



STATE OF HAWAII
CAMPAIGN SPENDING COMMISSION

235 SOUTH BERETANIA STREET, ROOM 300
HONOLULU, HAWAII 96813

February 7, 2024

TO: The Honorable Karl Rhoads, Chair
Senate Committee on Judiciary

The Honorable Mike Gabbard, Vice Chair
Senate Committee on Judiciary

Members of the Senate Committee on Judiciary

FROM: Kristin E. Izumi-Nitao, Executive Director
Campaign Spending Commission

SUBJECT: **Testimony on S.B. No. 2396, Relating to Elections.**

Friday, February 9, 2024
9:30 a.m., Conference Room 016 & Videoconference

Thank you for the opportunity to testify on this bill.¹ The Campaign Spending Commission (“Commission”) supports the intent of this bill and offers the following comments.

This bill adds a new section to Chapter 11, Hawaii Revised Statutes (“HRS”), and prohibits the distribution of an electioneering communication within ninety days prior to a primary or general election that a person knows or should have known is a deceptive and fraudulent deepfake of a candidate or party unless the electioneering communications contains the following disclaimer: “This [image/audio/recording/video recording] has been manipulated or generated by artificial intelligence.” The bill allows a candidate who is the subject of a deceptive and fraudulent deepfake to seek equitable relief or legal damages, including attorney’s fees and costs, against the person that distributed the deepfake. The bill also allows the Commission to assess administrative fines.

The bill’s description of an electioneering communication being distributed within ninety days of a primary or general election conflicts with the current definition of electioneering communication. The definition of electioneering communication is contained in HRS §11-302, that provides,

“Electioneering communication”:

¹ The companion bill is H.B. No. 1766.

- (1) Means any advertisement that is broadcast from a cable, satellite, television, or radio broadcast station; published in any periodical or newspaper or by electronic means; or sent by mail, and that:
 - (A) Refers to a clearly identifiable candidate;
 - (B) Is made, or scheduled to be made, either within thirty days before a primary or initial special election or within sixty days before a general or special election; and
 - (C) Is not susceptible to any reasonable interpretation other than as an appeal to vote for or against a specific candidate; and
- (2) Shall not include communications:
 - (A) In a news story or editorial disseminated by any broadcast station, publisher of periodicals or newspapers, or by electronic means, unless the facilities are owned or controlled by a candidate, candidate committee, or noncandidate committee;
 - (B) In house bulletins; or
 - (C) That constitute a candidate debate or forum, or solely promote a debate or forum and are made by or on behalf of the person or organization sponsoring the debate or forum.

Thus, under current law, electioneering communications are certain advertisements that are made within thirty days of a primary election or sixty days of a general election, and not those made within ninety days of an election. Further, under current law, communications made in a news story or editorial published by any broadcast station or magazine or newspaper, or by electronic means, are not electioneering communications. This bill would exempt media communications only where the broadcast clearly discloses to the “average listener or viewer, that there are questions about the authenticity of the synthetic media,” or when a broadcaster is paid to broadcast a synthetic media, “the station has made a good faith effort to establish the depiction in the synthetic media is not a deceptive and fraudulent deepfake,” or if the publisher “that publishes deceptive and fraudulent deepfakes prohibited by this section, if the publication clearly states that the deceptive and fraudulent deepfake does not accurately represent the speech or conduct of the candidate.” H.B. No. 1766 at 4-5.

To avoid conflicts with the current definition of electioneering communication, the Commission suggest replacing electioneering communication with “advertisement.” Under HRS §11-302,

“**Advertisement**” means any communication, excluding sundry items such as bumper stickers, that:

- (1) Identifies a candidate directly or by implication, or identifies an issue or question that will appear on the ballot at the next applicable election; and
- (2) Advocates or supports the nomination, opposition, or election of the candidate, or advocates the passage or defeat of the issue or question on the ballot.

However, whether the bill use “advertisement” or “electioneering communication,” the prohibition on synthetic media message that is a deceptive and fraudulent deepfake should only apply to those that depict a candidate and not those that depict a party (*see, e.g.*, S.B. No. 2396, page 2, line 7) since “party” is not contained in the definitions of either advertisement or electioneering communication.

