

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



MIKE LAMBERT
DIRECTOR

SYLVIA LUKE
LT GOVERNOR
KE KE'ENA

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

Ka 'Oihana Ho'okō Kānāwai

715 South King Street
Honolulu, Hawaii 96813

JARED K. REDULLA
Deputy Director
Law Enforcement

TESTIMONY ON HOUSE BILL 550, HOUSE DRAFT 2
RELATING TO FIREWORKS
Before the Senate Committee on
PUBLIC SAFETY AND MILITARY AFFAIRS
JUDICIARY

Thursday, March 13, 2025, 9:30 AM

State Capitol Conference Room 016 & Videoconference

Testifiers: Mike Lambert

Chairs Elefante, Rhoads, Vice Chairs Wakai, Gabbard, and members of the Committee:

The Department of Law Enforcement (DLE) supports House Bill 550, House Draft 2. This bill offers a significant advancement in law enforcement's ability to combat illegal fireworks violations in our communities. HB550 HD2 allows recordings made by law enforcement agencies using unmanned aerial vehicles (UAVs) to establish probable cause for arrests under the Fireworks Control Law, provided the UAV is recording directly above public property and the illegal fireworks activity is committed on public property. The bill also appropriates funds to the Department of Law Enforcement for the purchase of UAVs specifically designated for monitoring illegal fireworks.

Illegal fireworks continue to pose a serious threat to public safety in Hawaii. In recent operations, the Illegal Fireworks Task Force established by Act 67, Session Laws of Hawaii 2023, has successfully interdicted nearly 200,000 pounds of illegal fireworks. However, enforcement challenges remain, particularly due to difficulties in identifying perpetrators and establishing probable cause when illegal fireworks are discharged.

UAV technology provides a crucial tool to enhance our enforcement capabilities while maintaining appropriate privacy safeguards.

The proposed legislation appropriately balances public safety concerns with privacy protections by limiting UAV recordings to public property, ensuring that law enforcement's surveillance activities remain within constitutional boundaries. This technology will significantly enhance the Department's ability to enforce fireworks regulations, particularly during peak times such as New Year's Eve and the Fourth of July when violation reports traditionally surge.

The funding appropriation for UAV purchases is essential for effective implementation of this enforcement strategy. These devices will provide law enforcement with greater visibility and documentation capabilities, improving our ability to identify violators and establishing the probable cause necessary for enforcement actions.

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

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR



JADE T. BUTAY
DIRECTOR

WILLIAM G. KUNSTMAN
DEPUTY DIRECTOR

STATE OF HAWAII
KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
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March 11, 2025

The Honorable Brandon Elefante, Chair
Senate Committee on Public Safety
and Military Affairs
State Senate
State Capitol, Room 217
Honolulu, Hawaii 96813

The Honorable Karl Rhoads, Chair
Senate Committee on Judiciary
State Senate
State Capitol, Room 228
Honolulu, Hawaii 96813

Dear Chairs Elefante and Rhoads:

Subject: House Bill (HB) 550, House Draft (HD) 2, Relating to Fireworks

I am Kazuo Todd, Chair of the Hawaii State Fire Council (SFC). The SFC supports HB 550, HD 2, which allows recordings made by law enforcement agencies who are using, controlling, or operating unmanned aerial vehicles to establish probable cause for arrests under the Fireworks Control Law if the unmanned aerial vehicle is recording directly above public property and the act leading to the arrest is committed on public property. HB550, HD 2 also appropriates funds to the Department of Law Enforcement for the purchase of unmanned aerial vehicles to monitor the use of illegal fireworks

The SFC supports legislation to facilitate enforcement of the Fireworks Control Law and strongly urges your committees to pass HB 550, HD 2.

Should you have questions, please contact SFC Administrative Specialist Gary Lum at 723-7169 or glum@honolulu.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kazuo Todd".

KAZUO TODD
Chair

KT/GL

JON N. IKENAGA
PUBLIC DEFENDER

DEFENDER COUNCIL
1130 NORTH NIMITZ HIGHWAY
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HONOLULU, HAWAII 96817

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March 13, 2025

LATE

HB550, HD2: RELATING TO FIREWORKS

Chair Elefante, Vice Chair Wakai and Members of the Committee on Public Safety and Military Affairs

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

The Office of the Public Defender (OPD) **opposes HB550 HD2**. This bill amends HRS § 132D-20 to make video recordings from a drone *de facto* probable cause for an arrest as long as the drone is above public property and the act being surveilled occurs on public property.

Section 1 of the bill is unconstitutional.

