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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  
RELATING TO DISCRIMINATION

Before the Senate Committee on Public Safety and Military Affairs

Friday, January 24, 2025; 3:00 p.m.

State Capitol Conference Room 225, Via Videoconference

**WRITTEN TESTIMONY ONLY**

Chair Elefante, Vice Chair Wakai, and Members of the Committee:

The Department of Law Enforcement (DLE) supports the intent of Senate Bill 116. 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.



## TESTIMONY FROM THE STONEWALL CAUCUS OF THE DEMOCRATIC PARTY OF HAWAII

### SENATE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

January 24, 2025

**LATE**

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

**Aloha Chair Elefante, Vice Chair Wakai and esteemed Members of the Committee,**

I am submitting this testimony in strong support of Senate Bill [116], 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] 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] 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] 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

**SB-116**

Submitted on: 1/22/2025 6:56:21 AM

Testimony for PSM on 1/24/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Victor K. Ramos	Individual	Oppose	Written Testimony Only

Comments:

Leave it to Karl Rhoads to think up a ludicrous, "woke" nonsense. Where is your data that clearly indicate that this is an issue worthy of a bill? In my 33 years as a police officer, I have never come across this kind of situation. I strongly oppose this bill.

**SB-116**

Submitted on: 1/21/2025 3:32:37 PM

Testimony for PSM on 1/24/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael Olderr	Individual	Support	Written Testimony Only

Comments:

I wholeheartedly support this bill. We must ensure that law enforcement is only called in situations where it is needed. As a state, we must ensure that all people on these islands can carry out their lives without being exploited by bigots who want to threaten or terrify others to justify their prejudice. We must normalize reprimanding these individuals and respecting and honoring our fellow citizens.

**SB-116**

Submitted on: 1/24/2025 10:37:13 AM

Testimony for PSM on 1/24/2025 3:00:00 PM



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lynn Robinson-Onderko	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Elefante, Vice Chair Wakai and Members of the Committee,

Please accept my testimony in strong support of SB 116 which seeks to address and prevent the harmful misuse of law enforcement through discriminatory reporting against individuals based on their protected characteristics.

We know that discriminatory reporting is not hypothetical and 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 by simply existing in public spaces.

I am asking that you vote in favor of passing this important measure out of your committee as it is necessary to promote fairness, accountability, and responsible law enforcement. Hawaii has an opportunity to take the lead in combating discrimination and ensuring that our legal system protects everyone equality.

Mahalo for your time and consideration.

Respectfully,

Lynn Robinson Onderko

Ewa Beach, Hawaii

**LATE**

**SB-116**

Submitted on: 1/24/2025 11:55:31 AM

Testimony for PSM on 1/24/2025 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Isis Usborne	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Elefante, Vice Chair Wakai, and Members of the Committee.

I support this measure to promote safety, accountability, and to protect civil rights.

Mahalo,

Isis "Izzy" Usborne (they/them)

Kapahulu Ave. Resident, 96815

2026 JD Candidate at the William S. Richardson School of Law