ACLU Hawai‘i

Committee:	Judiciary
Hearing Date/Time:	Thursday, February, 26 2026 at 10:00am
Place:	Conference Room 016 & Videoconference
Re:	**Testimony in Support of Senate Bill 2145 Relating to Recordings of Law Enforcement Activities**

Dear Chair Rhoads, Vice Chair Gabbard, and Committee Members:

The American Civil Liberties Union of Hawai‘i (ACLU-HI) **supports** SB2145 which establishes the right of a person to record law enforcement activities and a private right of action for any violation of the right to record law enforcement activities.

Courts have long recognized filming law enforcement activities in public as a right protected by the First Amendment. This bill reaffirms that right in the Hawai‘i Revised Statutes and also provides for a right of private action when a law enforcement officer unlawfully interferes with this right.

Taking photographs and videos of things that are plainly visible in public spaces is a constitutional right. This includes police and other government officials carrying out their duties. The right to record law enforcement is a critical First Amendment right. According to the ACLU National: “every federal circuit to consider the right to record—seven out of 13 circuits—has held that this right clearly exists, and most have specified that it applies to law enforcement.”[1]

Recording and livestreaming interactions is a critical tool for communities that are over-policed and disproportionately targeted by law enforcement because it often serves as the only “proof” that police misconduct has occurred.[2] However, we continue to see the Trump administration violate this right.

Perhaps more than any other time in recent memory, the public’s right to record the activities of law enforcement is vitally important. While the federal administration

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[1] Tewari, Shreya. (2022. August 23). *Arizona’s New Lan Banning People from Recording Police Violates our First Amendment Rights.* ACLU. https://www.aclu.org/news/free-speech/arizonas-new-law-banning-people-from-recording-police-violates-our-first-amendment-rights

[2] Tewari, Shreya. (2021, November 22). *Livestreaming Police is a Critical First Amendment Right.* ACLU. https://www.aclu.org/news/free-speech/livestreaming-police-is-a-critical-first-amendment-right

continues to challenge the rule of law, everyone must have the right to hold law enforcement officers accountable for actions that may be unlawful.

This bill not only reaffirms the necessity of this free speech protection but also reaffirms the legal protection and the right to bring an action against any law enforcement officer for violating this right.

Mahalo for the opportunity to testify.

Sincerely,
Josh Frost

Josh Frost
Policy Assistant
ACLU of Hawai‘i
jfrost@acluhawaii.org

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.

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LEAGUE OF WOMEN VOTERS® OF HAWAII

Senate Committee on Judiciary

Thursday, February 26, 2026, 10 AM Hearing in Conference Room 016 on
SB 2145, SD1 Relating to Recordings of Law Enforcement Activities

TESTIMONY
Douglas Meller, Legislative Committee, League of Women Voters of Hawaii

Chair Rhoads, Vice Chair Gabbard, and Committee Members:

The League of Women Voters of Hawaii supports the intent of SB 2145, SD1. Almost no one voluntarily admits that their behavior was inappropriately abusive or violent. Video recordings can be used to prove what was actually said and done. That is why the public should have a right to record law enforcement activities and file lawsuits to protect this right. However, we lack expertise to comment on appropriate statutory drafting.

Thank you for the opportunity to submit testimony.

LEAGUE OF WOMEN VOTERS OF HAWAII
P.O. Box 235026 ♦ Honolulu, HI 96823
Voicemail 808.377.6727 ♦ my.lwv.org/hawaii ♦ voters@lwvhi.org

FEBRUARY 26, 2026

SENATE BILL 2145

CURRENT REFERRAL: JDC

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kris@imuaalliance.org
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Kris Coffield,
President

David Negaard,
Director

Mireille Ellsworth,
Director

Justin Salisbury,
Director

Eileen Roco,
Director

Beatrice DeRego,
Director

Corey Rosenlee,
Director

Amy Zhao,
Policy and Partnerships Strategist

POSITION: SUPPORT

Imua Alliance supports SB 2145, relating to recordings of law enforcement activities, which establishes the right to record law enforcement activities; and establishes a private right of action for any violation of the right to record law enforcement activities.

Imua Alliance is a Hawai'i-based organization dedicated to ending sexual exploitation and gender violence, which requires the advancement of civil rights, public safety, and accountability in systems that affect marginalized communities. We strongly support SB 2145, which establishes a clear right to record law enforcement activities and a private right of action when that right is violated.

Recent events underscore why this bill is urgently needed. On January 24, 2026, a 37-year-old man was fatally shot by federal immigration agents in Minneapolis, while bystanders filmed the incident, which has sparked national outrage and protests. Reports indicate he was recording and attempting to assist others during an enforcement operation, and video footage is now central to public understanding and ongoing investigations into the use of force.

This is not an isolated incident. Across the country, videos recorded by community members have revealed excessive force, misconduct, and civil-rights violations that would otherwise have remained hidden. The U.S. Department of Justice and courts have repeatedly recognized that the public has a First Amendment right to record law enforcement officers performing their duties in public. However, individuals who exercise this right still face harassment, intimidation, arrest, and even violence.

This measure is a necessary and proactive step to codify this right in Hawai'i law and provide meaningful remedies when it is violated. Establishing a clear statutory right to record law enforcement activities affirms

transparency, strengthens public trust, and protects journalists and community members who document government actions. Creating a private right of action ensures this right is enforceable, not merely symbolic.

Moreover, this bill is also essential for survivors of violence and marginalized communities, for whom racialized policing is a matter of existential concern woven into the fabric of daily life. Documentation can be critical for accountability in cases involving police misconduct, immigration enforcement, gender-based violence, and protests. When people are afraid to record, abuses can go unchecked and survivors can be silenced.

Public recording is not anti-police. It is pro-democracy. We have a responsibility to protect constitutional rights, strengthen accountability, and ensure that our state remains a leader in civil liberties and democratic governance. In moments of crisis and conflict, the ability to record is often the only way truth reaches the public. Hawai'i should make it clear that documenting government action is not a crime, but an unassailable right afforded to all who call our islands home.

Mahalo for the opportunity to testify in strong support of this measure.

With aloha,

Kris Coffield

President, Imua Alliance

SENATE COMMITTEE ON JUDICIARY
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

DECISION MAKING:
Thursday, February 26, 2026 at 10:00 am
Conference Room 016 & Videoconference

TESTIMONY IN **SUPPORT OF SB 2145 RELATING TO RECORDINGS OF LAW ENFORCEMENT ACTIVITIES.**

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

Roots Reborn **strongly supports** SB2145 which establishes the right of a person to record law enforcement activities and a private right of action for any violation of the right to record law enforcement activities.

Roots Reborn is a grassroots, multicultural immigrant-justice and disaster-response organization serving migrant and immigrant communities on Maui and beyond. Born out of the August 2023 wildfires, we immediately stepped in to move aid, navigate systems alongside families, and build the trusted relationships that still anchor our work today. What began as wildfire response has grown into essential infrastructure for immigrant communities facing overlapping crises—from recovery and housing instability to shifting federal policies, increased enforcement, and rising fear.

The trust we have built has given us proximity to hear stories that rarely reach these chambers. Families who survived the fires, who lost homes, who are still piecing their lives together, now live with the additional terror of being separated from their children, their spouses, their neighbors. Many are afraid to go to work or school, or even to seek necessary medical care. For fire survivors already navigating grief, displacement, and rebuilding, this new crisis lands on top of everything else. Recovery becomes impossible when fear is constant.

Since December 2024, we have been meeting this new man-made disaster head-on. Roots Reborn is a founding coalition member of El Pueblo en Acción Maui (EPA Maui)—"The People in Action Maui"—a rapid response network and tipline made up of allied organizations and concerned community members. We exist because we believe an informed, calm community is a safer community.

Through this coalition, we have:

- Distributed over 3,500 flyers on constitutional rights
- Trained more than 700 community members through Know Your Rights workshops
- Delivered over 50 trainings to healthcare providers, social service organizations, business owners, faith communities, educators, and labor union leaders
- Processed more than 450 calls and texts through our tipline from community members concerned about federal enforcement activity
- Trained over 50 volunteer observers in verification, de-escalation, and peaceful documentation

Our experience has confirmed what research and common sense tell us: when federal agents know they are being observed, the rights of community members are more likely to be protected.