HRS § 132D-20(b)(1) already confirms that video recordings from a drone may be one of the facts and circumstances to establish probable cause for arrest. Therefore, on its face the amendment proposed by the bill is unnecessary to the extent that it authorizes the use of drone surveillance footage as probable cause for an arrest. However, this bill crosses over to unconstitutionality by stating that drone surveillance footage recorded over a public property of an act committed on public property is, *de facto*, probable cause for arrest. Proposed subsection (c) of the bill states as follows:

(c) Video recordings or other recordings made by a law enforcement agency using, controlling, or operating an unmanned aerial vehicle ***shall establish probable cause for an arrest*** if:

(Emphasis added).

First, the propriety of the use of the drone to conduct such a warrantless search is always at issue and subject to judicial review of the constitutionality of the search.¹

¹ In State v. Quiday, 141 Hawai'i 116, 405 P.3d 552 (2017), the Hawai'i Supreme Court confirmed that article I, section 7 of the Hawai'i Constitution protects the right of the

Second, the determination of whether probable cause to arrest was properly established is subject to judicial review to determine the legality and constitutionality of the arrest/seizure.² The fourth amendment to the U.S. Constitution and article I, section 7 of the Hawai`i Constitution protect the rights of citizens to be free from unreasonable searches and seizures. Article I, Section 7 states:

The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches, seizures and invasions of privacy shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized or the communications sought to be intercepted.

HRS § 803-1 states that “No arrest of any person shall be made without first obtaining a warrant or other process therefor from some magistrate, except in the cases provided in this chapter or otherwise provided by law.”

HRS § 803-5, “[arrests] by police officer without warrant,” states:

- (a) A police officer or other officer of justice, may, without warrant, arrest and detain for examination any person when the officer has probable cause to believe that such person has committed any offense, whether in the officer's presence or otherwise.
- (b) For purposes of this section, a police officer has probable cause to make an arrest when the facts and circumstances within the officer's knowledge and of which the officer has reasonably trustworthy information are sufficient in themselves to warrant a person of reasonable caution in the belief that a crime has been or is being committed.

“Probable cause exists when the facts and circumstances within one's knowledge and of which one has reasonably trustworthy information are sufficient in themselves to

people to be free from unreasonable searches, seizures and invasions of privacy, including aerial surveillance.

² See e.g. State v. Maganis, 109 Hawai`i 84, 123 P.3d 679 (2005) (defendant filed motion to dismiss in the trial court arguing that the arresting officer did not have probable cause to arrest her for UCPV. On appeal, the ICA and Hawai`i Supreme Court reviewed the trial court's probable cause determination).

warrant a person of reasonable caution to believe that an offense has been committed. This requires more than a mere suspicion but less than a certainty.” State v. Maganis, 109 Hawai‘i 84, 86, 123 P.3d 679, 681 (2005) (citations omitted). “The standard for determining probable cause is a practical and nontechnical concept, which involves a balancing of the citizens' right to be free from unreasonable interference with privacy and from unfounded charges of crime, and the needs of the community to be protected by law enforcement[.]” Id..

[T]he long-prevailing standards on probable cause:

... seek to safeguard citizens from rash and unreasonable interferences with privacy and from unfounded charges of crime. They also seek to give fair leeway for enforcing the law in the community's protection. Because many situations which confront officers in the course of executing their duties are more or less ambiguous, room must be allowed for some mistakes on their part. But the mistakes must be those of reasonable men, acting on facts leading sensibly to their conclusions of probability. The rule of probable cause is a practical, nontechnical conception affording the best compromise that has been found for accommodating these often opposing interests. Requiring more would unduly hamper law enforcement. To allow less would be to leave law-abiding citizens at the mercy of the officers' whim or caprice.

Id. at 87-88, 123 P.3d at 682-83 (citations omitted).

It is the duty of the court to determine whether probable cause to arrest exists. The bill would, unconstitutionally and illegally, establish probable cause de facto simply because a drone recording was made over public property of an act committed on public property. This is illegal as the determination of whether probable cause for arrest existed is always subject to judicial review.³

Suggested alternate language:

To the extent that the bill may be attempting to confirm that a drone cannot be used to conduct a warrantless search of private property where the owner has a reasonable expectation of privacy, then such an amendment would be unnecessary as this restriction is already established under Hawai‘i law. Quiday, *supra*. Alternatively, in order to avoid

³ If the purpose of the bill is to simply confirm that drone footage can be used as one of the facts and circumstances establishing probable cause, then the proposed amendment to HRS § 132D-20 is unnecessary. See HRS § 132D-20(b)(2).

the unconstitutional *de facto* probable cause language, the bill could be amended to add language to delete subsection (c) and to amend subsection (b)(2) to state that, absent a search warrant, if unmanned aerial vehicle footage is used to establish probable cause, the unmanned aerial vehicle must be recording directly above a public park, street, sidewalk, easement, or any public property and the act leading to the arrest must have been committed on a public street, sidewalk, or other public property.

