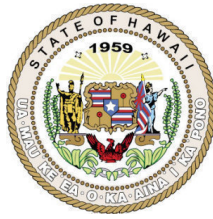


JOSH GREEN  
GOVERNOR



JORDAN LOWE  
DIRECTOR

MICHAEL S. VINCENT  
Deputy Director  
Administration

STATE OF HAWAII | KA MOKU'ĀINA O HAWAI'I  
**DEPARTMENT OF LAW ENFORCEMENT**  
*Ka 'Oihana Ho'opalekana Lehulehu*

1177 Alakea Street  
Honolulu, Hawaii 96813  
(808) 587-2562

**Vacant**  
Deputy Director  
Law Enforcement

No.

TESTIMONY ON SENATE BILL 786, SD1  
RELATING TO SEARCH AND RESCUE  
Before the House Committee on Water and Land  
Tuesday, March 14, 2023; 9:30 a.m.  
State Capitol Conference Room 430, Via Videoconference

**WRITTEN TESTIMONY ONLY**

Chair Ichiyama, Vice Chair Poepoe, and members of the Committee:

The Department of Law Enforcement (DLE) strongly supports this bill.

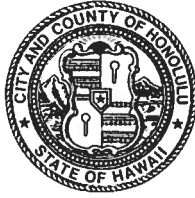
This bill changes the circumstances when an agency may seek reimbursement for search and rescue costs by providing guidance on when such costs can be recovered and requiring agencies to seek reimbursement.

State law enforcement is regularly called upon to participate in search and rescue operations for people who have ignored posted warnings, left defined hiking trails, and ventured into closed areas that have been posted. These situations are not the standard search and rescue of lost or injured persons which are anticipated and part of expected operations of first responders. These are situations created by reason of an individual's choice to ignore warnings and efforts of government agencies or private landowners to keep them safe. When first responders are called upon to engage in these types of extensive search and rescue operations, ongoing operations must be put on hold and agencies often incur additional unbudgeted costs and expense. Requiring agencies to pursue reimbursement in these situations is a reasonable requirement.

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

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813  
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu.org



RICK BLANGIARDI  
MAYOR

ARTHUR J. LOGAN  
CHIEF

KEITH K. HORIKAWA  
RADE K. VANIC  
DEPUTY CHIEFS

OUR REFERENCE **SP-BKG**

March 14, 2023

The Honorable Linda Ichiyama, Chair  
and Members  
Committee on Water and Land  
House of Representatives  
Hawaii State Capitol  
415 South Beretania Street, Room 430  
Honolulu, Hawaii 96813

Dear Chair Ichiyama and Members:

**SUBJECT: Senate Bill No. 786, S.D. 1, Relating to Search and Rescue**

I am Major Shellie Paiva of the Specialized Services Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD opposes Senate Bill No. 786, S.D. 1, Relating to Search and Rescue. This bill requires government agencies to seek reimbursement for search or rescue expenses from certain persons if the need for the search or rescue was caused by the person's disregard of posted warnings and closure signage. The HPD opposes this bill as there is no existing mechanism to seek reimbursement for these situations.

In addition, it may deter or delay prompt notification of first responder agencies by persons who may need to be rescued. Such a delay in a request for assistance could make the situation worse and further endanger the lives of those persons as well as first responders. If the injury is not serious and someone knows they have broken the law and shall face monetary reimbursement, there is a chance they will not call for help and try to get out on their own, making the situation worse. The same would apply for a hiker who is lost but does not call for help for fear of a mandatory reimbursement and ends up injured or in a perilous location, making the search and rescue more dangerous. Such calls for service could place an unnecessary risk to first responders.

The Honorable Linda Ichiyama, Chair  
and Members  
March 14, 2023  
Page 2

The HPD urges you to oppose Senate Bill No. 786, S.D. 1, Relating to Search and Rescue.


Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to be 'Shellie Paiva', with a long horizontal stroke extending to the right.

Shellie Paiva, Major  
Specialized Services Division

APPROVED:

  
\_\_\_\_\_  
Arthur J. Logan  
Chief of Police



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
530 SOUTH KING STREET, ROOM 202  
HONOLULU, HAWAII 96813-3065  
TELEPHONE: (808) 768-5010 • FAX: (808) 768-5011

**Councilmember District 5**  
**Telephone: (808) 768-5005**  
**Email: ckysay@honolulu.gov**

March 13, 2023

**TO:** CHAIR LINDA ICHIYAMA, COMMITTEE ON WATER & LAND  
VICE CHAIR MAHINA POEPOE, COMMITTEE ON WATER & LAND

**FROM:** COUNCILMEMBER CALVIN SAY  
HONOLULU CITY COUNCIL, DISTRICT V

**SUBJECT: TESTIMONY IN SUPPORT OF SENATE BILL 786 S.D.1**

Aloha Chair Ichiyama, Vice Chair Poepoe, and Members of the Committee on Water & Land.