Taking photographs and videos in public spaces, including recording law enforcement officers carrying out their duties, is a constitutional right protected by the First Amendment. SB 2145 reaffirms that right at the state level by

codifying it in Hawai‘i Revised Statutes and provides a meaningful remedy when law enforcement unlawfully interferes with it.

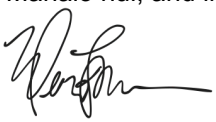
Our EPA Maui volunteer observers are trained to verify and document federal enforcement activity in public spaces, including through recording, as the First Amendment allows. They do this work because transparency protects everyone.

The deaths of Renee Good and Alex Pretti at the hands of federal agents in Minneapolis have deeply shaken our volunteers. These two observers and community members were doing the same kind of constitutionally protected work our observers do. The video of their deaths is chilling. And the only reason their story is being told at all is because other volunteer observers were present to document what happened.

It is the violation of constitutional rights by federal agents — not the act of observing — that puts people like our volunteers at risk. Not only of having their rights infringed, but of bodily harm or death. Despite these dangers, EPA Maui volunteers remain committed to protecting our community members and ensuring that government activity in public spaces is documented. That is why we urge you to **support SB 2145.**

Please help us protect the protectors.

Mahalo nui, and in honor of Renee Good and Alex Pretti,



Veronica Mendoza
Roots Reborn Founding Executive Director
EPA Maui Coalition Member

UNITE HERE!
Cade Watanabe, Financial Secretary-Treasurer Gemma G. Weinstein, President Eric W. Gill, Senior Vice-President

Februrary 24, 2026

Senate Committee on Judiciary
Sen. Karl Rhoads, Chair
Sen. Mike Gabbard, Vice Chair

Testimony in Strong Support of SB 2145

Chair Rhoads, Vice Chair Gabbard, and Committee Members:

UNITE HERE Local 5 represents 10,000 working people in the hotel, food service and health care industries across Hawaii. The experiences of our sister locals elsewhere in the U.S., including Minneapolis, Los Angeles, and Washington DC, make clear to us that it is necessary to take action to rein in ICE and DHS across the country. There is a great need to hold these agencies accountable.

Filming law enforcement activities in public is a First Amendment right which must be upheld, and which this Legislature is right to reaffirm. The private right of action for violations of this right is a major step toward ensuring that the federal administration takes it seriously.

We do not want our union members, their families, or anyone else in our community to be targeted, terrorized, assaulted, kidnapped, or killed by government agents or anyone else. We do not want their rights to be violated. All people should be treated with respect and dignity.

We urge your support of SB 2145.

Thank you.

Fujiwara & Rosenbaum, LLLC
Alakea Corporate Tower
1100 Alakea St., Fl. 20, Suite B
Honolulu, Hawaii 96813

LATE

Senate Committee on the Judiciary
Hearing: February 26, 2026, 10:00 AM, Conference Room 016
Re: RELATING TO RECORDINGS OF LAW ENFORCEMENT ACTIVITIES; Strong Support

Chair Rhoads Vice-Chair Gabbard, and Committee Members:

Fujiwara & Rosenbaum testifying in **strong support** of SB 2145, S.D.1..

In nearly four decades of civil rights practice, we have witnessed the arc of constitutional law bend toward transparency and accountability—but only when citizens possess the tools to demand it. Today, we stand at a crossroads. The question before this Committee is not whether people have the right to record law enforcement. That question has been answered definitively by seven federal circuit courts. The question is whether Hawai'i will provide its citizens with the means to enforce that right.

People have a clear First Amendment constitutional right to record law enforcement in the performance of their official duties. *Irizarry v. Yehia*, 38 F.4th 1282 (10th Cir. 2022). As the Tenth Circuit held: "Irizarry's right to film the police falls squarely within the First Amendment's core purposes to protect free and robust discussion of public affairs, hold government officials accountable, and check abuse of power."

I also support providing people with a private right of action if their right to record is unjustly infringed. A constitutional right without a remedy is no right at all.

I. THE URGENCY OF THIS MOMENT

We are witnessing an alarming embrace of authoritarian practices by the current federal administration, including attempts to silence those who seek transparency. The Trump administration is carrying out a full-on assault on a broad range of human rights, including efforts to intimidate, silence, and punish any opposition to abuses—like a kindhearted man trying to protect a woman who is being sprayed with tear gas.

As of November 2025, the Trump administration is detaining 65,735 of our immigrant friends and neighbors—the highest number of people detained by ICE ever. Of these detainees, **73.6% have no criminal convictions whatsoever**. Many of those with convictions committed only minor offenses, including traffic violations.

Migration is not a crime. Under U.S. law, being undocumented is a civil issue, not a criminal act. Every day, people are being torn from their families and communities, arrested, locked behind bars, and denied their rights.

One way of demanding accountability from our own federal government is to call out these injustices by recording them. This type of evidence will help to protect human rights and protest movements as they face repression and backlash from the now repressive, authoritarian federal government.

II. RECENT EVENTS DEMONSTRATE THE URGENT NEED FOR THIS BILL

Just four days ago—on January 24, 2026—a 37-year-old man was fatally shot by federal immigration agents in Minneapolis while bystanders filmed the incident. Reports indicate he was recording and attempting to assist others during an enforcement operation. This tragedy has sparked national outrage and protests.

We should not underestimate the importance of such documentation. We have seen how federal officials have tried to create conflicting narratives about what happened in the shooting in Minnesota. Absent citizen recording of these events, we would be left with only the word of the federal officials defending their actions while disputing other accounts. Having video, film, photos, and audio provide independent and indisputable evidence of what occurred.

Video footage is now central to public understanding and ongoing investigations into the use of force.

III. THE CONSTITUTIONAL FOUNDATION

A. Federal Circuit Court Consensus

Seven federal circuit courts have held that the First Amendment protects the right to record police officers performing their duties in public:

1. **First Circuit** — *Glik v. Cunniffe*, 655 F.3d 78 (1st Cir. 2011)
2. **Third Circuit** — *Fields v. City of Philadelphia*, 862 F.3d 353 (3d Cir. 2017)
3. **Fifth Circuit** — *Turner v. Lieutenant Driver*, 848 F.3d 678 (5th Cir. 2017)
4. **Seventh Circuit** — *ACLU of Ill. v. Alvarez*, 679 F.3d 583 (7th Cir. 2012)
5. **Ninth Circuit** — *Askins v. U.S. Dep't of Homeland Sec.*, 899 F.3d 1035 (9th Cir. 2018)
6. **Tenth Circuit** — *Irizarry v. Yehia*, 38 F.4th 1282 (10th Cir. 2022)
7. **Eleventh Circuit** — *Smith v. City of Cumming*, 212 F.3d 1332 (11th Cir. 2000)

This is not a contested legal question. It is settled constitutional law.

B. The U.S. Department of Justice Position--BT

Before the current Trump administration ("BT"), the U.S. Department of Justice filed an amicus brief in *Irizarry v. Yehia* stating:

"The United States has a significant interest in this case, which involves the public's right to record law-enforcement officers performing their duties in public. The U.S. Department of Justice

frequently relies on photos and videos of police misconduct—including photos and videos taken by members of the public—when investigating and prosecuting police officers under 18 U.S.C. 241 and 242 for violating individuals' constitutional rights."

Bystander recordings were central to federal prosecutions of officers in the George Floyd, Walter Scott, and Rodney King cases. Without those recordings, justice would not have been served.

IV. RESPONSE TO OPPOSITION TESTIMONY

The Maui Police Department's testimony in opposition to SB 2145 contains several claims that warrant direct rebuttal.

