



STATE OF HAWAII
CAMPAIGN SPENDING COMMISSION

235 SOUTH BERETANIA STREET, ROOM 300
HONOLULU, HAWAII 96813

February 13, 2024

TO: The Honorable Karl Rhoads, Chair
Senate Committee on Judiciary

The Honorable Mike Gabbard, Vice Chair
Senate Committee on Judiciary

Members of the Senate Committee on Judiciary

FROM: Kristin E. Izumi-Nitao, Executive Director
Campaign Spending Commission

SUBJECT: **Testimony on S.B. No. 2687, Relating to Elections.**

Thursday, February 15, 2024
9:30 a.m., Conference Room 016 & Videoconference

Thank you for the opportunity to testify on this bill. The Campaign Spending Commission (“Commission”) supports the intent of this bill and offers the following comments.

This bill adds a new section to Chapter 11, Hawaii Revised Statutes (“HRS”), and prohibits a person from distributing, or entering an agreement to distribute, materially deceptive media, unless the media contains a disclaimer that the media has been manipulated by technical means and falsely depicts an individual. The bill also establishes civil remedies for persons injured by the distribution of materially deceptive media, as well as criminal penalties.

The Commission is unsure if this proposed additional section to HRS Chapter 11 will be placed in Part XIII (Campaign Finance).¹ The bill does not require materially deceptive media to be an “advertisement” which, as defined in HRS §11-302, identifies a candidate or a ballot issue and advocates the election or defeat of the candidate or ballot issue. The bill does not refer to the Commission, even though the bill contains a list of persons or organizations that may bring a cause of action for injunctive or other equitable relief for a violation of this new section. The bill also does not reference the civil or criminal remedies provided in Part XIII (HRS §§11-410-11-412), but instead provides separate civil remedies and criminal penalties for violations of this new section.

¹ The Commission acknowledges that Section 1 on page 1, line 11, refers “to influence elections,” and subsection (a) of the proposed new section refers to “candidate” on page 2, line 20. However, there is no direct connection of the new section to Part XIII.

Notably, the Commission strongly supports transparency in campaign spending, and therefore, if the deception is not obvious, we agree that it is important for materially deceptive media to contain a disclaimer that the media contains a false depiction of an individual. Further, from a campaign finance perspective, if the media is also a campaign advertisement, it is equally if not more important for the disclaimer to identify the person who paid for the distribution of the materially deceptive media.

If this Committee intends to pass this bill, the Commission requests that it be amended to make it clear whether or not the new section proposed in the bill will be placed in Part XIII of HRS Chapter 11. If so, we would recommend that the terminology include campaign finance language.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2024**

ON THE FOLLOWING MEASURE:
S.B. NO. 2687, RELATING TO ELECTIONS.

BEFORE THE:
SENATE COMMITTEE ON JUDICIARY

DATE: Thursday, February 15, 2024 **TIME:** 9:30 a.m.

LOCATION: State Capitol, Room 016 and Videoconference

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Tricia M. Nakamatsu, Deputy Attorney General

Chair Rhoads and Members of the Committee:

The Department of the Attorney General (the Department) provides the following comments.

The purpose of this bill is to prohibit anyone from distributing digitally created information, including audio, image, or video, that falsely depicts someone engaging in speech or conduct that the individual did not engage in, with intent to harm the reputation or electoral prospects of a candidate in an election, or change the voting behavior of electors. It establishes remedies for injured parties and criminal penalties for distributing materially deceptive media.

The Department has several suggestions to increase the effectiveness of the bill.

CRIMINAL OFFENSE (section 11-__ (a))

The most prominent issue with proposed section 11-__ (a), is that the applicable state of mind is unclear and inconsistent throughout. As currently written, there is no state of mind provided under the initial wording of subsection (a), on page 2, lines 9-12; yet:

- subsection (a)(1), on page 2, line 13, indicates a “knowing” state of mind;
- subsection (a)(2), on page 2, lines 15-17, contains no state of mind; and
- subsection (a)(3), on page 2, line 18, indicates an “intentional” state of mind.

Rather than trying to combine potentially conflicting—and confusing—states of mind, the Department suggests incorporating the wording of subsection (a)(2) into the main or initial wording of subsection (a) (on page 2, lines 9-12).