A person spending more than \$500 in a two-year election period on a synthetic media message may have to register with the Commission as a noncandidate committee as required by HRS §11-321(g). The person will also have to comply with the disclaimer notices required by HRS §11-391 and may have to file a statement of information for electioneering communication required by HRS §11-341 if the message falls within the definition of electioneering communication and the threshold spending amount is reached and comply with all other applicable provisions of the Campaign Finance Law.

The Commission requests that this Committee pass this bill with amendments or defer this bill for now so amendments can be made to the bill.



February 9, 2024

Committee on Judiciary
Sen. Rhoads, Chair
Sen. Gabbard, Vice Chair

The Senate
The Thirtieth-Second Legislature
Regular Session of 2024

RE: SB 2396 - RELATING TO ELECTIONS.
DATE: Friday, February 9, 2024
TIME: 9:30 am
PLACE: Conference Room 016
VIA Videoconference
State Capitol 415 South Beretania Street, Honolulu HI

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

Thank you for the opportunity to testify in **support of SB 2396** - RELATING TO ELECTIONS.

[SAG-AFTRA](#) represents over 1400 actors, recording artists, and media professionals in Hawaii. We are professional performers working in front of the camera and behind the microphone.

Protection of a person's voice and likeness is of utmost importance to SAG-AFTRA. The right to make full use of, derive benefit from, and manage an individual's name, voice, and likeness goes beyond just celebrities, actors, and public figures, it extends to everyone, including political candidates.

We are grateful for the legislature's passage and the governor's signing of [ACT 59](#) in 2021, making Hawaii one of the first states in the nation to make the creation and distribution of non-consensual deep fake pornography a class C felony. This current measure is another example of Hawaii leading the way as we navigate an ever-evolving media landscape.

Mericia Palma Elmore, Executive Director
SAG-AFTRA Hawaii Local
mericia.palmaelmore@sagaftra.org
201 Merchant St. Suite 2301
Honolulu, HI 96813
Ph: 808-596-0388 Fax: 808-593-2636

SCREEN ACTORS GUILD - AMERICAN FEDERATION
OF
TELEVISION AND RADIO ARTISTS
SAGAFTRA.org
Associated Actors & Artistes of America / AFL-CIO



To hinder the spread of misinformation in Hawaii, this proposed legislation amends HRS Chapter 11 to prohibit the distribution of fraudulent and deceptive deepfake electioneering material before an election. Specifically, if a person knows or should have known that certain electioneering communications are deceptive and fraudulent deepfakes, they are prohibited from distributing those communications.

The proposed legislation makes exceptions for satire parody, and other speech/expressions protected by the First Amendment.

We appreciate the willingness of the introducers to craft legislation to disrupt the spread of misinformation through the unauthorized creation and distribution of deceptive and fraudulent deepfake electioneering materials, and we urge this committee to pass and keep this bill moving.

Thank you again for your continued support. Please don't hesitate to contact the SAG-AFTRA Hawaii Local office for more information on AI, deepfakes, and other issues of importance to professional performers.

Respectfully,

Mericia Palma Elmore

Mericia Palma Elmore, Executive Director SAG-AFTRA Hawaii Local

Mericia Palma Elmore, Executive Director
SAG-AFTRA Hawaii Local
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SCREEN ACTORS GUILD - AMERICAN FEDERATION
OF
TELEVISION AND RADIO ARTISTS
SAGAFTRA.org
Associated Actors & Artistes of America / AFL-CIO

SB-2396

Submitted on: 2/5/2024 10:50:38 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
HENRY IAN CUSICK	Testifying for SAG-AFTRA	Support	Written Testimony Only

Comments:

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

Thank you for the opportunity to testify in support of SB 2396 - RELATING TO ELECTIONS.

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We are grateful for the legislature's passage and the governor's signing of [ACT 59](#) in 2021, making Hawaii one of the first states in the nation to make the creation and distribution of non-consensual deep fake pornography a class C felony. This current measure is another example of Hawaii leading the way as we navigate an ever-evolving media landscape.

To hinder the spread of misinformation in Hawaii, this proposed legislation amends HRS Chapter 11 to prohibit the distribution of fraudulent and deceptive deepfake electioneering material before an election. Specifically, if a person knows or should have known that certain electioneering communications are deceptive and fraudulent deepfakes, they are prohibited from distributing those communications.