The OPD opposes Section 2 of the bill as to the use of drones in law enforcement.

The OPD generally opposes the use of drones as a tool for law enforcement. While drones can have beneficial uses, such as on search-and-rescue missions, in other contexts they may result in significant invasions of privacy and drone searches are highly susceptible to exceed their permissible scope and become unreasonable.

Drones have many beneficial uses, including in search-and-rescue missions, scientific research, mapping, and more. But deployed without proper regulation, drones equipped with facial recognition software, infrared technology, and speakers capable of monitoring personal conversations would cause unprecedented invasions of our privacy rights. Interconnected drones could enable mass tracking of vehicles and people in wide areas. Tiny drones could go completely unnoticed while peering into the window of a home or place of worship.^[4]

The OPD opposes increasing the funding for the use of drones in law enforcement, without additional legislation which puts in place significant safeguards on the use of the drones as a condition of funding.

Thank you for the opportunity to comment on this measure.

⁴ Domestic Drones, aclu.org (<https://www.aclu.org/issues/privacy-technology/surveillance-technologies/domestic-drones>).

HONOLULU POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 • WEBSITE: www.honoluluupd.org

RICK BLANGIARDI
MAYOR
MEIA



ARTHUR J. LOGAN
CHIEF
KAHU MĀKA'I

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS
HOPE LUNA NUI MĀKA'I

OUR REFERENCE **RP-PA**

March 13, 2025

The Honorable Brandon J.C. Elefante, Chair
and Members
Committee on Public Safety and Military Affairs
The Honorable Karl Rhoads, Chair
and Members
Committee on Judiciary
State Senate
415 South Beretania Street, Room 016
Honolulu, Hawaii 96813

Dear Chairs Elefante and Rhoads and Members:

SUBJECT: House Bill No. 550, H.D. 2, Relating to Fireworks

I am Major Randall Platt of District 4 (Kailua/Kāne'ōhe/Kahuku) of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 550, H.D. 2, Relating to Fireworks.

The HPD supports all legislation that aims to reduce the use of illegal fireworks by strengthening current fireworks laws.

The HPD urges you to support House Bill No. 550, H.D. 2, Relating to Fireworks.

Thank you for the opportunity to testify.

APPROVED:



Arthur J. Logan
Chief of Police

Sincerely,

Randall Platt, Major
District 4

C. Kimo Alameda, Ph.D.
Mayor



Benjamin T. Moszkowicz
Police Chief

William V. Brillhante Jr.
Managing Director

Reed K. Mahuna
Deputy Police Chief

County of Hawai`i

POLICE DEPARTMENT

349 Kapi`olani Street • Hilo, Hawai`i 96720-3998
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March 10, 2025

Senator Brandon J.C. Elefante, Chair
Senator Glenn Wakai, Vice Chair, and Members
Committee on Public Safety and Military Affairs
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair, and Members
Committee on Judiciary
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Dear Senator Elefante and Senator Rhoads:

RE: HOUSE BILL 550, HD2 RELATING TO FIREWORKS
DATE: MARCH 13, 2025
TIME: 9:30 A.M.
PLACE: CONFERENCE ROOM 016 & VIDEOCONFERENCE

The Hawaii County Police Department (HPD) respectfully submits testimony **supporting** House Bill No. 550 HD2, Relating to Fireworks.

HPD urges the committees to support House Bill 550, HD2 which would allow recordings by a law enforcement agency using unmanned aerial vehicles to establish probable cause for an arrest under specified circumstances.

Strengthening laws that aim to curb the use of unpermitted and therefore illegal fireworks is crucial to protecting public safety.

It is for these reasons, we urge this committee **to approve** this legislation. Thank you for allowing the Hawai`i Police Department to provide comments relating to House Bill 550 HD 2.