We also suggest adding an “intentional” state of mind to the initial wording of subsection (a). Although the proposed wording in subsection (a)(1) appears to have a “knowing” state of mind, regarding materially deceptive media, the proposed wording in subsection (a)(3) seems to emphasize that the overall state of mind is actually intentional, even with regards to the materially deceptive media.

Aside from the state of mind issues, we also suggest deleting the phrase “, or enter into an agreement with another person to distribute,” (page 2, lines 10-11), as such activity (i.e., entering into an agreement for someone else to engage in criminal conduct) is already prohibited by section 705-520, HRS, criminal conspiracy.

We suggest deleting subsection (a)(1) (page 2, lines 13-14) as that wording is already covered by the definition of “materially deceptive media” (page 7, line 15, to page 8, line 11).

We suggest deleting the first two lines of subsection (a)(3) (page 2, lines 18-19: “The person intends or reasonably intends the distribution of the materially deceptive media”), as this is already covered in the initial wording of subsection (a).

We also suggest deleting wording at the end of subsection (a)(3) (page 3, lines 1-3: “by deceiving the electors into incorrectly believing that the depicted individual in fact engaged in the speech or conduct depicted”), as this is already covered by the definition of materially deceptive media if “the electors” in subsection (a)(3) are equivalent to “the reasonable viewer or listener” found in the definition of materially deceptive media.

If the above suggested changes are adopted, subsection (a) of the proposed offense, beginning at page 2, line 9 of the bill, would read as follows (shown in Ramseyer in comparison with the bill wording):

(a) Except as provided in subsection (b), no person shall intentionally distribute~~], or enter into an agreement with another person to distribute,]~~ materially deceptive media [if:

- ~~(1) The person knows or reasonably knows the media falsely represents a depicted individual;~~
- ~~(2) The distribution occurs at any time between the first working day of February in [every] an even numbered year [through] and the next general election[; and~~
- ~~(3) The person intends or reasonably intends the distribution of the materially deceptive media] with the intent to harm the reputation or electoral prospects of a candidate in an election or to change the voting behavior of electors in an election [by deceiving the electors into incorrectly believing that the depicted individual in fact engaged in the speech or conduct depicted].~~

DISCLAIMERS (section 11-____(b))

In proposed section 11-____(b)(1)(C) (page 3, lines-13-15), we suggest deleting the phrase: “, or if there is no other text communication, in a size that is easily readable by an observer,” as this is already covered by subsection (b)(1)(B) (page 3, lines 10-11).

CIVIL OR INJUNCTIVE RELIEF (sections 11-____(c) & (d))

To ensure clarity between the civil and criminal portions of this bill, the Department recommends that subsections (c) and (d) (page 4, line 19, to page 6, line 12) be placed in a new and different section, separate from the proposed criminal offense, to address all civil and injunctive remedies.

PENALTIES (section 11-____(e))

Although the Department takes no position on the severity of the penalties contemplated for this proposed offense, we do note that page 6, lines 17-19, presents a heightened penalty, as a class C felony, if the offense is committed with “intent to cause violence or bodily harm.” This appears to be inconsistent with the intent of the offense, which is to prevent harm to the reputation or electoral prospects of a candidate, or change in the voting behavior of electors.

DEFINITIONS (section 11-____(f))

In proposed subsection 11-____(f), the term, “depicted individual” (page 7, lines 12-13) should be deleted entirely, as this definition is not helpful, and is potentially confusing. Specifically, the word “falsely” is ambiguous, and use of the term “materially deceptive media” would result in circular meanings (with the definition of “materially

deceptive media.”) Given the wording of section 11-___(a), the term “depicted individual” does not appear to be ambiguous, and no further definition is needed.

With regard to the definition for “materially deceptive media” (page 7, line 15 to page 8, line 11), the Department has three suggestions:

1. Paragraph (1) of this definition, on page 7, line 17, should be deleted, as that is already covered by paragraph (2), on page 7, lines 18-20.¹
2. The wording of paragraph (2) (page 7, lines 18-20) should also be amended to delete the word “falsely,” as that term is both ambiguous and unnecessary. Other wording in that paragraph already specifies the individual “did not in fact engage” in the depicted speech or conduct.
3. Paragraph (4), on page 8, line 4, contains its own state of mind, which is confusing and unnecessary. We suggest deleting the word “intentionally.”