The proposed legislation makes exceptions for satire parody, and other speech/expressions protected by the First Amendment.

We appreciate the willingness of the introducers to craft legislation to disrupt the spread of misinformation through the unauthorized creation and distribution of deceptive and fraudulent deepfake electioneering materials, and we urge this committee to pass and keep this bill moving.

Sincerely

Henry ian Cusick

Sag-Aftra Hawai'i National Board member



Randy Perreira
President

HAWAII STATE AFL-CIO

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The Thirty-Second Legislature
The Senate
Committee on Judiciary

Testimony by
Hawaii State AFL-CIO

February 9, 2024

TESTIMONY ON SB2396 - RELATING TO ELECTIONS

Chair Rhoads, Vice Chair Garrett, and members of the committee:

The Hawaii State AFL-CIO is a federation of 74 affiliate labor organizations who represent over 68,000 union members within the State of Hawaii. The Hawaii State AFL-CIO serves its affiliates by advocating for workers and their families before the state legislature and other branches of state and county government.

The Hawaii State AFL-CIO is in **support** of SB2396, which seeks to address a pressing issue in our electoral process. In an age where technology has advanced to a point where deepfake media can be convincingly crafted, the integrity of our elections is at stake. This bill proposes a crucial safeguard by prohibiting the distribution of electioneering communications before an election that a person knows or should have known are deceptive and fraudulent deepfakes of a candidate or party.

The potential for such deepfake content to manipulate public opinion, spread misinformation, and undermine the very foundation of our democracy is a cause for grave concern. We firmly believe that preserving the authenticity of political discourse is essential to a fair and informed electorate. SB2396 takes a vital step towards ensuring that our elections remain free from the harmful influence of deceptive deepfake content.

The Hawaii State AFL-CIO commends the committee for addressing this issue and urges its members to support SB2396. We believe that by doing so, you will be taking a proactive stance in protecting the democratic values and principles that our great state holds dear.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Randy Perreira".

Randy Perreira
President



Senate Committee on JUDICIARY
Senator Karl Rhoads, Chair, Senator Mike Gabbard, Vice Chair

Friday, February 9, 2024 – 9:30am
Conference Room 016 and VIA VIDEOCONFERENCE
SB2396 Relating to Elections

TESTIMONY

Holly Plackett, Legislative Committee, League of Women Voters

Chair Rhoads, Vice Chair Gabbard, and Committee Members:

The League of Women Voters of Hawaii has the **following comments** regarding **SB2396, Relating to Elections**.

Our understanding of SB2396: To prohibit the distribution of electioneering communications before an election that a person knows or should have known are deceptive and fraudulent Deepfakes of a candidate or party.

The distribution of disinformation, especially online, has been used in recent elections to sow polarization and distrust in election results in our country. It is crucial to address the many avenues of mis- and disinformation that circulate around an election, including emerging technologies like Deepfakes, which are rapidly growing in prevalence and resemblance to genuine audio and video content.

The importance of transparency is not a partisan issue and it should be the minimum expectation of a healthy democracy to provide voters with complete and truthful information.

The League agrees this legislation is a good beginning to address these issues of mis- and disinformation and Deepfakes by giving clearer definitions to these terms and giving those parties who believe they have been harmed by these practices, a clear avenue to pursue civil settlements in these particular circumstances.

Thank you for the opportunity to submit these comments.

SB-2396

Submitted on: 2/9/2024 10:31:15 AM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Golojuch Jr	Testifying for Stonewall Caucus of the Democratic Party of Hawai'i	Support	Written Testimony Only

Comments:

Aloha Senators,

The Stonewall Caucus of the Democratic Party of Hawai'i; Hawai'i's oldest and largest policy and political LGBTQIA+ focused organization fully supports SB 2396.

We hope you all will support this important piece of legislation.

Mahalo nui loa,

Michael Golojuch, Jr. (he/him)
Chair and SCC Representative
Stonewall Caucus for the DPH

SB-2396

Submitted on: 2/2/2024 4:21:41 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Shawnie Campbell	Individual	Oppose	Written Testimony Only

Comments:

oppose ! we need to go to paper only ballot on one day

SB-2396

Submitted on: 2/3/2024 10:52:36 AM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Crossland	Individual	Oppose	Written Testimony Only

Comments:

I **oppose** this Bill.