MPD Claims	Counter-Argument	Supporting Evidence
1. "Citizens have the legal right to record law enforcement officers in plain and open view. SB 2145 goes beyond that established right."	The bill does not expand the substantive right—it codifies existing First Amendment protections and provides an enforcement mechanism. Without a private right of action, constitutional rights are merely theoretical.	Seven federal circuits have recognized this right. The U.S. Department of Justice filed an amicus brief in *Irizarry v. Yehia* confirming the right exists.
2. "SB 2145...risks allowing the recording of investigative techniques and law enforcement operations in private or controlled settings, which would compromise not just officer safety, but public safety, and ongoing investigations."	This is a mischaracterization. SB 2145 explicitly states: "Nothing in this chapter shall be construed to permit a person to engage in actions that physically interfere with law enforcement activity or otherwise constitute a crime under chapter 710."	The bill preserves all existing limitations on interference. The affirmative defense provision (§-3(b)) protects officers who have probable cause for Chapter 710 offenses.
3. "Law enforcement officers throughout the State of Hawai'i are already subject to	Body camera footage is routinely withheld, delayed, or denied. Police	In the Ronald Greene case, Louisiana State Police denied body camera footage existed for two

MPD Claims	Counter-Argument	Supporting Evidence
extensive documentation and accountability through department-issued body-worn camera recordings which provide an objective record of encounters and can be lawfully obtained by members of the public through UIPA requests or subpoenas."	departments retain sole discretion over release, creating a propaganda tool rather than an accountability mechanism.	years until the Associated Press obtained it. Civil rights attorney Benjamin Crump describes obtaining footage as "daunting"—departments "hide behind oppressive laws" and "string along investigations for months, sometimes years." The ACLU notes that blanket exemptions turn body cameras into "police propaganda tools" where "footage of heroic officers saving babies will be released...but videos showing officers engaging in inappropriate and/or unlawful conduct will not."
4. "Recordings made by private individuals can be selectively edited, altered, or released without context, creating misleading narratives that undermine public trust in law enforcement."	This argument applies equally to any form of evidence and is not a basis for suppressing constitutional rights. The solution to potential misuse is more transparency, not less. Police-controlled footage is equally susceptible to selective release.	The DOJ has stated that "recordings can provide transparency that helps foster community trust in law enforcement more generally."
5. "SB 2145 unfairly suggests law enforcement as lacking accountability or acting outside the law...Law enforcement agencies already operate under significant oversight,	Existing oversight mechanisms have proven insufficient. Recent events demonstrate federal agents acting with impunity, and internal accountability structures frequently fail to	The DOJ's investigation of Baltimore City Police found that officers "seize, view, and destroy video and audio recordings" and that "First Amendment violations acutely affect a community's trust in the legitimacy of law

MPD Claims	Counter-Argument	Supporting Evidence
including but not limited to the Federal Bureau of Investigation, Police Commission, Civil Service Commission, Internal Affairs Divisions, and the courts."	produce consequences.	enforcement operations." In the Ronald Greene case, despite body camera evidence of officers beating, tasing, and pepper-spraying a man to death, most charges were dismissed.
6. "SB 2145 does not improve transparency or public safety. Instead, it places additional burdens on law enforcement, risks compromising investigations, and erodes trust through misrepresentation."	The opposite is true. Suppressing recordings erodes trust. The "burden" on law enforcement is simply to not interfere with lawful recording—a minimal requirement given officers already wear body cameras.	The DOJ stated that "bystander and journalist recordings of police misconduct have helped to shape national debates over law-enforcement policy." Studies show that communities with welcoming policies and trust-building measures have lower crime rates and better public safety outcomes.

V. CONCLUSION

SB 2145 does not create new rights—it codifies existing constitutional protections and provides meaningful enforcement mechanisms. The Maui Police Department's concerns are addressed by the bill's explicit limitations on physical interference and its affirmative defense provisions.

We have seen that it is only the public's ability to document governmental overreach and misconduct that brings any measure of transparency and accountability. Such ability must be preserved to preserve our republic.

LATE

Testimony of Megahn Chun and Alejandro Villarino
In SUPPORT of SB2145

Committee on Judiciary

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Hearing Date: Feb 26, 2026

Dear Chair Karl Rhoads, Vice Chair Mike Gabbard, and members of the Committee on Judiciary,

Our names are Megahn Chun and Alejandro Villarino, and we submit this testimony in **support of SB2145**, which establishes the right of a person to record law enforcement activities and establishes a private right of action for any violation of that right.

We are partners in life and in community work, and co-founders of Mercado de la Raza, a space created to uplift and support Hawai‘i’s Latino community. Beyond operating a small business, we have worked together to connect families with critical resources during times of crisis — including helping Latino residents navigate aid and support during the Lahaina fires and assisting community members affected by the recent government shutdown. Mercado de la Raza also serves as a gathering place for Latino families and a platform for local Latino entrepreneurs to showcase and grow their businesses. Through this work, we are deeply connected to and invested in the well-being, safety, and dignity of our community.

SB2145 strengthens transparency and accountability by protecting the public’s ability to record law enforcement activity. Recordings can clarify disputed facts, discourage misconduct, and protect responsible officers from false allegations by creating an objective record of what occurred.

Equally important, SB2145 makes this right meaningful by providing a remedy when it is violated. Clear, enforceable standards reduce conflict during encounters and increase public confidence in our public safety institutions.

For these reasons, we respectfully request that the Committee **PASS SB2145**.

Mahalo for the opportunity to provide testimony.

Sincerely,
Megahn Chun and Alejandro Villarino
Mercado de La Raza
808.593.2226

LATE

www.hicir.org | Instagram @hicir
hicoalitionforimmigrantrights@gmail.com

Hawaii Coalition for Immigrant Rights (HCIR)
Committee: Judiciary
Hearing Date/Time: Thursday, February 26, 2026 at 10:00 a.m.
Place: Conference Room 016 & Videoconference

Re: Testimony in Support of SB2145 – Relating to Recordings of Law Enforcement Activities

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

The Hawai‘i Coalition for Immigrant Rights (HCIR) writes in **strong support** of **SB2145**, which clearly establishes the right of individuals to record law enforcement activities and provides a **private right of action** when that right is violated. In a democracy, community members must be able to document what public officials do in public spaces—especially when those interactions can result in detention, use of force, separation of families, or referrals into other enforcement systems. Courts across the country have repeatedly recognized that recording law enforcement in public is protected under the **First Amendment**, and SB2145 appropriately reinforces that principle in Hawai‘i law while creating meaningful accountability when officers unlawfully interfere. As the ACLU has noted, multiple federal appellate courts have recognized a clear constitutional right to record law enforcement, including during real-time streaming, because it is a core free speech and public oversight activity.[1] [2]

For immigrant and migrant communities—and the many local families in Hawai‘i that include immigrants—this bill is particularly important. People who are limited-English proficient, unfamiliar with their rights, or fearful due to past trauma and discriminatory profiling often experience a heightened risk of intimidation during encounters with law enforcement. In those moments, recording can be the difference between an unchallengeable narrative and an accurate record. Video evidence has repeatedly served as the only objective proof when misconduct occurs, and the ability to document interactions can also deter abuse before it happens. When the right to record is chilled—through threats, confiscation, retaliation, or unlawful orders to stop filming—communities lose a crucial tool for safety, transparency, and accountability. SB2145 helps ensure that no one is forced to choose between personal safety and the public’s right to monitor government conduct, and that victims have a practical avenue for remedy when violations occur.

Mahalo for the opportunity to testify in support of SB2145.

Sincerely,
Hawai‘i Coalition for Immigrant Rights (HCIR)

SB-2145
Submitted on: 2/23/2026 7:26:18 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ellen Carson	Individual	Support	Written Testimony Only

Comments:

I support this bill. Recording law enforcement activities is an important safeguard for assurign proper conduct by our law enforcement. Recordation is a truth-telling device that shoudl assist in determiantions fo whather law enforcement is acting legally or not.

SB-2145
Submitted on: 2/23/2026 8:20:16 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Younghee Overly	Individual	Support	Written Testimony Only

Comments:

Thank you for hearing SB2145.

a member of Indivisible Hawaii

SB-2145
Submitted on: 2/23/2026 8:55:24 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Tim Huycke	Individual	Support	Written Testimony Only

Comments:

As a retired police officer, I believe citizens have the right to record law enforcement activities in public from a safe distance. No professional police officer should object to their work being recorded.

SB-2145
Submitted on: 2/23/2026 8:59:13 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Mark Van Horne	Individual	Support	Written Testimony Only

Comments:

For weeks now the public has received accurate information about the conduct of ICE and CBP primarily through cell phone videos taken by civilians present at the scene of events. Federal officials have repeated lied about what is happening on the ground, and immigration agents are using excessive force, violating the Fourth and First Amendments and even killing citizens. The violations by federal agents have included threats against people filming them, confiscation of phones and cameras and, shockingly, assaults on those recording the violations. SB2145 will provide as much protection of the public's right to know and the physical safety of persons as the State can provide against lawless conduct by federal officers.