If all of these suggestions are adopted, the definition of “materially deceptive media” beginning at page 7, line 15 of the bill, would read as follows (shown in Ramseyer in comparison with the bill wording):

"Materially deceptive media" means any information, including any audio, image, or video, that[:

~~(1) Falsely depicts an individual's appearance or voice;~~

~~(2) Falsely depicts]~~ (1) Depicts an individual engaging in speech or conduct in which the depicted individual did not in fact engage;

~~[(3)]~~ (2) Would cause a reasonable viewer or listener to believe that the depicted individual engaged in the speech or conduct depicted; and

~~[(4)]~~ (3) Was [~~intentionally~~] created by:

(A) Generative adversarial network techniques or another technique that translates a source image into another image using machine learning, deep learning techniques, and convolutional neural networks;

(B) Artificial intelligence; or

(C) Digital technology."

¹ See definition of “materially deceptive media,” under subsection 11-___(e)(1): “Falsely depicts an individual's appearance or voice;” (page 7, line 17) and section 11-___(e)(2): “Falsely depicts an individual engaging in speech or conduct in which the depicted individual did not in fact engage;” (page 7, lines 18-20)

Additionally, a technical correction is needed in the bill's preamble in section 1 (page 1, line 9). That line appears to be missing the word "in," and should read, "Al in elections."

Thank you for the opportunity to comment on this bill.



Randy Perreira
President

HAWAII STATE AFL-CIO

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The Thirty-Second Legislature
The Senate
Committee on Judiciary

Testimony by
Hawaii State AFL-CIO

February 15, 2024

TESTIMONY ON SB2687 - RELATING TO ELECTIONS

Chair Rhoads, Vice Chair Garrett, and members of the committee:

The Hawaii State AFL-CIO is a federation of 74 affiliate labor organizations who represent over 68,000 union members within the State of Hawaii. The Hawaii State AFL-CIO serves its affiliates by advocating for workers and their families before the state legislature and other branches of state and county government.

The Hawaii State AFL-CIO is in support of SB2687, which prohibits a person from distributing, or entering into an agreement with another person to distribute, materially deceptive media unless the media contains a disclaimer. This bill also establishes remedies for parties injured by the distribution of materially deceptive media. Further, this bill establishes criminal penalties for distributing materially deceptive media and defines "materially deceptive media".

The potential for deceptive media to manipulate public opinion, spread misinformation, and undermine the very foundation of our democracy is a cause for grave concern. We firmly believe that preserving the authenticity of political discourse is essential to a fair and informed electorate. This bill takes a vital step towards ensuring that our elections remain free from the harmful influence of deceptive media.

The Hawaii State AFL-CIO commends the committee for addressing this issue and urges its members to support this bill to take a proactive stance in protecting the democratic values and principles that our great state holds dear.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Randy Perreira".

Randy Perreira
President



Senate Committee on Judiciary
Senator Karl Rhoads, Chair, Senator Mike Gabbard, Vice Chair

Thursday, February 15, 2024 – 9:30am
Conference Room 016 and Videoconference
SB2687 Relating to Elections

TESTIMONY
Holly Plackett, Legislative Committee, League of Women Voters

Chair Rhoads, Vice Chair Gabbard, and Committee Members:

The League of Women Voters of Hawaii **supports SB2687**, adding language to the Hawaii Revised Statutes which prohibits the distribution of materially deceptive media and provides remedies and establishes criminal penalties for distributing materially deceptive media.

The proposed legislation defines “materially deceptive media” in clear and understandable language --- and specifically states that “materially deceptive media” includes video, an existing image, or audio in its definition.

By addressing the issue of deceptive media, the legislation safeguards the integrity of our democratic processes, ensuring that voters make informed decisions free from manipulation through falsified information. In our world of widespread dis-and-misinformation, this legislation is an important step towards restoring and strengthening public trust in media and information sources.

