
From: EditorMolokai Advertiser-News George Peabody [MolokaiMAN@basicisp.net]
Sent: Thursday, February 05, 2009 8:41 AM
To: PBStestimony; testimony; Rep. Faye Hanohano; Rep. Henry J.C. Aquino; Rep. Karen Awana; Rep. Gilbert Keith-Agaran; Rep. Marilyn Lee; Rep. Mark Nakashima; Rep. Karl Rhoads; Rep. Scott Saiki; Rep. Joseph Souki; Rep. Roy Takumi; Rep. Kyle Yamashita; Rep. Kymberly Pine; All Senators; All Reps
Subject: TESTIMONY fireworks BAN, **HB397** HB398

TESTIMONY for The Hearing will be held tomorrow morning at 9:15 am here at the State Capitol, in Conference Room 309.

HB 397 - Relating to Fireworks: Bans all fireworks in counties with a population of more than 500,000 persons
HB 398 - Relating to Fireworks: Provides for a statewide ban of consumer fireworks (firecrackers).

Dear Legislators:

RE: Fireworks Bans HB397 and HB398:

Ban all consumer fireworks on ALL ISLANDS, however, Provide several places like the Stadium, and park areas staffed with MedX and police for the sale and use of fireworks, and, Ban fireworks statewide in all other areas. Then enforcement will be easy.....NO fireworks except in those approved areas.

Whatchatink? Please reply, and get it done 09!

mahalos,
George Peabody Molokai
[yes, fireworks are bad here too!]

From: Caroline Brehm [ouiserv@hawaiiantel.net]
Sent: Thursday, February 05, 2009 6:45 AM
To: PBStestimony
Cc: Rep. Chris Kalani Lee
Subject: HB397, HB398 Testimony in support, including pictures

Dear House Committee on Public Safety:

The following is testimony of our strong and unqualified support for HB397 and HB398.

Were this written a few days earlier, the first reason mentioned would probably be different, but after the recent events at Aiea High School, we are sadly reminded that the number one reason why HB397 and HB398 should be passed is for the sake of the safety of Hawaii's citizens, most especially its children. Although one local newspaper strenuously avoided the use of the word "bomb," that is what this incident involved, an illegal explosive device which injured four people. The HFD representative at the scene stated that "There's been dire consequences on the Mainland. We're fortunate nothing worse happened today than what did happen." (<http://www.honoluluadvertiser.com/apps/pbcs.dll/article?AID=2009902040383>) Let's be clear that if devices like these went off in other parts of the world, we would call it a "terrorist" attack. Certainly parents of Aiea High School kids have feelings like that. (<http://www.topix.net/forum/source/honolulu-star-bulletin/TR6BA9DAU4A04OD87>). The last thing we should do is make it easy for kids--or anyone!-- to acquire the materials to make bombs of this sort. The argument that this device was not made of fireworks misses the point: **permitting explosive devices, i.e. fireworks, in our communities** at certain times of the year, **in combination with a lack of proper enforcement** that these permitted times and use of fireworks are not abused, **and in combination with a lack of appropriate consequences for those who DO get caught violating the law** (weekends in jail for ruining a child's hand? seriously?? <http://archives.starbulletin.com/2005/12/23/news/story02.html>) **creates an atmosphere in which endangering and even injuring Hawaii's citizens is viewed as "no big deal."** Look at the reader comments in the articles: there are references to Chinese New Year's, and how these same devices are made and set off in neighborhoods and near kids every December 31. There are those who would say that a few bad apples are spoiling it for everyone else. This argument is one that again trivializes the use of fireworks as "no big deal." Do we say, when someone loses life or limb, "Oh, he/she just ran into a 'bad apple'"?

Another reason we support HB397 and HB398 is due to the neighborhood noise. As I write this, **we have had only 2 consecutive nights (6 nights total) since December 24 in which illegal aerials, let alone firecrackers, have not gone off within 3 blocks of our home.** Out of 42 nights, therefore, we have had only 6 in which we have been uninterrupted by the noise of fireworks and the noise which usually follows: car alarms, barking dogs, etc. This does not include the fireworks' noise that begins promptly at 3, when children are arriving home from school. We experience the same type and duration of noise from illegal fireworks for a month around Independence Day. (How grateful we are that Chinese New Year's came within a month of January 1 this year, avoiding a third month of noise.) On New Year's Eve, of course, our neighborhood becomes a war zone, with so much smoke in the air that we cannot see as far as the street in front of our house. The noise is horrific as illegal aerials, including what we call "flash-bangs", rattles the house, and it begins early in the morning. Two years ago residents of a home on Kina continued shooting off aerials past 2:40 a.m., which is when my husband placed his first call to the police. Although he provided the police with the exact location, my husband was told that nothing can be done without catching the perpetrators in the act and so, although they would send a car out, we shouldn't expect any positive outcome. Our neighbors have had so many identical experiences that most of them have given up calling the police out of futility, although that feeling certainly doesn't lessen their feelings of frustration, unhappiness, and sometimes anger. As one neighbor commiserated when we were talking about this ongoing neighborhood problem which persists well beyond January 1, "we can't sedate our

dogs for a week." (I should mention that this comment was made 4 weeks ago--perhaps it would be more accurate to say he can't sedate their dogs for a month?)