I am a current member of the Honolulu City Council representing District 5 and serving as the Chair of the Zoning Committee. I stand in support of SB 786 SD1, which requires government entities to seek reimbursement for search and rescue expenses for persons who require rescue after ignoring warning signs, leaving a hiking trail to enter a prohibited area, or hiking on a trail closed to the public.

As stated in the Bill, Hawaii is home to some of the most beautiful hikes and outdoor activities. In District V alone, we have trails that are popular among both locals and tourists alike. But with these trails comes a responsibility of respecting our aina and our laws. There are trails on Oahu that have been prohibited due to erosion, safety hazards, a lack of public access points, and more. Ultimately, these trails are dangerous.

When hikers ignore posted warning signs, leave hiking trails and enter prohibited areas, or enter trails that are closed to the public, they not only put themselves in danger, but they put first responders at risk and cost taxpayers thousands of dollars. Efforts, like the reimbursements sought in SB 786 SD1, are one of the many steps needed to discourage people from entering these illegal trails. They are also a way for the government to recoup costs that would otherwise be a burden to law-abiding taxpayers. More importantly, this measure could help to keep our first responders from putting their safety at risk unnecessarily.

Thank you for this opportunity to testify in support of SB 786 SD1. Thank you for your time and consideration.

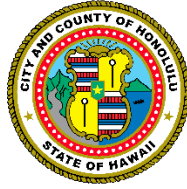
Calvin K.Y. Say  
District 5,  
Honolulu City Council

HONOLULU FIRE DEPARTMENT

## CITY AND COUNTY OF HONOLULU

636 South Street  
Honolulu, Hawaii 96813-5007  
Phone: 808-723-7139 Fax: 808-723-7111 Internet: www.honolulu.gov/hfd

RICK BLANGIARDI  
MAYOR



SHELDON K. HAO  
FIRE CHIEF

JASON SAMALA  
DEPUTY FIRE CHIEF

March 13, 2023

The Honorable Linda Ichiyama, Chair  
Committee on Water and Land  
The State House  
State Capitol, Room 426  
Honolulu, Hawaii 96813

Dear Chair Ichiyama:

Subject: Senate Bill (SB) 786, Senate Draft (SD) 1 Relating to Search and Rescue

My name is Sheldon K. Hao, Fire Chief of the Honolulu Fire Department (HFD). The HFD offers comments regarding SB 786, SD 1, which requires government entities to seek reimbursement for the expenses arising from the search and rescue of persons who ignore posted warnings, leave a hiking trail to enter a prohibited area, or hike on a trail that is closed to the public.

The HFD believes the search and rescue expense requirement described in SB 786, SD 1 may deter or delay prompt notification of first responder agencies by persons in the aforementioned situation. Such a delay in requesting for assistance may exacerbate the situation, thus further endangering the lives of persons involved and their potential rescuers.

In addition, there is no existing mechanism enabling the counties and the HFD to seek reimbursement for these situations. The development and implementation of a reimbursement mechanism will require significant administrative effort by the four county fire departments to establish and maintain.

Public safety and property protection remain the HFD's priorities.

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

Sincerely,

SHELDON K. HAO  
Fire Chief

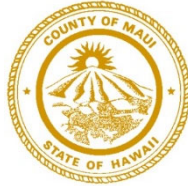
SKH/SB:cn

**RICHARD T. BISSEN, JR.**  
Mayor

**KEKUHAUPIO R. AKANA**  
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](http://www.mauicounty.gov)

March 14, 2023

The Honorable Linda Ichiyama, Chair  
Committee on Water and Land  
The State House  
State Capitol, Room 426  
Honolulu, HI 96813

Dear Chair Ichiyama,

**SUBJECT: SENATE BILL (SB) 786, SENATE DRAFT (SD) 1, RELATING TO SEARCH AND RESCUE**

I am Bradford K. Ventura, member of the Hawaii State Fire Council (SFC) and Fire Chief of the Maui Fire Department. The SFC offers comments regarding SB 786, SD 1, which requires government entities to seek reimbursement for the expenses arising from the search and rescue of persons who ignore posted warnings, leaving a hiking trail to enter a prohibited area, or hike on a trail that is closed to the public.

The SFC believes the search and rescue expenses requirement described by SB 786, SD 1 may deter or delay prompt notification of first responder agencies by persons in the aforementioned situation. Such a delay in requesting for assistance may exacerbate the situation, further endangering the lives of persons involved and their potential rescuers.

In addition, there is no existing mechanism enabling the counties and the SFC to seek reimbursement for these situations. Development and implementation of a reimbursement mechanism will require significant administrative effort by the four county fire departments to establish and maintain.