Thank you for the opportunity to submit testimony.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-Second Legislature, State of Hawaii
The Senate
Committee on Judiciary

Testimony by
Hawaii Government Employees Association

February 15, 2024

S.B. 2687 — RELATING TO ELECTIONS

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the purpose and intent of S.B. 2687 which prohibits a person from distributing or entering into an agreement with another person to distribute, materially deceptive media unless the media contains a disclaimer and establishes remedies for parties injured by the distribution of materially deceptive media and establishes criminal penalties for distributing materially deceptive media.

The use and practice of disinformation is prevalent within our society today. It has undermined public trust within credible institutions and government, and it has caused polarization and division amongst our communities. Now bad actors can easily use AI to produce 'Deep Fakes' of individuals, amplify the use and spread of disinformation through enhanced algorithms, and target and manipulate certain vulnerable groups. Therefore, it's important for our state to implement laws, policies, and penalties against the use of deep fakes, particularly the use of it against candidates and political parties.

Thank you for the opportunity to provide testimony in strong support of S.B. 2687.

Respectfully submitted,


Randy Perreira
Executive Director



MOTION PICTURE ASSOCIATION

Statement on Hawaii Senate Bill 2687

Support, If Amended

The Motion Picture Association (“MPA”) submits this statement regarding Senate Bill 2687. MPA’s members are the leading producers and distributors of filmed entertainment across all platforms, including motion picture theaters, cable, satellite, broadcast and internet exhibition. MPA’s members include: The Walt Disney Studio Motion Pictures, Netflix Studios, Paramount Pictures, Sony Pictures Entertainment, Universal City Studios and Warner Bros.

MPA supports the intent of this bill to ensure the integrity of the election process and to protect voters from misinformation. MPA has several suggestions for this bill, and we will be available to work with members on specific language for the amendments. We note and recommend that this bill be modeled on California’s election deepfakes law [California Civil Code §20010], which has been the law since 2021.

This statement will highlight the areas for consideration.

We recommend the references to and definition of “artificial intelligence” be deleted. It should not matter whether the deepfake was created by artificial intelligence or edited on a smart phone. Voters should know of any manipulation, by any means, of a candidate’s image or voice to make it appear that they did or said something that they did not. Specifically including, “artificial intelligence” does not strengthen the bill and may be more confusing.

We urge that exemptions that address these issues be added to the bill:

- For news organizations that broadcast/publish materially deceptive media as part of bona fide news, with an appropriate disclaimer that indicates there may be questions about the authenticity of the information.
- For a news organization that is paid to broadcast or publish a campaign communication that may include materially deceptive media.
- For internet websites or other regular publishers of news (magazines, newspapers, etc.) that publishes materially deceptive media, if the publication includes a disclaimer that the media does not accurately represent the candidate.
- For parody and satire.

With these changes, MPA would be in support of SB 2687. Thank you for your consideration.



Testimony of Chris Leonard
President – Hawai'i Association of Broadcasters, Inc.
President – New West Broadcasting Corp.
Chairman – Hawai'i State Emergency Communications Committee (SECC)
Re: SB2687
Hearing: Senate Judiciary (JDC)
2/15/24 – 9:30am

In opposition of SB2687 relating to Elections.

Good morning, Chairman Rhoads, Vice Chair Gabbard and committee members. For the record, my name is Chris Leonard and I am the President of the Hawai'i Association of Broadcasters. The Association represents over 100 television and radio stations that serve local communities across the State of Hawai'i. I am also the President of New West Broadcasting Corp., a locally-owned broadcast company that owns and operates six radio stations in Hilo and Kona including KWXX, B97/B93 and KPUA. I also serve as the Chairman of the Hawaii State Emergency Communications Committee and as a member of our Local Emergency Planning Committee in Hawai'i County. I am a lifelong broadcaster who has dedicated my professional career to serving the public. I have over 30 years of experience with communications.

We share your concerns regarding the proliferation of deceptive media and specifically deepfake and AI technology, however we are opposed to SB2687 as written due to several issues that are not addressed by this proposed legislation.

There is a concerning trend of passing overly broad artificial intelligence (AI) legislation that fails to make clear who is liable for any deceptive AI-created content in advertising. Some legislation has failed to indicate that it is the advertiser, not the broadcaster, who is responsible. The broadcaster is merely fulfilling its contractual responsibilities when airing a radio or television spot provided by the advertiser.