To highlight the fact that the "no big deal" attitude is so prevalent, I have attached pictures from January 3 of this year. The locations in these pictures were reported to the authorities many times during the week around New Year's. The fact that evidence of having used illegal fireworks can be left on the street in the manner shown below, 3 full days after New Year's Eve, is astonishing.

This brings me to the third reason we support HB397 and HB398: **the mess and the environmental danger it presents.** On January 3, just before dark, my husband and I went down to clean up the mess in the pictures below. As you know, it rained on New Year's, and another period of heavy rain was forecast the evening we went down to clean. As I'm sure you also know, rain washes all this debris, including the chemical residue of the fireworks, down into the gutters and so into the oceans, and so into the fish and into our food and export supply. One reads a lot in the news these days of fish to avoid because of the many chemical toxins they contain due to the environment in which they live; how soon before the valuable fish of our state become members of this list? That would be a blow to a segment of our economy at a time when we can least afford to absorb it. We have public service announcements which warn people of dumping oil into the sewers, yet we ignore the dumping of chemical toxins generated by fireworks. The road damage, while not as significant, is still a factor. We have a new pothole in the center of Kina Street between Hele and Kupau from this New Year's fireworks. Perhaps an even less significant factor, except to those who have to see it every day, is the debris left behind in the streets every January (and February in our neighborhood). After being driven over and rained on, it is almost impossible to remove.

The fact is that the original reason for permitting fireworks, to aid in the observance of a cultural tradition, has been overwhelmed by the flagrant and persistent abuse of the law. These many abusers do not observe the cultural tradition but rather use it as a viable means of access to things they would otherwise not get. **It has gotten to the point where the environment, the right to the quiet enjoyment of one's home, and most importantly, the personal safety of the citizens of Hawaii, young and old, are being sacrificed to the interests of those who violate the law.** This is unethical, unprincipled, illegal, and in short, it's just plain wrong.

Thank you for taking these comments into account.

Respectfully,

Caroline Brehm & David Viehl
1301 Kupau Street
Kailua, HI

LATE TESTIMONY

From: Robert Gornstein [rjgornstein@clearwire.net]
Sent: Thursday, February 05, 2009 5:21 AM
To: PBStestimony
Subject: Fireworks ban

Dear representatives,

I wish to add the support of my family to your efforts to ban home fireworks.

My wife and I live in a small community of 15 homes. (Kawainui Vista) in Kailua. We have been plagued by some of our neighbors (four families) use of fire works on Jan 1st and July 4th for the last seven years.

We have complained to the offending folks, and the president of our community board. My wife is allergic to the smoke which contains many toxic gasses. The smoke permeates the neighborhood and filters into our home even though we keep the windows closed during the fireworks.

The fireworks are being illegally set off from the public sidewalk onto a city street (Hanale PL). I have called the police many times but they are unable to issue citations unless they actually see the offence in progress. When they see the police car coming down the street the fireworks are stopped. The street is littered with burned out fireworks but they say they cant do anything. They explain that it is illegal to use fireworks on city streets but after they leave the fireworks are continued.

Many of the neighborhood children are close to the fireworks and exposed to the 150 db noise levels and the toxic smoke. When we spoke to the parents about the illegalities and the dangers to their children and the other neighbors. They say that home fireworks are a tradition in Hawaii and they don't care if it is illegal. They maintain they can do what they want on their property even though the sidewalks and road belong to the city.

The board president claims it is the responsibility of my wife and I to go to a hotel to escape the fireworks and not infringe on the rights of these folks to use fireworks as they see fit.

The best answer is to ban the use of home fireworks on Oahu in order to protect the health and property of the entire community. I talked to the families using fireworks and they say they would comply if they were banned.

My wife and I would like to attend any hearings or meetings to tell our story. Please let us know by Email of the times and locations.

As a scientist I have done lots of research as to the negative effects of home fireworks and would be happy to provide them to you.

Best regards and Aloha,

Robert J. Gornstein PhD

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