SB-2145
Submitted on: 2/23/2026 9:08:26 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

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

Comments:

Chair, Vice Chair, and Members of the Committee:

I strongly support SB2145. This bill affirms a simple but essential principle in a democratic society: when government officials exercise public power, the public has the right to observe and document that exercise, so long as they do not interfere with legitimate law enforcement duties. SB2145 carefully balances both interests.

The right to record law enforcement activity is grounded in transparency, accountability, and public trust. Across the country, courts have increasingly recognized that recording police in public spaces is protected activity. By clearly codifying this right in Hawai‘i law, SB2145 provides clarity to residents and officers alike, reducing confusion and preventing unnecessary conflict in already tense situations.

Importantly, the bill does not create a right to interfere. It explicitly preserves existing criminal laws prohibiting obstruction and physical interference. It also provides an affirmative defense where an officer had probable cause under Chapter 710. This ensures officers can continue to perform their duties safely and effectively while protecting peaceful observers.

The private right of action is equally important. Rights without remedies are often hollow. Providing a clear enforcement mechanism, along with reasonable attorney’s fees, ensures that constitutional protections are meaningful, not theoretical. At the same time, the three-year limitations period and existing judicial oversight guard against frivolous claims.

Transparency protects everyone. Recordings can exonerate officers against false allegations just as they can expose misconduct. They can de-escalate encounters, improve training, and

strengthen public confidence in law enforcement institutions. In communities where trust has eroded, sunlight is not a threat, it is a foundation for rebuilding legitimacy.

Hawai‘i has long valued civil liberties, good governance, and community trust. SB2145 reinforces those values in a measured and responsible way.

For these reasons, I respectfully urge the Committee to pass SB2145. Mahalo for the opportunity to testify.

SB-2145
Submitted on: 2/23/2026 10:12:31 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Gaye Chan	Individual	Support	Written Testimony Only

Comments:

Being able to document and record is our constitutiional rights. Shockingly, this bill is even needed, but we need it passed so desperately. Our basic rights and civil liberties are eroding before our eyes.

SB-2145
Submitted on: 2/23/2026 10:56:24 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Darryl Nordstrom	Individual	Support	Written Testimony Only

Comments:

Aloha, I am writing in strong support of SB2145 both personally and as a member of the Indivisible Hawaii State Network (IHSN). Senate Bill 2145 would add a new Chapter to the Hawaii Revised Statutes clearly stating the right to record law enforcement in public spaces and establishing a civil right to sue if law enforcement interferes or attempts to interfere with exercise of the right.

For weeks now the public has received accurate information about the conduct of ICE and CBP primarily through cell phone videos taken by civilians present at the scene of events. Federal officials have repeated lied about what is happening on the ground, and immigration agents are using excessive force, violating the Fourth and First Amendments and even killing citizens. The violations by federal agents have included threats against people filming them, confiscation of phones and cameras and, shockingly, assaults on those recording the violations. SB2145 will provide as much protection of the public's right to know and the physical safety of persons as the State can provide against lawless conduct by federal officers.

Mahalo for the opportunity to testify on this important matter.

Darryl Nordstrom

SB-2145
Submitted on: 2/24/2026 2:41:32 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kanani Kai	Individual	Support	Written Testimony Only

Comments:

I SUPPORT SB2145.

Mahalo,

Kanani Kai

Member Indivisible Hawaii.

SB-2145
Submitted on: 2/24/2026 9:04:18 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

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

Comments:

Please accept this as testimony in overwhelming support of this bill. Thanks to Apple and other companies, we now have the ability to record events on our phones, small instruments which record earth shattering occurrences. These recordings prove that certain statements are lies.

While most law enforcement officers are honest persons, the Trump administration, from the top down, has proven again that they lie, ICE lies, boarder agents lie, and without the record of what really happened they can get away with their lies. At least two US citizens were murdered in Minneapolis. It is only the recordings made by real people that proved the President and his aides lied. This bill is greatly needed to protect the innocent.

Thanks you Senator Rhoads for introducing it and please move it forward.

Lynne Matusow

SB-2145
Submitted on: 2/24/2026 5:50:29 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle Bonk	Individual	Support	Written Testimony Only

Comments:

It has been previously determined in courts that recording law enforcement activities without interference is included in our first amendment rights. Please ensure the public's ability to enact our first amendment rights and to keep law enforcement accountable to their actions but passing this bill.

SB-2145
Submitted on: 2/24/2026 9:35:54 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
James E Raymond	Individual	Support	Written Testimony Only

Comments:

Thank you -- I am a member of Indivisible Windward.

SB-2145
Submitted on: 2/24/2026 9:55:46 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Danielle Goren	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of SB2145 both personally and as a member of the Indivisible Hawaii State Network (IHSN). SB2145 would add a new Chapter to the Hawaii Revised Statutes clearly stating the right to record law enforcement in public spaces and establishing a civil right to sue if law enforcement interferes or attempts to interfere with exercise of the right.

As recent events have made abundantly clear, one of the only ways that the public has received accurate information regarding the conduct of ICE/CBP is via cell phone videos taken by civilians present at the scene of events. Federal officials have unabashedly and repeatedly lied about what is happening on the ground, and immigration agents are using excessive force, flagrantly violating our First and Fourth Amendments, going so far as to murder U.S. citizens.

National security policies and practices are most effective when they respect constitutional values and the rule of law and are subjected to stringent oversight as well as public accountability. Yet, the current administration's militarization of federal agents against the people of our country is an active rejection of the rule of law, and as we have seen, they operate with absolutely no accountability. In fact, federal agents have repeatedly issued threats against people filming them, stealing or "confiscating" phones and cameras. Worse yet, these agents are so empowered to violate our constitutional rights that they have been assaulting those recording their abhorrent and plainly unconstitutional conduct.

Accordingly, SB2145 is vital, providing protection of the public's right to know and the physical safety of persons against lawless conduct by federal officers. SB2145 is a necessity not only to protect against immigrant abuses but to combat the Trump administration's authoritarian dogma. Specifically, you will recall that in September of 2025, as part of President Trump's pattern of abusing his power to target critics through unconstitutional invocations of law enforcement, national security, and financial sanctions authorities, he issued a presidential memorandum authorizing government-wide investigations into non-profits, activists, and their donors and funders, using vague and overbroad labels of "terrorism" and "conspiracy against rights." This National Security Presidential Memorandum, NSPM-7, called "Countering Domestic Terrorism and Organized Political Violence," essentially allows the Trump administration to go after *anyone* who disagrees with him and is not devoutly MAGA.

Who are these citizens the Trump administration has categorized as domestic terrorist threats? Anyone with a view that is "anti-Americanism," "anti-Christianity," "extremism on migration," "extremism on race," "extremism on gender," or opposition to the good old "traditional

American views on family, religion, and morality." But as we all should know, having an opinion that differs from the Trump administration is not domestic terror; it is civic duty, and it is protected by the First Amendment. This NSPM-7 flies in the face of our First Amendment rights and the use of local law enforcement to affect this aggressive attack on liberty must be rejected.

Hima Shamsi, Director of the ACLU's National Security Project, issued the following statement in response to Trump's memorandum:

> Working from a fever dream of conspiracies, President Trump has launched yet another effort to investigate and intimidate his critics.
>
> After one of the most harrowing weeks for our First Amendment rights, the President is invoking political violence, which we all condemn, as an excuse to target non-profits and activists with the false and stigmatizing label of 'domestic terrorism.' This is a shameful and dangerous move. But the President cannot rewrite the Constitution by memo.
>
> Intimidation tactics against those standing up for human rights and civil liberties are sadly not new in the history of this country. In an earlier era, civil rights movement leaders were also labeled security threats and investigated, monitored, threatened, and even arrested. True strength in this country comes not from political leaders engaged in fearmongering and political vendettas, but from our vibrant civil society, activists, and communities steadfastly pursuing the goals of equality, fairness, and democracy for all.[1]

It is up to us to ensure that our bastion principle of "liberty and justice for all" is more than just words that children mindlessly recite every morning. I thank you for your commitment to maintaining our constitutional rights and urge you to move forward with SB2145 in furtherance of your civic onus to protect our fragile democracy.