The Hawaii Association of Broadcasters (HAB) is addressing this issue by advocating to ensure any such legislation clearly provides that broadcasters are not subject to legal action for airing an advertisement containing deceptive AI content, ensuring unambiguous guidance on liability.

Hawaii Advertising Legislation Should Consider the Following:

1. Clarity in Responsibility:

Any legislation seeking to criminalize or provide civil penalties or other liability for advertisements containing deceptive AI content should explicitly state that liability for AI-generated content in advertisements rests with the organization or individual purchasing the airtime and providing the commercial material for radio or TV.

2. Protection for Broadcasters under Federal Law:

Federal law prohibits radio and television stations from modifying political ads from candidates and obligates them to air the political material unaltered. This is referred to as the “No Censorship Rule.” Because broadcasters cannot modify such ads, federal law protects them from liability for airing them.

3. Access for Federal Candidates:

Federal law requires radio and television broadcasters to air ads from federal candidates, and the No Censorship Rule states that stations cannot turn away any federal candidate based solely on the content of their advertisement. Once again, federal law protects radio and Television stations from liability for airing such ads.

Chairman Rhoads, Vice Chair Gabbard and committee members, we strongly urge you to consider the above points. By ensuring fairness, clarity, and protecting radio and television broadcasters, legislation can strike a balance between encouraging AI innovation and upholding the principles of transparency and accountability for those producing and placing such ads.

Thank you for your consideration of this matter.

Sincerely,



Christopher S. Leonard
President
Hawai'i Association of Broadcasters

Chairman
Hawai'i State Emergency Communications Committee (SECC)

President/General Manager
New West Broadcasting Corp.

SB-2687

Submitted on: 2/10/2024 7:23:26 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Leimomi Khan	Individual	Support	Written Testimony Only

Comments:

Support the intent of this legislation, leaving the technical application of its provisions to the experts. The proposed legislation helps to hold a person (s) accountable for their actions of misrepresentation of facts about a candidate.

SB-2687

Submitted on: 2/11/2024 8:56:50 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sharee Orr	Individual	Oppose	Written Testimony Only

Comments:

First amendment allows for freedom of speech. This bill is against freedom of speech therefore I oppose.

SB-2687

Submitted on: 2/11/2024 9:01:51 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Crossland	Individual	Oppose	Written Testimony Only

Comments:

I **oppose** this vague and subjective Bill that may be selectively enforced.

SB-2687

Submitted on: 2/11/2024 9:41:34 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaiulani Bowers	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill because it is subjective

SB-2687

Submitted on: 2/11/2024 9:52:22 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sharron VanDeusen	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2687.

SB-2687

Submitted on: 2/11/2024 10:31:13 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jadine L Brown	Individual	Oppose	Written Testimony Only

Comments:

I oppose this because of the 1st amendment.

SB-2687

Submitted on: 2/11/2024 10:32:10 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sierra Palpallatoc	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE THIS BILL

SB-2687

Submitted on: 2/11/2024 11:00:10 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
kamakani de dely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill!

SB-2687

Submitted on: 2/11/2024 11:06:00 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mallory De Dely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill!

SB-2687

Submitted on: 2/11/2024 11:09:22 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan Dedely	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill!

SB-2687

Submitted on: 2/11/2024 11:37:17 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Manulani Garcia	Individual	Oppose	Written Testimony Only

Comments:

Please oppose this bill

SB-2687

Submitted on: 2/11/2024 12:10:46 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cari Sasaki	Individual	Oppose	Written Testimony Only

Comments:

Who determines what is "materially deceptive"? This seems likely to be abused along political party lines. This bill invites a third-world level of "persecute your political opponents" type corruption.

SB-2687

Submitted on: 2/11/2024 12:22:31 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Brett Kulbis	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB-2687.

This bill opens the door for legal action by parties not directly involved with the proposed offense. This could cost the State and Counties hundreds of thousands of dollars.

SB-2687

Submitted on: 2/11/2024 12:44:26 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Justyce Torres	Individual	Oppose	Written Testimony Only

Comments:

Free speech is FREE SPEECH.

All will come to the light and many of us aware of those who try to hide and cover tracks !

OPPOSE SB2687

SB-2687

Submitted on: 2/11/2024 12:46:16 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Doug Pasnik	Individual	Oppose	Written Testimony Only

Comments:

I oppose this legislation.

