



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

ON THE FOLLOWING MEASURE:

H.C.R. NO. 63, H.R. NO. 65, REQUESTING THE ATTORNEY GENERAL TO CONVENE A TASK FORCE TO RESEARCH THE LAWS, ORDINANCES, AND RULES PROHIBITING CONDUCT ON OR NEAR SCHOOL GROUNDS, OR FOR THE GENERAL PROTECTION OF CHILDREN ATTENDING SCHOOL, AND TO DISTRIBUTE A SUMMARY OF THOSE LAWS TO STATE AND COUNTY BUILDINGS FOR PUBLIC DISPLAY.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

DATE: Thursday, March 23, 2023 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Elyse C.N. Oyama, Deputy Attorney General

Chair Tarnas and Members of the Committee:

The Department of the Attorney General (Department) opposes the resolutions as written and provides the following comments.

The purposes of these resolutions are to (1) convene a task force, chaired by the Attorney General, to compile laws, ordinances, and rules related to the protection of students; (2) draft a school laws summary that summarizes each applicable law, ordinance, and rule; (3) distribute the school laws summary to state and county offices and make it easily accessible to download from State and county websites, and (4) create a list or guidance on how to maintain and update the school summary.

The Department recognizes that the intent of these resolutions is to provide the general public with information about relevant laws and rules related to the protection of students. However, obtaining the current information sought by these resolutions is more suited for collection by the Legislative Reference Bureau, which has the expertise in conducting comprehensive studies and reports without the formation of a task force.

The Legislative Reference Bureau maintains a website, where its reports and studies are published and accessible for the general public.¹

The Department recommends that each reference in the resolutions to the Attorney General be replaced with the Legislative Reference Bureau (the title, and page 2, line 12). Additionally, the Department recommends that in lieu of a task force, the resolutions be amended to simply request the Legislative Reference Bureau to complete the research requested by these resolutions.

Thank you for the opportunity to provide testimony.

¹ *LRB Reports*, Legislative Reference Bureau, <https://lrb.hawaii.gov/publications/lrb-reports> (last visited March 20, 2023).

House of Representatives
Regular Session of 2023

Committee on Judiciary and Hawaiian Affairs
Hearing on Thursday, March 23, 2023
2:00 pm, Conf. Rm. 325

Chair Tarnas, V.Chair Takayama & Members of the JHA Committee:

I am submitting testimony in **support of HCR63 & HR65.**

Many communities are having a range of problems with protecting the students and the schools in their respective communities, so a statewide approach to resolving these issues is probably the most effective way to address these issues.

I live in the Moiliili neighborhood and we have our fair-share of problems impacting our neighborhood schools; the issues range from vandalism and theft, abandoned trash, the homeless leaving feces, open containers of urine and drug paraphernalia near the schools where the students pass by on a regular basis, moped and bicycle 'chop shops,' speeding cars and mopeds and other traffic hazards, etc.

I recently tried to find the answer to who is responsible for enforcing the School Safe Zone laws. When I started to research a little further I found that the entities involved, HPD, DOE, Prosecuting Office, AG Office, etc. did not have an easily accessible list of laws that pertain to the School Safe Zones?! No one could answer my questions on, "Who is responsible to police and enforce laws to manage the aforementioned issues?"

My experience as a state planner (retired) was the Planning/Program Development Office in the different departments was the "Go To" resource office.

We were the ones charged with finding the answers to an array of questions that came from other Depts, the Legislators, and the public, etc. (We were the ones who drafted the bills to change the laws or propose new laws or repeal ineffective laws, etc.)

Furthermore, the way the Prosecutor's Office and the AG Office is currently structured, I could not find a "Generalist" who knew all, or the bulk, of the laws related to school safe zones. It used to be that I could call 1-2 deputy AG attorneys who were assigned to the DOE and they were able to answer most of my questions.

From my research I found that everything has been restructured and too many folks depend on the Web and social media to find information so there is very little or no coordination or shared knowledge among the Departments.

Networking and sharing information and coordinating services is something that is still very valuable. It's sad that it's not being done as often as before.

HCR 63 & HR65 is an attempt to bring back some of the networking and interagency coordination we used to have.

The List of Laws will give the concerned neighbors and advocate groups more tools on what is allowed or not allowed within the "Safe Zones" near a school and near a playground in the park. It would also be beneficial for the HPD, the homeless program coordinators, the DOE staff (administration & faculty), etc., if this information is easily available for their perusal.

All State and City Depts are complaining about worker shortages so let us provide more resources to the community groups to allow them to be the "eyes and ears" to spot unacceptable and/or criminal activities near the schools across the state and then (eventually) have a coordinated system to be able to report these incidents to the appropriate authorities.

HCR63 & HR65 is requesting the Legislature to create a taskforce to research and develop a list of School Safe Zone Laws, then make it accessible to the public.

I humbly ask that the Committee on Judiciary and Hawaiian Affairs pass HCR63 & HR65.

Thank you,

Laurie Hirohata, MSW, MEd

HCR-63

Submitted on: 3/21/2023 8:11:51 AM

Testimony for JHA on 3/23/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Peter R Daspit	Individual	Support	Written Testimony Only

Comments:

I support HCR 63. Our laws protecting our Keiki don't do any good if no one knows about them - how can they be enforced if there is no knowledge? This bill is a common sense solution to better awareness of good laws, and so better enforcement of those laws. The laws are important, they were passed with a purpose, and it seems simple and right to have them publicized and enforced as they were intended by previous legislatures.

Right now, the laws aren't enforced, we have illegal activities right across from schools such as drug dealing, and no one knows of the laws specifically designed to fight this problem.

Knowledge of the laws is power. Let's increase that to help us all, and protect the keiki as intended.

Mahalo,

Peter Daspit

HCR-63

Submitted on: 3/21/2023 8:21:29 AM

Testimony for JHA on 3/23/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lourdes Scheibert	Individual	Support	Written Testimony Only

Comments:

I support HCR63 for safety

HCR-63

Submitted on: 3/22/2023 10:55:04 AM

Testimony for JHA on 3/23/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Greg Misakian	Individual	Support	Written Testimony Only

Comments:

My name is Greg Misakian and I support HCR63.

We must do everthing we can to keep children safe.

HCR-63

Submitted on: 3/22/2023 7:45:06 PM

Testimony for JHA on 3/23/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeff Sadino	Individual	Support	Written Testimony Only

Comments:

I support this Resolution.