Danielle Goren

Lahaina, HI

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[1] ACLU Statement on the Trump Administratino's Memorandum Targeting Political Opponents, Sep. 25, 2025, ret. https://www.aclu.org/press-releases/aclu-statement-on-the-trump-administrations-memorandum-targeting-political-opponents

SB-2145
Submitted on: 2/24/2026 9:59:24 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Kamida	Individual	Support	Written Testimony Only

Comments:

I strongly support SB2145 both personally and as a member of Indivisible Hawaii Statewide.

Mahalo.

Elizabeth Kamida

SB-2145
Submitted on: 2/24/2026 10:24:37 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Gail Morrison	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of SB2145 both personally and as a member of the Indivisible Hawaii State Network (IHSN). Senate Bill 2145 would add a new Chapter to the Hawaii Revised Statutes clearly stating the right to record law enforcement in public spaces and establishing a civil right to sue if law enforcement interferes or attempts to interfere with exercise of the right.

For weeks now the public has received accurate information about the conduct of ICE and CBP primarily through cell phone videos taken by civilians present at the scene of events. Federal officials have repeated lied about what is happening on the ground, and immigration agents are using excessive force, violating the Fourth and First Amendments and even killing citizens. The violations by federal agents have included threats against people filming them, confiscation of phones and cameras and, shockingly, assaults on those recording the violations. SB2145 will provide as much protection of the public's right to know and the physical safety of persons as the State can provide against lawless conduct by federal officers.

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

Gail Morrison

SB-2145
Submitted on: 2/24/2026 10:25:59 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Elli Pace	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill, reiterating the right to record federal agents, icluding ICE and CBP, and thier activities and providing a private right of action for violations.

Recording public officials performing their duties in public spaces is protected by the First Amendment and is essential to transparency and accountability. Clear statutory protections will reduce confusion, and ought to prevent unnecessary conflict of federal agents escalating situations and using force against citizens for exercising these rights.

Providing a private right of action ensures this right is meaningful and enforceable. Accountability strengthens public confidence and protects community members.

SB-2145
Submitted on: 2/24/2026 11:05:33 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Mary True	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of SB2145 both personally and as a member of the Indivisible Hawaii State Network (IHSN). Senate Bill 2145 would add a new Chapter to the Hawaii Revised Statutes clearly stating the right to record law enforcement in public spaces and establishing a civil right to sue if law enforcement interferes or attempts to interfere with exercise of the right.

For weeks now the public has received accurate information about the conduct of ICE and CBP primarily through cell phone videos taken by civilians present at the scene of events. Federal officials have repeated lied about what is happening on the ground, and immigration agents are using excessive force, violating the Fourth and First Amendments and even killing citizens. The violations by federal agents have included threats against people filming them, confiscation of phones and cameras and, shockingly, assaults on those recording the violations. SB2145 will provide as much protection of the public's right to know and the physical safety of persons as the State can provide against lawless conduct by federal officers.

Thanks for your attention to this matter. Aloha! Mary True, 96783

SB-2145
Submitted on: 2/24/2026 11:22:52 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Muftiah Martin	Individual	Support	Written Testimony Only

Comments:

Aloha Legislators,

I am writing in strong support of SB2145, which would add a new Chapter to the Hawaii Revised Statutes clearly stating the right to record law enforcement in public spaces and establishing a civil right to sue if law enforcement interferes or attempts to interfere with exercise of the right.

This is needed because for weeks now the public has received accurate information about the conduct of ICE and CBP primarily through cell phone videos taken by civilians present at the scene of events. Federal officials have repeatedly lied about what is happening on the ground, and immigration agents are using excessive force, violating the Fourth and First Amendments and even killing citizens. The violations by federal agents have included threats against people filming them, confiscation of phones and cameras and, shockingly, assaults on those recording the violations. SB2145 will provide as much protection of the public's right to know and the physical safety of persons as the State can provide against lawless conduct by federal officers.

Mahalo for receiving my testimony.

SB-2145
Submitted on: 2/24/2026 11:31:02 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
JANE TOLLEFSRUD	Individual	Support	Written Testimony Only

Comments:

Thank you for protecting the rights of people to record law enforcement activities. Please establish protocol for any violations of those rights.

Mahalo

SB-2145
Submitted on: 2/24/2026 11:31:02 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nancy D Moser	Individual	Support	Written Testimony Only

Comments:

in support

SB-2145
Submitted on: 2/24/2026 11:38:40 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
DeWaine Tollefsrud	Individual	Support	Written Testimony Only

Comments:

Mahalo for the opportunity to testify in support of SB2145. I will make this short.

It is essential for the general citizenry to be able to express their right to record law enforcement activities. It protects both the public and officers involved. Win/win!

DeWaine Tollefsrud Kea'au, HI

SB-2145
Submitted on: 2/24/2026 11:55:12 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Vivian S. Toellner	Individual	Support	Written Testimony Only

Comments:

I support

SB-2145
Submitted on: 2/24/2026 12:50:23 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Addie Berliner	Individual	Support	Written Testimony Only

Comments:

In Support of SB2145

Dear Chair Fukunaga, Vice Chair Lee, and Members of the Senate Public Safety and Military Affairs Committee,

People have a clear First Amendment constitutional right to record law enforcement in the performance of their official duties. This right must be protected and is under attack.

I also support bill because it provides people with a private right of action if their right to record is unjustly infringed.

We have seen that it is only the public's ability to document governmental overreach and misconduct that brings any measure of transparency and accountability.

Thank You for your attention!

Addie Berliner

SB-2145
Submitted on: 2/24/2026 1:03:35 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jessica Kuzmier	Individual	Support	Written Testimony Only

Comments:

Aloha, I am writing in support of SB2145. I support codifying into law a policy which stipulates that people have the right to record and film law enforcement activity and that if that right is violated, that the aggrieved party has the civil right to sue. I believe recording law enforcement in a nonviolent manner is free speech and should be protected. Mahalo for your consideration.

SB-2145
Submitted on: 2/24/2026 1:13:38 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Terry McDonald	Individual	Support	Written Testimony Only

Comments:

While clear in case law, the current regime has ignored all precedents, making this bill a requirement. Easy. Put it direclty into law. And all are protected. Strongly support.

Terry McDonald

and

Indvisible East Hawai'i

SB-2145
Submitted on: 2/24/2026 1:22:24 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Calvin Black	Individual	Support	Written Testimony Only

Comments:

This bill creates a private right of action for individuals whose recording rights are violated, allowing them to seek damages, injunctive relief, and attorney's fees, which deters abuse and empowers citizens to hold law enforcement accountable. By codifying this right into state law, SB2155 reinforces Hawaii's commitment to open government and civil liberties, ensuring that oversight is not left to chance - but protected by law. As an individual and as a member of Indivisible, I support and urge the passage of this bill.

SB-2145
Submitted on: 2/24/2026 1:42:02 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Diane Ware	Individual	Support	Written Testimony Only

Comments:

Dear Chair and Committee Members,

I am writing in strong support of SB2145 both personally and as a member of the Indivisible Hawaii State Network (IHSN). Senate Bill 2145 would add a new Chapter to the Hawaii Revised Statutes clearly stating the right to record law enforcement in public spaces and establishing a civil right to sue if law enforcement interferes or attempts to interfere with exercise of the right.

For weeks now the public has received accurate information about the conduct of ICE and CBP primarily through cell phone videos taken by civilians present at the scene of events. Federal officials have repeated lied about what is happening on the ground, and immigration agents are using excessive force, violating the Fourth and First Amendments and even killing citizens. The violations by federal agents have included threats against people filming them, confiscation of phones and cameras and, shockingly, assaults on those recording the violations. SB2145 will provide as much protection of the public's right to know and the physical safety of persons as the State can provide against lawless conduct by federal

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

Diane Ware Volcano HI

Eileen Cain
720 Mahi‘ai St., Apt. E
Honolulu, Hawai‘i 96826-5635
eileencain808@gmail.com
February 24, 2026

Senator Karl Rhoads, Chair, and Members of the Senate Committee on Judiciary

Aloha, Senators,

I am submitting this testimony in Favor of SB2145, Relating to Recordings of Law Enforcement Activities

We citizens need a law that safeguards our right to record people acting as officers of the law.