SB-2687

Submitted on: 2/11/2024 1:56:47 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
kelly morgan	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-2687

Submitted on: 2/11/2024 2:04:42 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Anne Kamau	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Mahalo.

SB-2687

Submitted on: 2/11/2024 3:46:37 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Andres Mateo	Individual	Oppose	Written Testimony Only

Comments:

DO NOT PASS THIS BILL. THIS BILL MAKES IT EASY FOR POILITITIANS TO DO FRAUD DURING ELECTION. PLEASE DO YOUR JOB AND ALLOW THE PEOPLE TO BE MORE ENCOURAGE TO OUR ELECTION PROCESS. THIS BILL DOES EXACTLY THE OPPOSITE. AMERICAN PEOPLE WANT POLITITIANS TO BE FIRM, TO HOLD THEIR GROUND, AND TO HAVE INTEGRITY. THIS BILL OPOSES OUR CONSTITUTIONAL RIGHTS THAT WERE FRAME BY A GROUP OF MEN THAT WANTED THE VERY BEST FOR THE GENERTIONS TO COME. THIS GENERATION OF POLITITIANS WHO ALLOW THIS BILL TO BE BROUGHT TO STATE LEGISLATURE HAD SAID ENOUGH FOR WHOM AND FOR WHAT THEY STAND. STAND FOR THE PEOPLE OF HAWAII AND DO NOT BE PART OF THE NEW WORLD ORDER. WE NEED TO HAVE A FREE ELECTION PROCESS FREE FROM FOREIGH AND DOMESTIC INDIVIDUALS WHO ARE AGAINST THE COMMON AMERICAN PEOPLE INCLUDING THE PEOPLE OF HAWAII.

DO NOT PASS THIS BILL.

SB-2687

Submitted on: 2/11/2024 4:10:04 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeffrey F Mizuno	Individual	Oppose	Written Testimony Only

Comments:

Oppose

SB-2687

Submitted on: 2/11/2024 4:52:40 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nalani Enos	Individual	Oppose	Written Testimony Only

Comments:

Re-read the constitution. Freedom of speech is a right not a privilege.

SB-2687

Submitted on: 2/11/2024 5:02:26 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Yvonne Alvarado	Individual	Oppose	Written Testimony Only

Comments:

I Yvonne Alvarado Oppose to Bill SB2687

SB-2687

Submitted on: 2/11/2024 5:26:43 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
tania victorine	Individual	Oppose	Written Testimony Only

Comments:

Bill is subjective and would be infringing on my 1st amendment.

SB-2687

Submitted on: 2/11/2024 6:21:25 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
L. Miles	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill as it is subjective and may be selectively enforced.

While of course we should not be subjected to “materially deceptive media” this seems to infringe on people’s 1st amendment right to free speech.

It is up to individuals to research the information they’re viewing and determine if it is deceptive or not, and what to do about it.

Thank you for the opportunity to provide testimony.

SB-2687

Submitted on: 2/11/2024 6:42:40 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alberta Lono	Testifying for surfing for truth and auditthevote	Oppose	Written Testimony Only

Comments:

I oppose SB2687

Alberta Lono-Morolt

SB-2687

Submitted on: 2/11/2024 7:19:37 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
TERI SAVAIINAEA	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2687.

Thank you,

Teri Savaiinaea

SB-2687

Submitted on: 2/11/2024 9:01:43 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ruben Ongos	Individual	Oppose	Written Testimony Only

Comments:

i oppose this bill!!

SB-2687

Submitted on: 2/11/2024 9:37:47 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathy Jenkins	Individual	Oppose	Written Testimony Only

Comments:

This bill supposes to have exclusive rights to truth over the rights of an individuals. Meaning it supposes one is truer than the other. One cannot be truer than the other. For to be so is be negate both truths. I oppose this bill. Duh!!

SB-2687

Submitted on: 2/11/2024 9:46:50 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Magoon Ohana	Individual	Oppose	Written Testimony Only

Comments:

Oppose- this could be very subjective and targeted towards specific groups of people if it doesn't follow a certain narrative. We have seen too much of this in the recent years.

