. This misuse wastes taxpayer resources and strains law enforcement's capacity to serve communities effectively. By discouraging such reporting, this bill helps ensure law enforcement time and attention are focused where they are most needed.

4. Promoting Education and Public Awareness:

The requirement for the Department of Law Enforcement to collaborate with the Hawai'i Civil Rights Commission to educate the public is an essential step. Raising awareness about the

Stonewall Caucus Testimony in Strong Support of Senate Bill [116 SD1] Relating to Discrimination

consequences of discriminatory reporting will deter this behavior, foster community accountability, and contribute to a broader cultural shift toward equity and inclusivity.

Real-World Impacts:

Discriminatory reporting is not hypothetical—it happens far too often. We have seen cases nationwide where individuals are targeted for “living while Black,” “shopping while disabled,” or “being in public while transgender.” These incidents highlight the urgent need for legislation that protects individuals from being singled out simply for existing in public spaces.

Conclusion:

Senate Bill [116 SD1] is a necessary measure to promote fairness, accountability, and the responsible use of law enforcement. By supporting this bill, Hawai'i has an opportunity to lead by example in combating discrimination and ensuring that our legal system protects everyone equally.

Thank you for the opportunity to provide testimony in support of this critical legislation. I urge the committee to pass SB [116 SD1] and take a stand against discriminatory reporting.

Respectfully,

Abby Simmons (she/her)
Chair & SCC Representative
Stonewall Caucus
Democratic Party of Hawai'i
<https://linktr.ee/stonewalldph>
(808)352-6818



TESTIMONY IN STRONG SUPPORT OF SB116, RELATING TO DISCRIMINATION

SENATE COMMITTEE ON JUDICIARY
February 11, 2025 at 10:00am

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee:

The Democratic Party of Hawai'i **STRONGLY SUPPORTS** SB116, RELATING TO DISCRIMINATION. Pursuant to the Platform of the Democratic Party of Hawai'i, the Party believes that all humans have inherent rights to freedom, justice, dignity, and peace. The Democratic Party of Hawai'i supports the preservation of equal civil rights and liberties for all people.

This legislation is a necessary step in ensuring that all individuals, regardless of their race, color, ancestry, ethnicity, national origin, place of birth, sex, age, religion, disability, sexual orientation, or gender identity, are protected from harmful and unjustified police interactions based on bias.

As the bill rightly acknowledges, while citizen vigilance is an important tool in maintaining public safety, there have been numerous instances where individuals have weaponized law enforcement against members of protected classes without any reasonable suspicion of criminal activity. Such discriminatory calls not only waste valuable law enforcement resources but also expose innocent individuals to potential harm, humiliation, and long-term reputational damage.

The provisions outlined in this bill provide an essential remedy for those harmed by such actions. By allowing individuals to seek civil damages and injunctive relief, the bill creates a deterrent against racially and discriminatorily motivated 911 calls. Moreover, the mandatory minimum damage award of \$1,000, coupled with the possibility of punitive damages and attorney's fees, sends a clear message that Hawai'i will not tolerate such abuses of the justice system.

Additionally, requiring the Department of Law Enforcement, in consultation with the Hawai'i Civil Rights Commission, to provide guidance on civil liability and remedies will ensure that the public is well-informed about the consequences of discriminatory reporting and the rights of those affected.

This bill aligns with Hawai'i's longstanding commitment to equity, inclusion, and justice. By holding individuals accountable for making false or discriminatory reports to law enforcement, we take an important step toward fostering a safer and more just society for all residents.

Mahalo nui loa for the opportunity to testify in strong support of SB 116, RELATING TO DISCRIMINATION. Should you have any questions or require further information, please contact the Democratic Party of Hawai'i at legislation@hawaiidemocrats.org.



LAMBDA LAW HAWAI'I
WILLIAM S. RICHARDSON SCHOOL OF LAW

TESTIMONY IN SUPPORT OF [SB116](#)

Senate Committee on Judiciary
February 11th, 2025

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

Lambda Law Hawai'i, a Law Student Association at the William S. Richardson School of Law, at the University of Hawai'i at Mānoa, **supports SB116**. This bill provides a civil remedy for discriminatory reporting to law enforcement.

This bill promotes **safety and accountability** as well as **public awareness of discriminatory reporting** practices. People increasingly feel emboldened to **bully and harass LGBTQ+ people** because of the **U.S. President's Executive Orders specifically targeting us** as a community, a manifestation of a larger worrying trend in the current political climate. We feel it is necessary to **preempt this kind of behavior** by passing laws such as this one, which **explicitly prohibits calling the police on a person simply because of their actual or perceived identity** and life experience.

Please support SB116. Mahalo for the opportunity to testify,

Lambda Law Hawai'i, a Law Student Association at the William S. Richardson School of Law
Mission: To advance equal rights for LGBTQIA+ individuals at WSRSL and beyond.

SB-116-SD-1

Submitted on: 2/7/2025 2:02:56 PM

Testimony for JDC on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Mike Golojuch, Sr.	Individual	Support	Written Testimony Only

Comments:

I support SB116.
Mike Golojuch, Sr.

SB-116-SD-1

Submitted on: 2/11/2025 1:06:28 AM

Testimony for JDC on 2/11/2025 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Testify
Roshy Hafezi	Individual	Support	Written Testimony Only

Comments:

Passing SB116 is a necessary step to protect the rights and dignity of all residents of Hawai'i. I respectfully urge the legislature to approve this bill to foster a safer and more inclusive community. Mahalo for your consideration.