This is far from being a trivial matter. It is far too easy, as we have seen in the news, for officers, or people acting as officers, to lie about incidents, especially those that involve violence, and to blame the victims of their assaults. So the filming is necessary. **That is the only way that we can see with our own eyes what happened.**

The Hawai’i State Legislature needs enact a law that **protects citizens from retaliation** by such people acting as authorities when they do film such activities. In some areas, retaliation has included threats and even harm to the citizens who were filming.

Human rights must be respected, including the right to record and be free from retaliation.

I am haole (caucasian) and have lived in Hawai’i for nearly 50 years; I embrace diversity and oppose white-supremacist behavior that is playing out in the US.

Please protect our rights to know by voting in favor of **SB2145.**

Mahalo,

Eileen Cain,

Mō‘ili‘ili, Honolulu, Hawai‘i

SB-2145
Submitted on: 2/24/2026 3:26:07 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert Rowe	Individual	Support	Written Testimony Only

Comments:

I support this bill standing behind our right to record and document law enforcement activities!

SB-2145
Submitted on: 2/24/2026 4:25:39 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Collat	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of SB2145 both personally and as a member of the Indivisible Hawaii State Network (IHSN). Senate Bill 2145 would add a new Chapter to the Hawaii Revised Statutes clearly stating the right to record law enforcement in public spaces and establishing a civil right to sue if law enforcement interferes or attempts to interfere with exercise of the right.

For weeks now the public has received accurate information about the conduct of ICE and CBP primarily through cell phone videos taken by civilians present at the scene of events. Federal officials have repeated lied about what is happening on the ground, and immigration agents are using excessive force, violating the Fourth and First Amendments and even killing citizens. The violations by federal agents have included threats against people filming them, confiscation of phones and cameras and, shockingly, assaults on those recording the violations. SB2145 will provide as much protection of the public's right to know and the physical safety of persons as the State can provide against lawless conduct by federal officers.

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

Aloha, Michael

SB-2145
Submitted on: 2/24/2026 3:37:32 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Cassidy Hollenbeck	Individual	Support	Written Testimony Only

Comments:

I am writing in complete support of SB2145. Senate Bill 2145 would add a new Chapter to the Hawaii Revised Statutes clearly stating the right to record law enforcement in public spaces and establishing a civil right to sue if law enforcement interferes or attempts to interfere with exercise of the right.

For weeks now the public has received accurate information about the conduct of ICE and CBP primarily through cell phone videos taken by civilians present at the scene of events. Federal officials have repeated lied about what is happening on the ground, and immigration agents are using excessive force, violating the Fourth and First Amendments and even killing citizens. The violations by federal agents have included threats against people filming them, confiscation of phones and cameras and, shockingly, assaults on those recording the violations. SB2145 will provide as much protection of the public's right to know and the physical safety of persons as the State can provide against lawless conduct by federal officers.

SB-2145
Submitted on: 2/24/2026 4:41:05 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Mary Leigh Knittle	Individual	Support	Written Testimony Only

Comments:

SB2145 RECORDING LAW ENFORCEMENT

I am writing in strong support of SB2145 both personally and as a member of the Indivisible Hawaii State Network (IHSN). Senate Bill 2145 would add a new Chapter to the Hawaii Revised Statutes clearly stating the right to record law enforcement in public spaces and establishing a civil right to sue if law enforcement interferes or attempts to interfere with exercise of the right.

For weeks now the public has received accurate information about the conduct of ICE and CBP primarily through cell phone videos taken by civilians present at the scene of events. Federal officials have repeated lied about what is happening on the ground, and immigration agents are using excessive force, violating the Fourth and First Amendments and even killing citizens. The violations by federal agents have included threats against people filming them, confiscation of phones and cameras and, shockingly, assaults on those recording the violations. SB2145 will provide as much protection of the public's right to know and the physical safety of persons as the State can provide against lawless conduct by federal officers.

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

Mary Leigh Knittle

SB-2145
Submitted on: 2/24/2026 5:23:11 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
William Caron	Individual	Support	Written Testimony Only

Comments:

I am writing in **strong support of SB2145**, which would establish a clear statutory right for individuals to record law enforcement activities and create a private right of action for violations of that right. This bill is urgently needed to protect First Amendment activity, ensure accountability, and affirm that transparency is a cornerstone of public safety.

Recent events on the continent underscore why this bill is necessary now. In January, U.S. citizens Renee Good and Alex Pretti were shot and killed by ICE agents in Minneapolis—incidents that were captured on video by numerous bystanders, including Pretti himself before he was killed. In a separate Minnesota incident, criminal charges against two men accused of attacking ICE agents were dismissed after video evidence revealed that agents had lied in their initial complaint; one of the men was shot in the leg, and federal prosecutors acknowledged that newly discovered video evidence was "materially inconsistent" with the allegations. Without video documentation, these acts of violence and misconduct might have remained hidden, and those responsible might never have been held to account.

SB2145 ensures that what happened in Minnesota cannot happen here in the shadows. By establishing an explicit right to record law enforcement—including federal agents operating in our state—this bill puts officers on notice that the public has a right to document their actions. It affirms that recording is a First Amendment activity and creates a private right of action for individuals whose rights are violated, giving everyday people a tool to defend their own ability to serve as witnesses.

This bill strengthens public safety and public trust. When community members can safely and lawfully record law enforcement encounters, it deters misconduct, protects both officers and the public, and provides an objective record of what occurred. It reduces fear and confusion by making clear what is permitted. And it sends a message that in Hawai‘i, we value transparency and accountability over secrecy and impunity.

Opponents have argued that this right is already protected by existing constitutional law. But as the ACLU of Hawai‘i has testified, codifying this right in statute clears up confusion and ensures officers are on notice. A constitutional right that is not understood or respected by those in power is no right at all.

SB2145 is simple, timely, and necessary. I urge you to pass it.

Mahalo for the opportunity to testify.

SB-2145
Submitted on: 2/24/2026 7:10:37 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan Pcola_Davis	Individual	Support	Written Testimony Only

Comments:

Strongly support.

Due to some bad actors out there this seems reasonable.

People are sfraid. Its the only way to prove that it happened.

SB-2145
Submitted on: 2/24/2026 7:41:44 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Julie Rivers	Individual	Support	Written Testimony Only

Comments:

Aloha, I am writing in strong support of this bill that restates the right to record law enforcement in public spaces and establishing a civil right to sue if law enforcement interferes or attempts to interfere with someone who is exercising this right. What has happended in Minnesota and other locations - primarily democratic-lead ciites - is unconscionable. We might stand up and exercise our rights to document the wrongs that are being perpetrated against citizens and migrants in the US. They are on the wrong side of history but we must be on the right. What happened to Renee Good and Alex Pretti lit a fire under me. The saying goes if you see something, say something... We need to allowed - and we should be encouraged - to stand up to those who are wrong... even if they work for DHS or HPD. Mahalo for the opportunity to share my thoughts.

SB-2145
Submitted on: 2/24/2026 9:47:00 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

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

Comments:

Thank you for hearing this bill. Please pass it.

SB-2145
Submitted on: 2/24/2026 10:02:27 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Deanna Espinas	Individual	Support	Written Testimony Only

Comments:

Please accept this testimony in strong support of SB 2145. Thank you!

SB-2145
Submitted on: 2/24/2026 10:40:19 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert Justice, M.D.	Individual	Support	Written Testimony Only

Comments:

I am writing to strongly support SB2145 both personally and as a member of the Indivisible Hawaii State Network (IHSN). Senate Bill 2145 would add a new Chapter to the Hawaii Revised Statutes clearly stating the right to record law enforcement in public spaces and establishing a civil right to sue if law enforcement interferes or attempts to interfere with exercise of the right.

For weeks now the public has received accurate information about the conduct of ICE and CBP primarily through cell phone videos taken by civilians present at the scene of events. Federal officials have repeatedly lied about what is happening on the ground, and immigration agents are using excessive force, violating the Fourth and First Amendments and even killing citizens. The violations by federal agents have included threats against people filming them, confiscation of phones and cameras and, shockingly, assaults on those recording the violations. SB2145 will provide as much protection of the public's right to know and the physical safety of persons as the State can provide against lawless conduct by federal officers.

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

Robert Justice, M.D.

SB-2145
Submitted on: 2/25/2026 12:25:30 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Francis Nakamoto	Individual	Support	Written Testimony Only

Comments:

Chair Rhoads, Vice Chair Gabbard and members of the Committee on Judiciary

My name is Francis Nakamoto and I support SB 2145.