SB-2687

Submitted on: 2/11/2024 9:53:28 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Diamond	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB2687. Open to selective enforcement. Bad.

SB-2687

Submitted on: 2/11/2024 10:03:57 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sheila Medeiros	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2687. It establishes criminal penalties for distributng "materially deceptive media" during election years. This is subjective and may be selectively enforced.

Vr

Sheila Medeiros

District 43

SB-2687

Submitted on: 2/11/2024 11:20:05 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Roberto Viernes	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill as the language is too vague and in its intent may cause censorship of opposing view points. We need to preserve our freedom of speech for all.

SB-2687

Submitted on: 2/11/2024 11:54:31 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
CHESTER LUM	Individual	Oppose	Written Testimony Only

Comments:

Thank you for allowing me to submit testimony opposing this bill.

SB2687 should be tabled.

Once again, thank you for allowing me to submit testimony opposing this bill.

Chester Lum

SB-2687

Submitted on: 2/12/2024 1:03:08 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Terry Murakami	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-2687

Submitted on: 2/12/2024 2:51:58 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Vernelle Oku	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

This bill violates our first amendment right to free speech. Subjectively censoring media during an election year sounds like Marxist or Communist; not a free and fair nation.

SB-2687

Submitted on: 2/12/2024 3:51:12 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Adriel Lam	Individual	Oppose	Written Testimony Only

Comments:

This is not election law, this is civil law. Written as election law, it has limited and arbitrary time limits, is subject to selective enforcement and lacks due process, a basic and foundational constitutional right. Figure the enforcement of civil law first before applying it to election law.

SB-2687

Submitted on: 2/12/2024 8:15:25 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Noela von Wiegandt	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose SB 2707.

The wording of this bill distorts and twists up the true meaning of Election Fraud.

Thank you very much.

Noela von Wiegandt

SB-2687

Submitted on: 2/12/2024 8:31:49 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
THOMAS KENT	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-2687

Submitted on: 2/12/2024 8:15:40 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ryan Willis	Individual	Oppose	Written Testimony Only

Comments:

I Stongly Oppose

SB-2687

Submitted on: 2/12/2024 8:52:27 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Fenton K lee	Individual	Oppose	Written Testimony Only

Comments:

Honorable Members of the Committee,

I respectfully express my opposition to SB2687, concerning the regulation of materially deceptive media related to elections. This bill, while aiming to protect electoral integrity, risks overstepping constitutional boundaries, particularly regarding freedom of speech. The expansive authority it seeks to regulate artificial intelligence and digital content could infringe upon rights protected under the First Amendment. The measures proposed, though well-intentioned, may set a precedent for governmental overreach into areas of free expression and technological innovation, potentially stifling discourse without clear evidence of its necessity or effectiveness in safeguarding elections.

Sincerely,
Fenton Kaulana Lee

SB-2687

Submitted on: 2/12/2024 9:31:21 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kanoë Willis	Individual	Oppose	Written Testimony Only

Comments:

I Strongly Oppose

SB-2687

Submitted on: 2/12/2024 9:35:10 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
stacy diaz	Individual	Oppose	Written Testimony Only

Comments:

oppose

SB-2687

Submitted on: 2/12/2024 10:02:02 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Joelle Seashell	Individual	Oppose	Written Testimony Only

Comments:

Violation of the constitution. We have the freedom of speech in this country. looks like this would be used in lawfare selectively.

SB-2687

Submitted on: 2/12/2024 10:12:47 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tonya Miller	Individual	Oppose	Written Testimony Only

Comments:

The definers of "misleading" or "deceptive" material may themselves be bias, uninformed, and therefore misrepresent the intent of those exercising their rights. It is the very omission of relevant facts, nuances, and other points that can lead to deception, and this happens in our daily news to some degree but we haven't penalized that. Let us not fall into thought police and criminalizing the free flow of information so that people can make informed decisions. Otherwise, we will fall into only having predetermined and approved talking points that only fit certain narratives, benefiting certain entities, leaving citizens as a ruled class vs partaking in our own affairs. It is a modern day attempt to silence dissenting views and goes against everything we've been founded on. To this day there has been deceptive messages throughout media that don't get challenged without severe censorship. There is a need for citizens to maintain the free flow of information.

