



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2023**

ON THE FOLLOWING MEASURE:

H.B. NO. 208, RELATING TO CRIMINAL ACTIVITY .

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

DATE: Tuesday, February 7, 2023 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Julie Ebato, Administrator, Crime Prevention and Justice
Assistance Division

Chair Tarnas and Members of the Committee:

The Department of the Attorney General opposes this measure.

This bill would appropriate a yet unspecified amount of general revenues for the Department to collect data and conduct a study on how to reduce criminal activity in Waikiki. We believe that such a study is not needed at this time, because the Honolulu Police Department and the Department of the Prosecuting Attorney, City and County of Honolulu, are currently engaged in activities to prevent and respond to crime in Waikiki.

The Honolulu Police Department's District 6 Community Policing Team (CPT) is very involved in the Waikiki community. "The District 6 CPT implements a strategy of policing that focuses on building relationships and working closely with members of our community. . . [by] promot[ing] organizational strategies that support the systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety such as crime, social disorder, and fear of crime."¹

In September 2022, the Honolulu Prosecutor, the Honolulu Police Department, other city agencies, the Waikiki Business Improvement District Association, and

¹ *District 6- Waikiki*, Honolulu Police Department, <https://www.honoluluupd.org/d6> (last visited February 2, 2023). /

community stakeholders established the Safe and Sound Waikiki Strategy. The program is seeing results.

According to a January 15, 2023, article in the Honolulu Star Advertiser, "Safe and Sound Waikiki has referred 456 arrests to city prosecutors in its first four months[,] including arrests for "'quality of life' crimes such as harassment, public intoxication and urinating in public. The arrests include 372 referrals for misdemeanor crimes, 52 domestic violence misdemeanor arrests and 32 felony arrests." Prosecutors "have asked for geographic restrictions in about 136 of the Safe and Sound arrests in Waikiki, and courts have approved about 25 of them." Geographic restrictions are when courts issue "a condition of probation that restricts those who have committed crimes in Waikiki from returning to the district for a period of time."²

With the creation of Safe and Sound Waikiki, local law enforcement has demonstrated that it is best situated to collect data and develop recommendations with stakeholders on how to reduce crime that impacts businesses, visitors, and residents that live and work in Waikiki.

We respectfully ask the Committee to hold this bill. Thank you for the opportunity to provide testimony.

² *New Safe and Sound Waikiki program has over 450 arrests so far*, Honolulu Star Advertiser <https://www.staradvertiser.com/2023/01/15/hawaii-news/new-safe-and-sound-waikiki-program-results-in-over-450-arrests/> (last visited February 2, 2023).

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THE HONORABLE DAVID A. TARNAS, CHAIR
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS
Thirty-Second State Legislature
Regular Session of 2023
State of Hawai`i

February 7, 2023

RE: H.B. 208; RELATING TO CRIMINAL ACTIVITY.

Chair Tarnas, Vice-Chair Takayama and members of the House Committee on Judiciary and Hawaiian Affairs, the Department of the Prosecuting Attorney, City and County of Honolulu (“Department”), submits the following testimony in **opposition** to H.B. 208.

While the Department greatly appreciates and shares the goal of reducing crime in Waikiki, the Department has already partnered with police and businesses in that area, along with residents and other stakeholders, to establish the Safe and Sound Waikiki Strategy in late 2022. By working with local residents and businesses who are willing to report crimes and help identify repeat offenders, the Department hopes to significantly reduce the high crime rates in Waikiki, and has been actively seeking geographical restrictions to keep repeat offenders away from the area for set periods of time (with exceptions for offenders who live, work, or receive treatment there).

Since the Safe and Sound Waikiki Strategy was implemented in September 2022, there have been over 660 arrests to date. Of those, the Department sought geographical restrictions in approximately 258 cases, of which the courts granted 66. Offenders who are in need of treatment services or resources to address mental health, substance abuse, or other issues can also be referred—and are occasionally mandated by the courts—to receive services. In addition to the law enforcement aspects of the Safe and Sound Waikiki Strategy, business owners in Waikiki are also increasing opportunities for jobs and job training (particularly for prior inmates) and outreach programs for high-risk youth. This is similar to strategies that were previously implemented in Chinatown, Kalihi and Ewa Beach.

As the Safe and Sound Waikiki Strategy takes shape in 2023, the Department and other partnering agencies will continue to track its progress, to gauge the strategy’s successes and weaknesses, and identify potential points for improvement.

For all of the foregoing reasons, the Department respectfully **opposes** the passage of H.B. 208. Thank you for the opportunity to testify on this matter.



STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS
" A Police Organization for Police Officers Only "
Founded 1971

February 4, 2023

VIA ONLINE

The Honorable David A. Tarnas, Chair
The Honorable Gregg Takayama Vice-Chair
House Committee on Judiciary and Hawaiian Affairs
Hawaii State Capitol, Rooms 442, 404
415 South Beretania Street
Honolulu, HI 96813

Re: **HB 208 – Relating to criminal activity**

Dear Chair Tarnas, Vice-Chair Takayama, and Honorable Committee members:

I serve as the President of the State of Hawaii Organization of Police Officers (“SHOPO”) and write to you on behalf of our Union in **support** of HB 208. This bill appropriates a yet to be determined amount of monies from the State of Hawaii general fund for fiscal years 2023-2024 and 2024-2025 for the Department of the Attorney General to collect data and conduct a study on how to reduce criminal activity in Waikiki.

The Union acknowledges that certain types of criminal activity, including violent crimes, have jumped over the last several years, and Waikiki is no exception. Several high-profile incidents, including a recent and extremely violent incident involving approximately 20 bullets that were fired off in the heart of a crowded Waikiki, highlight just how badly things have spiraled out of control. Our officers are committed to their communities, despite the severe police staffing shortage and grueling schedules our officers have been subjected to just to meet our basic patrolling needs. It is our sincere hope that this study will provide the data necessary to improve safety in the Waikiki community and our community at large. The fact of the matter is that data needs to be collected for not just Waikiki but for the entire State of Hawaii to better understand and provide for our community’s protection.

We thank you for allowing us to be heard on this very important issue and hope your committee will unanimously support this bill.

Respectfully submitted,

ROBERT “BOBBY” CAVACO
SHOPO President

RC jmo

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HB-208

Submitted on: 2/3/2023 10:31:32 AM

Testimony for JHA on 2/7/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dara Carlin, M.A.	Individual	Support	Written Testimony Only

Comments:

Stand in STRONG SUPPORT

HB-208

Submitted on: 2/3/2023 11:14:40 AM

Testimony for JHA on 2/7/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
cheryl Burghardt	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE: I am opposition to this bill which appropriates funds to the department of the attorney general to collect data and conduct a study on how to reduce criminal activity in Waikiki. After all of these years, I am pretty sure the AG's office as well as most people who live in Waikiki understand from whence "criminal" activity comes on our islands, including Waikiki. Those of us who live in other areas of our islands, in my case, District 28 also have concerns about criminal activity, which has not only a large number of tourists but includes senior citizens and people who work in businesses throughout our area. Let's collect data but seriously, let's take the old lens off and look through the lens that we honestly want to do something about crime in our islands. Spotlighting one area is not the answer.