The shootings of Rene Good and Alex Pretti could have very well been recorded in official law enforcement records as the result of domestic terrorists killed by ICE/CBP agents defending themselves from anarchical assassins. The false descriptions by ICE and DHS officials and by the President of the United States himself would have been the official account of their deaths but for the presence of protestors and witnesses videotaping their tragic deaths for the world to see for themselves.

The trumped up reports immediately after their killings that defamed two law-abiding citizens standing up to Gestapo-like tactics were soundly discredited by ordinary, determined and brave citizens brandishing iPhones and cameras in the face of Glock pistols and automatic weapons. That power to restrain the excesses of an out-of-control and poorly-trained immigration enforcement agency must be protected and enhanced by law.

Since the US Supreme Court in Egbert v. Boule took away the federal right to sue ICE/CBP agents in Federal Courts and relegating victims to seek redress through ineffective DHS claims process only, this bill permits Hawaii residents to sue in State Court rogue ICE/CBP agents for violations of their rights now denied them federally.

The presence of witnesses with recording devices is the most effective way to assure accountability and to discourage illegal and harmful misconduct in the first place. SB2145 enables Hawaii residents to protect themselves and seek appropriate redress when ICE tramples on their rights.

Please support SB 2145.

SB-2145
Submitted on: 2/25/2026 1:16:49 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Roger Hamada	Individual	Support	Written Testimony Only

Comments:

Thank you.

SB-2145
Submitted on: 2/25/2026 5:54:33 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kehaulani Coleman	Individual	Support	Written Testimony Only

Comments:

Thank you

SB-2145
Submitted on: 2/25/2026 6:02:55 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Judith Mura	Individual	Support	Written Testimony Only

Comments:

I Judith Mura Strongly Support SB2145

SB-2145
Submitted on: 2/25/2026 7:59:15 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ellen Caringer, Ph.D.	Individual	Support	Written Testimony Only

Comments:

Testimony of Ellen R. Caringer, Ph.D.

In SUPPORT of SB2145

Committee on Judiciary

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

Hearing Date: Feb 26, 2026

Dear Chair Karl Rhoads, Vice Chair Mike Gabbard, and members of the Committee on Judiciary,

My name is Ellen Caringer, and I submit this testimony in **strong support of SB2145**, which establishes the right of a person to record law enforcement activities and establishes a private right of action for any violation of that right.

I am a clinical psychologist, and I am testifying as an individual. SB2145 strengthens transparency and accountability by protecting the public's ability to record law enforcement activity. Recordings can clarify disputed facts, discourage misconduct, and protect responsible officers from false allegations by creating an objective record of what occurred.

Equally important, SB2145 makes this right meaningful by providing a remedy when it is violated. Clear, enforceable standards reduce conflict during encounters and increase public confidence in our public safety institutions.

For these reasons, I respectfully request that the Committee **PASS SB2145**.

Mahalo for the opportunity to provide testimony.

Sincerely,

Ellen R. Caringer, Ph.D.

drcaringer@gmail.com

(808) 281-7463

SB-2145
Submitted on: 2/25/2026 8:34:36 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Yvette Kay	Individual	Support	Written Testimony Only

Comments:

My name is Yvette Kay and I am a resident of Kailua Kona, HI. I support HB2145 which Establishes the right of a person to record law enforcement activities. Establishes a private right of action for any violation of the right to record law enforcement activities. I do not support the Trump regime's infringement of Due Process laws, which must be documented via phone video capture as evidence or malfeasance.

SB-2145
Submitted on: 2/25/2026 8:37:05 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jason Lewis	Individual	Support	Written Testimony Only

Comments:

SB2145 RECORDING LAW ENFORCEMENT

I am writing in strong support of SB2145 both personally and as a member of the Indivisible Hawaii State Network (IHSN). Senate Bill 2145 would add a new Chapter to the Hawaii Revised Statutes clearly stating the right to record law enforcement in public spaces and establishing a civil right to sue if law enforcement interferes or attempts to interfere with exercise of the right.

For weeks now the public has received accurate information about the conduct of ICE and CBP primarily through cell phone videos taken by civilians present at the scene of events. Federal officials have repeated lied about what is happening on the ground, and immigration agents are using excessive force, violating the Fourth and First Amendments and even killing citizens. The violations by federal agents have included threats against people filming them, confiscation of phones and cameras and, shockingly, assaults on those recording the violations. SB2145 will provide as much protection of the public's right to know and the physical safety of persons as the State can provide against lawless conduct by federal officers.

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

Jason Lewis

Lahaina Resident

SB-2145
Submitted on: 2/25/2026 8:52:37 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Janelle Mosher	Individual	Support	Written Testimony Only

Comments:

My name is Janelle Mosher, and I submit this testimony in support of SB2145, which establishes the right of individuals to record law enforcement activities and creates a private right of action for violations of that right.

I am a citizen of Hawai‘i and an immigration attorney. I testify as an individual concerned with public safety and the protection of civil rights for all individuals living in our state.

I support this bill because SB2145 strengthens transparency and accountability by protecting the public’s ability to record law enforcement activity. Recordings can clarify disputed facts, discourage misconduct, and protect responsible officers from false allegations by creating an objective record of events. As a former prosecutor, I have seen firsthand that video evidence is often among the most reliable forms of evidence for establishing what occurred and protecting the public.

Equally important, SB2145 makes this right meaningful by providing a remedy when it is violated. Clear, enforceable standards can reduce conflict during encounters and increase public confidence in our public safety institutions.

For these reasons, I respectfully request that the Committee PASS SB2145.

SB-2145
Submitted on: 2/25/2026 9:49:36 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Mala Wingerd	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of SB2145 both personally and as a member of the Indivisible Hawaii State Network (IHSN).

Senate Bill 2145 would add a new Chapter to the Hawaii Revised Statutes clearly stating the right to record law enforcement in public spaces and establishing a civil right to sue if law enforcement interferes or attempts to interfere with exercise of the right. It is our civil right to record anything that is happening on our city streets. If cameras are allowed to randomely record our movements on our streets, citizens should be allowed to record actions that may seriously affect our health and welbeing, and promote greater safety for ourselves and neighbors.

For weeks now the public has received accurate information about the conduct of ICE and CBP primarily through cell phone videos taken by civilians present at the scene of events. Federal officials have repeated lied about what is happening on the ground, and immigration agents are using excessive force, violating the Fourth and First Amendments and even killing citizens. The violations by federal agents have included threats against people filming them, confiscation of phones and cameras and, shockingly, assaults on those recording the violations. SB2145 will provide as much protection of the public's right to know and the physical safety of persons as the State can provide against lawless conduct by federal officers.

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

Testimony of Wendy Naomi Sodetani
In SUPPORT of SB2145

Committee on Judiciary

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Hearing Date: Feb 26, 2026

Dear Chair Karl Rhoads, Vice Chair Mike Gabbard, and members of the Committee on Judiciary,

My name is **Wendy Naomi Sodetani**, and I submit this testimony in **support of SB2145**, which establishes the right of a person to record law enforcement activities and establishes a private right of action for any violation of that right.

I am testifying as an individual born and raised in Hawai'i and an active member of the Indivisible Hawai'i Statewide Network (IHSN). I recently retired from a community health center in Kalihi caring for vulnerable underserved populations, primarily low-income, new immigrant and Pacific island migrant families.

Also, in my career as a investigative journalist, I have upheld community participation and vigilance, as well as transparency in governmental decisionmaking and actions, as essential to protecting our civil rights. They are the very lifeblood of democracy.

I strongly support SB2145 that strengthens transparency and accountability by protecting the public's ability to record law enforcement activity. Recordings can clarify disputed facts, discourage misconduct, and protect responsible officers from false allegations by creating an objective record of what occurred. Video evidence often resolves confusion about "what happened" and "who did what when" quickly and irrefutably. Transparency policies can also reduce complaints and improve training methods and outcomes.

Equally important, SB2145 makes this right meaningful by providing a remedy when it is violated. Clear, enforceable standards reduce conflict during encounters and increase public confidence in our public safety institutions.

For these reasons, I respectfully request that the Committee **PASS SB2145**.

Mahalo for the opportunity to provide testimony.