SB-2396

Submitted on: 2/3/2024 11:26:45 AM

Testimony for JDC on 2/9/2024 9:30:00 AM

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

Comments:

With how increasingly prevalent deep fakes are becoming, I agree that we should be more wary of how politicized these new technologies can be. I support this bill!

SB-2396

Submitted on: 2/3/2024 12:25:09 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
L Toriki	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill.

Who determines what is considered a "deepfake" or "misinformation"? This bill is too subjective and would be used as a political tool.

SB-2396

Submitted on: 2/3/2024 12:45:56 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeanine Acopan	Individual	Oppose	Written Testimony Only

Comments:

OPPOSED!!!

SB-2396

Submitted on: 2/3/2024 1:10:22 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Amy Yang	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2396.

SB-2396

Submitted on: 2/3/2024 1:14:09 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jadine L Brown	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill because it just complicates the playing field and may be misused.

SB-2396

Submitted on: 2/3/2024 1:22:23 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kimo Sinh	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2396. It's wrong. It creates misinformation.

SB-2396

Submitted on: 2/3/2024 1:32:20 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Luna Chow	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-2396

Submitted on: 2/3/2024 4:32:25 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rami Donahoe	Individual	Oppose	Written Testimony Only

Comments:

This is a subjective bill that allows selectivity in who it perceives is posting misinformation or malinformation. This bill needs to be struck down to keep our freedom: mainly free speech!

SB-2396

Submitted on: 2/3/2024 7:43:51 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Yvonne Alvarado	Individual	Oppose	Written Testimony Only

Comments:

I, Yvonne Alvarado Oppose Bill SB2396

SB-2396

Submitted on: 2/3/2024 9:38:45 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Laurie Langton	Individual	Oppose	Written Testimony Only

Comments:

Aloha-

Again, I am in strong opposition to this bill that intends to control, coral and otherwise limit information for public consumption. It is the job of the Legislators to protect our RIGHTS only. Not to determine what we can and cannot hear or see. Your job is to protect the rights, not pass judgement on what is true or false. The state is not the parent to the people. We do not need chaperones.

This bill is in complete opposition to the 1st Amendment of the Constitution which protects the rights to speech and free press.

Your constituents demand you vote NO on this bill. Please remember you have a sworn oath to uphold the Constitutions of the US and of the State of Hawai'i. This bill would undermine that oath.

Regards,

Laurie Langton

SB-2396

Submitted on: 2/3/2024 9:48:22 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
ronelle andrade	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB 2396, this is a subjective Bill that may be selectively enforced.

SB-2396

Submitted on: 2/3/2024 11:00:17 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
CHESTER LUM	Individual	Oppose	Written Testimony Only

Comments:

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

SB2396, although its intentions are honorable, I believe is highly subjective and goes against the US Constitution 1st Amendment of free speech.

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

Chester Lum

SB-2396

Submitted on: 2/4/2024 10:53:01 AM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Anne Kamau	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Mahalo.

SB-2396

Submitted on: 2/4/2024 11:39:13 AM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeffrey F Mizuno	Individual	Oppose	Written Testimony Only

Comments:

Oppose

SB-2396

Submitted on: 2/4/2024 7:20:46 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Monique Perreira	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. This kinda bill would be too convenient to silence opposing views.

SB-2396

Submitted on: 2/4/2024 7:58:15 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rita Wong	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE Bill 2396

This bill prohibits "deepfakes", misinformation", and other "synthetic media" for political purposes. This is a subjective Bill that may be selectively enforced

SB-2396

Submitted on: 2/4/2024 8:58:45 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tamara Paltin	Individual	Support	Written Testimony Only

Comments:

support

SB-2396

Submitted on: 2/4/2024 10:57:26 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cheryl Rzonca	Individual	Oppose	Written Testimony Only

Comments:

Please oppose this bill. This bill is subjective and borders on our right to free speech. There are other campaign rules and regulations in place already to govern this. There is no need for this bill.