Respectfully,


BENJAMIN T. MOSZKOWICZ
POLICE CHIEF

**HONOLULU FIRE DEPARTMENT
KA 'OIHANA KINAI AHI O HONOLULU
CITY AND COUNTY OF HONOLULU**

636 SOUTH STREET • HONOLULU, HAWAII 96813
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RICK BLANGIARDI
MAYOR
MEIA



SHELDON K. HAO
FIRE CHIEF
LUNA NUI KINAI AHI

JASON SAMALA
DEPUTY FIRE CHIEF
HOPE LUNA NUI KINAI AHI

March 11, 2025

The Honorable Brandon Elefante, Chair
Committee on Public Safety
and Military Affairs
State Senate
State Capitol, Room 217
Honolulu, Hawai'i 96813

The Honorable Karl Rhoads, Chair
Committee on Judiciary
State Senate
State Capitol, Room 228
Honolulu, Hawai'i 96813

Dear Chairs Elefante and Rhoads:

Subject: House Bill (HB) 550, House Draft (HD) 2 Relating to Fireworks

I am Sheldon K. Hao, Fire Chief of the Honolulu Fire Department (HFD). The HFD supports HB 550, HD 2, which allows recordings made by law enforcement agencies, who are using, controlling, or operating unmanned aerial vehicles, to establish probable cause for arrests under the Fireworks Control Law if the unmanned aerial vehicle (UAV) is recording directly above public property and the act leading to the arrest is committed on public property. HB 550, HD 2 also appropriates funds to the Department of Law Enforcement for the purchase of UAVs to monitor the use of illegal fireworks

The HFD supports legislation to facilitate enforcement of the Fireworks Control Law and strongly urges your committees to pass HB 550, HD 2.

Should you have questions, please contact Administrative Specialist Gary Lum at 723-7169 or glum@honolulu.gov.

Sincerely,

SHELDON K. HAO
Fire Chief

SKH/GL:cn

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director

BRADFORD K. VENTURA
Fire Chief

GAVIN L.M. FUJIOKA
Deputy Fire Chief



DEPARTMENT OF FIRE & PUBLIC SAFETY
COUNTY OF MAUI
200 DAIRY ROAD
KAHULUI, MAUI, HAWAII 96732
www.mauicounty.gov

March 12, 2025

LATE

The Honorable Brandon Elefante, Chair
Senate Committee on Public Safety
and Military Affairs
State Senate
State Capitol, Room 217
Honolulu, Hawaii 96813

The Honorable Karl Rhoads, Chair
Senate Committee on Judiciary
State Senate
State Capitol, Room 228
Honolulu, Hawaii 96813

Dear Chairs Elefante and Rhoads:

**SUBJECT: HOUSE BILL (HB) 550, HOUSE DRAFT (HD) 2, RELATING TO
FIREWORKS**

I am Bradford K. Ventura, member of the Hawaii State Fire Council (SFC) and Fire Chief of the Maui Fire Department. The SFC supports HB 550, HD 2, which allows recordings made by law enforcement agencies who are using, controlling, or operating unmanned aerial vehicles to establish probable cause for arrests under the Fireworks Control Law if the unmanned aerial vehicle is recording directly above public property and the act leading to the arrest is committed on public property. HB550, HD 2 also appropriates funds to the Department of Law Enforcement for the purchase of unmanned aerial vehicles to monitor the use of illegal fireworks

The SFC supports legislation to facilitate enforcement of the Fireworks Control Law and strongly urges your committees to pass HB 550, HD 2.

If you have questions, please contact SFC Administrative Specialist Gary Lum at (808) 723-7169 or glum@honolulu.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Ventura".

BRADFORD K. VENTURA
Fire Chief



Hawaiian Humane Society
People for animals. Animals for people.

Date: March 10, 2025

To: Chairs Sens. Brandon J.C. Elefante & Karl Rhoads
Vice Chairs Sens. Glenn Wakai & Mike Gabbard
and Members of the Committees on
Public Safety and Military Affairs & Judiciary

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

RE: Testimony in support of HB 550, HD2: Relating to Fireworks
Thursday, March 13, 2025, 9:30 a.m., Room 016 & Videoconference

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

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

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

Please pass HB550, HD2, and support local law enforcement. Mahalo for your consideration.



Hawaii Representatives & Senators:

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

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

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

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

In Freedom,

Abbra Green

Executive Secretary, Libertarian Party of Hawaii

lphisecretary@gmail.com

HB-550-HD-2

Submitted on: 3/11/2025 7:04:08 AM

Testimony for PSM on 3/13/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gregory Misakian	Individual	Support	Remotely Via Zoom

Comments:

I support HB550 HD2.

Gregory Misakian

HB-550-HD-2

Submitted on: 3/10/2025 10:26:39 AM

Testimony for PSM on 3/13/2025 9:30:00 AM

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

Comments:

I support HB 550, HD 2 Relating to Fireworks for passage this legislative session that aims to reduce the use of illegal fireworks by strengthening current fireworks laws.