SB-2687

Submitted on: 2/12/2024 10:46:51 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephen Baughn	Individual	Oppose	Written Testimony Only

Comments:

In strong opposition of this bill. Could be subjectively used on citizens. Could be selectively enforced.

SB-2687

Submitted on: 2/12/2024 12:30:17 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeanine Acopan	Individual	Oppose	Written Testimony Only

Comments:

Oppose!

SB-2687

Submitted on: 2/12/2024 12:33:17 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Wendy Nguyen	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill!

SB-2687

Submitted on: 2/12/2024 12:37:37 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Charlene Lum	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Who is to determine what is considered deceptive media? If this was the case, many printed material in the newspaper, "with half-truths", would be considered deceptive. So does that hold them to a higher standard or are they held to criminal charges?

Stop writing bills that only apply to a specific agenda.

SB-2687

Submitted on: 2/12/2024 2:57:09 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tracey Beaudry	Individual	Oppose	Written Testimony Only

Comments:

This is subjective and will be selectively enforced. Stop making bad laws. I oppose this bill.

SB-2687

Submitted on: 2/12/2024 3:56:55 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
L.C.	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-2687

Submitted on: 2/12/2024 5:40:59 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Terri Yoshinaga	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-2687

Submitted on: 2/12/2024 9:49:46 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Catherine Thyne	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Oppose!

Only misinformation being done is by our mainstream Media. Will they be fined?

SB-2687

Submitted on: 2/13/2024 4:53:19 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alice Abellanida	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. It is subjective.

SB-2687

Submitted on: 2/13/2024 9:32:50 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Thaddea H Pitts	Individual	Oppose	Written Testimony Only

Comments:

This seems extremely open to misuse and in contradiction to the first amendment. Please be careful as these things could come back to boomerang on us.

SB-2687

Submitted on: 2/13/2024 2:37:28 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Maren Cantrell	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern:

I oppose SB2687. This bill is too subjective and could be used as a political weapon against opposition.

Respectfully,

Maren Cantrell

SB-2687

Submitted on: 2/13/2024 7:58:50 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rita Wong	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE Bill SB2687

This bill establishes Criminal penalties for distributing "materially deceptive media" during electionyears. This is subjective and may be selectively enforced

SB-2687

Submitted on: 2/13/2024 9:21:05 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Vivek Pathela	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE, subjective and ambiguous!

SB-2687

Submitted on: 2/13/2024 10:20:27 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Mori	Individual	Oppose	Written Testimony Only

Comments:

Dear Sirs:

I am wholeheartedly against Bill SB2687 as this may be used subjectively and would go against the 1st Amendment of the US Constitution fo Free Speech.

Mahalo for your attention to this matter,

SB-2687

Submitted on: 2/13/2024 11:03:42 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Emerson	Individual	Oppose	Written Testimony Only

Comments:

I object, this is a double standard in terms in selective persecution. This is cherry picking and those in power will get to choose. Simply an abuse of power waiting to happen. Usually the truth comes out later when its too late. We live in a time where people are guilty and must prove innocence. This is a mess waiting to happen but there are definitely other things that we could prosecute such as voter fraud.

SB-2687

Submitted on: 2/14/2024 9:16:30 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Martin Choy	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2687 because it profiles voters and violates our rights of free speech.

SB-2687

Submitted on: 2/14/2024 9:30:54 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Corinne Solomon	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2687.

I understand the intent of the bill, but have concerns that alleged claims of "misinformation" and "disinformation" could be brought forward subjectively.

I think there needs to be a pause on piecemeal legislation that targets AI.

We need to take a step back and look at creating a bipartisan task force of AI experts to address AI concerns beyond the scope of this bill.

SB-2687

Submitted on: 2/14/2024 9:48:22 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
mary arizumi	Individual	Oppose	Written Testimony Only

Comments:

SB 2687 REMOVES our Freedom of speech. Keep the society free. Everybody should say whatever they want to express. Let people have the choice to hear all sides.

SB-2687

Submitted on: 2/15/2024 12:15:54 AM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
james	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2687. We need criminal penalties for those who rig our elections. How the hell Joe Biden won hawaii when no one campaigned for him? And nobody like Josh Green yet he won by a landslide. Fix the rig system.