SB-2396

Submitted on: 2/4/2024 11:15:07 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Debbie Wyand	Individual	Oppose	Written Testimony Only

Comments:

Opposed

SB-2396

Submitted on: 2/4/2024 11:35:43 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Catherine Thyne	Individual	Oppose	Written Testimony Only

Comments:

Oppose

SB-2396

Submitted on: 2/5/2024 12:27:43 AM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Manulani Garcia	Individual	Oppose	Written Testimony Only

Comments:

Oppose

SB-2396

Submitted on: 2/5/2024 12:40:29 AM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Magoon Ohana	Individual	Oppose	Written Testimony Only

Comments:

Oppose. As has been evident in the recent years, the media will call things "misinformation" that are NOT and propogate other lies they want people to believe. It seems it would be easy for politicians or others to manipulate this quite a bit.

SB-2396

Submitted on: 2/5/2024 6:31:06 AM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alice Abellanida	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-2396

Submitted on: 2/5/2024 6:38:01 AM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rosemarie Vailisale	Individual	Oppose	Written Testimony Only

Comments:

I, Rosemarie Vailisale, oppose and do not support such bill

SB-2396

Submitted on: 2/5/2024 8:05:20 AM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
julie schaus	Individual	Oppose	Written Testimony Only

Comments:

I oppose sb2396

no government shall decide what's misinformation

SB-2396

Submitted on: 2/5/2024 8:39:01 AM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ryan Willis	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose

SB-2396

Submitted on: 2/5/2024 8:39:39 AM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sam schaus	Individual	Oppose	Written Testimony Only

Comments:

I oppose sb2396

government shall not decide what's misinformation

SB-2396

Submitted on: 2/5/2024 8:42:07 AM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kanoë Willis	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose

SB-2396

Submitted on: 2/5/2024 8:59:13 AM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Greg schaus	Individual	Oppose	Written Testimony Only

Comments:

I oppose sb 2396

government shall NOT decide what's misinformation

SB-2396

Submitted on: 2/5/2024 9:13:26 AM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Terry Murakami	Individual	Oppose	Written Testimony Only

Comments:

Oppose, this bill can easily accuse any dissenting opinion/idea/data that is critical for a helpful debate or to make an informed decision about a candidate/issue to be labeled as "misinformation/deepfake".

SB-2396

Submitted on: 2/5/2024 11:44:52 AM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Shari saiki Rodrigues	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

SB-2396

Submitted on: 2/5/2024 11:50:47 AM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
SCOTT SWARTZ	Individual	Support	Written Testimony Only

Comments:

My name is Scott Swartz. I am an actor, a member of SAG-AFTRA, a full time Oahu resident, and I SUPPORT this BILL.

SB-2396

Submitted on: 2/5/2024 3:37:27 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alexis Caramonte	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. This bill will become harmful to the state. Policing the citizens of their opinions and punishing them is horrendous. Definitions in the bill is written where if you say something different from what is stated on a campaign you can be penalized. Who will make the decision if your statement/opinion is deemed "deepfake". This is a horrible bill aimed to villianize the people for harmlessly stating opinions. For this I strongly oppose this bill and urge the committee to not move this bill any further.

Mahalo

SB-2396

Submitted on: 2/5/2024 4:21:39 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Glenn Grimes	Individual	Oppose	Written Testimony Only

Comments:

STRONGLY OPPOSE BILL SB2396

SB-2396

Submitted on: 2/5/2024 8:09:28 PM

Testimony for JDC on 2/9/2024 9:30:00 AM

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

Comments:

I support this bill.

SB-2396

Submitted on: 2/8/2024 9:11:48 AM

Testimony for JDC on 2/9/2024 9:30:00 AM

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

Comments:

Aloha Senate Judiciary Committee Chair Rhoads and Committee Members,

I have concerns about SB2396 and oppose it as written.

While I agree that the proliferation of “deepfakes” is worrisome, this law could be used to target certain campaigns over others.

“Misinformation” is often subjective and not based on fact. Someone can claim something as “misinformation” when it is not, but the damage has already been done. In recent years, the political left and local and federal governments have hijacked the term “misinformation” to target conservative voices by labeling information they do not agree with as misinformation.

What is to stop anyone from claiming something as a deepfake or misinformation to target a political opponent?

What if a misinformation claim about a deepfake is later proven to not be misinformation, but actually true?

Who will be policing these claims?

Thank you for the opportunity to testify.

Respectfully submitted,

Corinne Solomon, HD20 resident