Sincerely,
Wendy Naomi Sodetani

Member of Indivisible Hawai'i Statewide Network (IHSN)
naomisodetani@gmail.com
(808) 741-0555

LATE

SB-2145
Submitted on: 2/25/2026 10:16:08 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Renee Rabb	Individual	Support	Written Testimony Only

Comments:

I strongly support.

Renee Rabb

Keaau, HI

Big Island

SENATE COMMITTEE ON JUDICIARY
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

LATE

DECISION MAKING:
Thursday, February 26, 2026 at 10:00 am
Conference Room 016 & Videoconference

TESTIMONY IN **SUPPORT OF SB 2145 RELATING TO RECORDINGS OF LAW ENFORCEMENT ACTIVITIES.**

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

My name is Christine Andrews, and I live in Wailuku, Maui. I write to you today in **strong support of SB 2145,** which codifies at the state level the right of a person under the First Amendment of the U.S. Constitution to record law enforcement activities. The bill also establishes a private right of action for any violation of the right to record law enforcement activities.

As an attorney licensed for over 25 years, it is difficult for me to express to you my feelings witnessing the violations of the Constitution and rule of law that federal agents and agencies are engaged in nationwide. The violations of the First Amendment, which began in early 2025 with federal agents detaining and attempting to deport students for their protected speech, have escalated recently to the murder by federal agents of two citizens engaged in protected and lawful constitutional observation activity, including recording law enforcement activities. That it is necessary for us to codify at the state level such fundamental rights as the right to record law enforcement activities is a glaring indication of how far the federal government has gone to erode them. How far has American democracy fallen that ensuring a state-level civil right of action for any violation of the right to record law enforcement activities feels like the last recourse we have to protect ourselves from violent federal agents willing to subject peaceable observers to chemical, non-lethal, and now lethal, deterrents?

On a personal note, I engage in constitutional education and observer activity here on Maui as part of a coalition of protectors. I am a volunteer Know Your Rights educator, and have trained social services and health care professionals, business owners and faith leadership, teachers and union leaders on what their constitutional rights are, and how to protect them from being violated by federal agents. I am a volunteer observer, trained to verify and document activity by federal agents, including recording them. The murders of Renee Good and Alex Pretti in Minneapolis hit me very hard. To watch the video of someone being murdered doing the kind of constitutionally-protected education and documenting work I do was terrifying. I think it is safe to say that it impacted everyone within our volunteer network. It did not, however, have the intended effect. While it was a shock to our mental health and overall wellbeing, all of the volunteers I know reconfirmed their commitment to the work that we do to serve and protect our community, even at the risk of our own lives if that is what protecting democracy requires.

On behalf of myself, and of other volunteers I know, **I request that you support SB 2145** to protect the rule of law, defend the constitution, and stand with people like me fighting to ensure the rights of all people are not violated.

In honor of Renee Good and Alex Pretti,

Christine L. Andrews, J.D.
Wailuku, Maui

LATE

SB-2145
Submitted on: 2/25/2026 11:09:48 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Doris Segal Matsunaga	Individual	Support	Written Testimony Only

Comments:

As a grandmother living in Waimea on Hawaii Island who participates in protests and carries a cell phone, I support this measure

LATE

Testimony of Nadine Dalton
In SUPPORT of SB2145

Committee on Judiciary

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Hearing Date: Feb 26, 2026

Dear Chair Karl Rhoads, Vice Chair Mike Gabbard, and members of the Committee on Judiciary,

My name is Nadine, and I submit this testimony in **support of SB2145**, which establishes the right of a person to record law enforcement activities and establishes a private right of action for any violation of that right.

I am a resident of Honolulu County who cares deeply about the rights and welfare of everybody who sets foot on these islands, visitors, residents, and police officers alike. Law enforcement has changed drastically over the decades, and so has society. Gone are the days of privacy. Laws broken that require secrecy and abuse are no longer easily hidden in the dark, now that everyone has been given the tools to shed light on the criminal behavior of visitors, residents, and police officers alike.

Across the nation, we are seeing police brutality continue to escalate to a drastically alarming degree. Crimes continue daily, yet the attention of authority is focused on us, the people, treating us as if assuming we are all criminals makes it okay to objectify citizens, visitors, residents, and police alike. Without those labels, we are all people. Not numbers, not objects- people who are supposed to be united.

The actions of those with ill intentions should not define an entire group, yet that is what is happening now, and that door swings both ways. Just last week a plain-clothed Chief of Police in Pennsylvania abused his power because he was ill-equipped to regulate his nervous system, and now there are children being detained because they had normal and reasonable reactions of self-defense to being attacked. Is this the kind of police we want here? No.

Cops should lead by example and comply to their rules before enforcing others to do the same. They should be held to a higher standard than residents and visitors. If they aren't doing anything wrong, they should be okay with being filmed. Isn't that what they tell us about being surveilled?

Cameras point in all directions, and there's not enough smoke and mirrors to hide the crimes of criminals anymore, regardless of whether they took an oath or badge. There are many cops with integrity, honor, and discipline who do not deserve to have their voices and likeness be stolen by bad apples. Mad respect to those who put people, dignity, and humanity over orders, quotas, and corruption.

Codifying the right to bear cameras is a smart, honest, and necessary step to take to protect the rights and welfare of everybody who sets foot on these islands, visitors, residents, and police officers alike.

SB2145 strengthens transparency, accountability, and integrity by protecting people's First and Fourth Amendment rights. Truth is clear in recordings and would assist in a smooth criminal justice system that needs accountability.

SB2145 protects everyone from false allegations, missing evidence, and manipulation from all parties involved. Questions can be answered by facts without feelings with proper evidence of what occurred, as we learned from the tragically horrific and preventable deaths of Renee Good, Alex Pretti, and others. I believe we can learn from others because when we know better, we do better.

Safety should not be considered a privilege in a free modern country. The right to film the police needs to be protected for our safety of us all.

For these reasons, I respectfully request that the Committee **PASS SB2145**.

Mahalo for the opportunity to provide testimony.

Sincerely,
Nadine

LATE

SB-2145
Submitted on: 2/25/2026 12:40:31 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Tina Even	Individual	Support	Written Testimony Only

Comments:

I support SB2145
Tina Marie Even

LATE

SB-2145
Submitted on: 2/25/2026 7:14:43 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

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

Comments:

I am writing in strong support of SB2057, both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a section to Chapter 139 HRS prohibiting law enforcement from collaborating with federal agents in an operation seeking to penalize the exercise of First Amendment rights or constituting immigration enforcement.

We see daily examples of ICE, CBP, and other DHS agents scooping people off the streets of America, claiming immigration enforcement against “terrible criminals and really bad people” and disappearing them to facilities around the country. They are incarcerated, apparently in substandard facilities with inadequate sanitation and food, deprived of their due process rights, and too often shipped to foreign countries before any judicial process.

SB2057 puts a tool in Hawaii’s toolbox that protects our law enforcement personnel and funds from being dragooned into service of the un-American, unconstitutional violations of civil rights and basic standards of decency we are seeing from federal agents. It’s the kind of law we hope you never need, but if you do, it could save lives and families. Pass this bill to keep Hawaii law enforcement from becoming involved in these activities for which they would later be held accountable.

Mahalo,

Jen Lum, ‘Ewa Beach

LATE

SB-2145
Submitted on: 2/25/2026 6:12:12 PM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jesse Hutchison	Individual	Support	Written Testimony Only

Comments:

Thank you!

LATE

SB-2145
Submitted on: 2/26/2026 3:30:39 AM
Testimony for JDC on 2/26/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Alyce Dodge	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Karl Rhoads, Vice Chair Mike Gabbard, and members of the Committee on Judiciary,

My name is Alyce Dodge, and I submit this testimony in **support of SB2145**, which establishes the right of a person to record law enforcement activities and establishes a private right of action for any violation of that right.

SB2145 strengthens transparency and accountability by protecting the public's ability to record law enforcement activity. Recordings can clarify disputed facts, discourage misconduct, and protect responsible officers from false allegations by creating an objective record of what occurred.

Equally important, SB2145 makes this right meaningful by providing a remedy when it is violated. Clear, enforceable standards reduce conflict during encounters and increase public confidence in our public safety institutions.

For these reasons, I respectfully request that the Committee **PASS SB2145**.

Mahalo,

Alyce Dodge