Public safety and property protection remain priorities of the SFC. If you have any questions, please contact SFC Administrative Specialist Gary Lum at (808) 723-7169 or [glum@honolulu.gov](mailto:glum@honolulu.gov).

Sincerely,

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

**BRADFORD K. VENTURA**  
Fire Chief



## HAWAII FIRE FIGHTERS ASSOCIATION

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 1463, AFL-CIO  
1018 PALM DRIVE | HONOLULU, HAWAII 96814  
TEL: (808) 949-1566 FAX: (808) 952-6003  
[www.hawaii firefighters.org](http://www.hawaii firefighters.org)

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HOUSE OF REPRESENTATIVES  
THE THIRTY-SECOND LEGISLATURE  
REGULAR SESSION OF 2023  
March 14, 2021

Committee on Water and Land

Testimony by  
Hawaii Fire Fighters Association

S.B. No. 786                      RELATING TO SEARCH AND RESCUE                      WAL, JHA, FIN  
S.D. 1

The Hawaii Fire Fighters Association (HFFA), Local 1463, IAFF, AFL-CIO, represents more than 1,900 professional active-duty fire fighters throughout the State. The HFFA, on behalf of all our members, **supports S.B. No. 786, S.D. 1**, which requires government entities to seek reimbursement for search and rescue expenses for persons who require rescue after ignoring warning signs, leaving a hiking trail to enter a prohibited area, or hiking on a trail closed to the public.

Most recently, on March 6, 2023, the Honolulu Fire Department responded to an injured hiker on the Stairway to Heaven Trail in Kaneohe which has been off limits since 1987. Two engine companies, Rescue Company No. 2, Battalion Chief and Air One were dispatched to this incident. Rescue 2 personnel and Air One made multiple trips to bring the injured hiker along with the other hikers to safety. The maximum fine that these hikers face is a \$1,000 fine and/or 30 days of imprisonment. There are too many instances like this that the fire departments across the State respond to for those who blatantly disregard the law.

The HFFA believes ANY emergency incident and specifically, any rescue operation, regardless of how simple or complex, can have catastrophic consequences. We need to put firefighter safety first, which is to **reduce** the overall number of rescues our members must perform. The first step is to create a deterrent to try and reduce or eliminate the unnecessary rescues in areas that are restricted from public use.

Thank you for the opportunity to testify.

**SB-786-SD-1**

Submitted on: 3/10/2023 5:21:56 PM

Testimony for WAL on 3/14/2023 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Darlin Kaya-Medeiros	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am in **STRONG SUPPORT** of this bill, it is about time that we as tax payers no longer have to foot the bill for people who are being ignorant to safety measures.

Mahalo,

Darlin Kaya-Medeiros



**SB-786-SD-1**

Submitted on: 3/10/2023 10:32:06 PM

Testimony for WAL on 3/14/2023 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mark Gordon	Individual	Support	Written Testimony Only

Comments:

Please Support SB 786.

If any individual or groups, regardless of residents or visitors ignore warning signs, leave a hiking trail to enter a prohibited area, or hike on a trail closed to the public and a rescue is required, the government agency should be able to request reimbursement.

Irresponsible individuals or groups not only put themselves at risk, they also put at risk the emergency responders. In addition, resources and time have to be allocated for these types of rescues when they could better be allocated in other areas. Moreover, residents in the long term end of paying for these rescues caused by irresponsible individuals.

**SB-786-SD-1**

Submitted on: 3/13/2023 1:04:09 PM

Testimony for WAL on 3/14/2023 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dana Keawe	Individual	Support	Written Testimony Only

Comments:

Support

**SB-786-SD-1**

Submitted on: 3/13/2023 5:21:23 PM

Testimony for WAL on 3/14/2023 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jennifer Chiwa	Individual	Support	Written Testimony Only

Comments:

Aloha Chairperson Ichiyama and Members of the Committee on Land and Water. I am Jennifer Chiwa, have lived on Oahu my whole life and currently reside in Makiki.

Please support SB 786 SD 1 relating to search and rescue. People need to be responsible about their safety. When these people are careless about heeding warning signs and proceed to enter prohibited areas, they should be made aware that they are risking the lives of rescuers and that taxpayers will not pay for their carelessness.

Thank you for this opportunity to testify and for your consideration in supporting SB 786 SD 1.

Jennifer Chiwa

Makiki

**SB-786-SD-1**

Submitted on: 3/14/2023 9:37:20 AM

Testimony for WAL on 3/14/2023 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Faith Tuipulotu	Individual	Support	Written Testimony Only

Comments:

Aloha,  
I am in support of SB 786.

Mahalo, Faith Tuipulotu