Thank you for the opportunity to submit testimony in support of HB 550, HD 2.

HB-550-HD-2

Submitted on: 3/10/2025 3:30:58 PM

Testimony for PSM on 3/13/2025 9:30:00 AM

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

Comments:

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

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

HB-550-HD-2

Submitted on: 3/10/2025 3:36:08 PM

Testimony for PSM on 3/13/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Meryle Hirotsu	Individual	Support	Written Testimony Only

Comments:

I, Meryle Hirotsu, support HB550. If used properly, drones are an effective tool to use to take photos of firework violaters. Drones are used widely in California to take photos of violaters of firework laws. If the police are trained in the usage of drones, it can be an effective tool to take photos of illegal firworks and get proof of violaters that lead to their arrest or fines.

HB-550-HD-2

Submitted on: 3/10/2025 4:25:00 PM

Testimony for PSM on 3/13/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Anderson	Individual	Support	Written Testimony Only

Comments:

I support this bill as we need to make arrest and consequences for those who are buying illegal fireworks

HB-550-HD-2

Submitted on: 3/11/2025 6:12:05 AM

Testimony for PSM on 3/13/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Frank Schultz	Individual	Support	Written Testimony Only

Comments:

I support this initiative.

HB-550-HD-2

Submitted on: 3/11/2025 6:32:15 PM

Testimony for PSM on 3/13/2025 9:30:00 AM

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

Comments:

Aloha Chairs Elefante & Rhoads, Vice Chairs Wakai & Gabbard, and Committee Members,

I SUPPORT HB550, HD2. The use of illegal fireworks on public property presents a danger to cars, and its' occupants driving by, or trying to make their way down a street. A loud unexpected boom can startle a driver. Hot ambers can cause burn marks on cars. Misfired aerials can break windows or enter a car if the window is down. Pedestrians are in danger of getting injured from fireworks. Public parks and other public places are left with debris that can cause injuries such as sharp pieces of plastics or sticks from aerials. Fireworks leave a mess of tubes, pieces of cardboard, and papers, that scatter everywhere and can be difficult to clean-up if violators leave this mess behind.

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

Please pass HB550, HD1 to use as another way to crack down on illegal fireworks and places where fireworks should not be used.

Thank you for the opportunity to testify.

HB-550-HD-2

Submitted on: 3/11/2025 10:07:29 PM

Testimony for PSM on 3/13/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ted Bohlen	Individual	Support	Written Testimony Only

Comments:

SUPPORT!

HB-550-HD-2

Submitted on: 3/11/2025 10:22:37 PM

Testimony for PSM on 3/13/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Daniel C. Smith	Individual	Support	Written Testimony Only

Comments:

Please pass HB550 HD2.

I recognize that drones must be used carefully to record only over public property. We know that very often illegal fireworks are set off in the streets which are public property. Let's get started with the technology and start to solve the legal and practical issues.

Daniel C. Smith

Pearl City

HB-550-HD-2

Submitted on: 3/10/2025 2:46:55 PM

Testimony for PSM on 3/13/2025 9:30:00 AM

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

Comments:

This measure will erode due process and privacy laws in the state. Drones will also watch private property as well, this is a no go for me. Strongly oppose.

HB-550-HD-2

Submitted on: 3/11/2025 9:32:49 PM

Testimony for PSM on 3/13/2025 9:30:00 AM

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

Comments:

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

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

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

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

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

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

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

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

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

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

Thank you for your consideration.

Sincerely,
Nicholas Zehr

HB-550-HD-2

Submitted on: 3/12/2025 1:04:36 PM
Testimony for PSM on 3/13/2025 9:30:00 AM



Submitted By	Organization	Testifier Position	Testify
Austin the Musical Chair	Testifying for Young Americans for Liberty	Oppose	Remotely Via Zoom

Comments:

Aloha!

I am Austin, the Musical Chair, and I am here today with Young Americans for Liberty to strongly oppose this bill to expand domestic surveillance and police powers under the false and politically contrived pretense of “safety”.

We do not need the police spying on private citizens using drones to enforce laws against non-criminal behavior; this is the kind of police state behavior we might expect from neocons in a red state near the border, not supposedly “progressive” Hawaii. This isn’t about safety. This is about crackdowns and control.

The bill proposes a massive waste of funds on absolutely useless “services”, intended to hurt people and to take their stuff.

But we all know there are only 2 rules for Pono Politics in Hawaii:

1. Don’t hurt people

And

1. Don’t take their stuff.

It really is that simple. Try and live up to it.

Do better.

Mahalo!

Austin Martin

Young Americans for Liberty

