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Testimony of the Department of Commerce and Consumer Affairs

Office of Consumer Protection

Before the
House Committee on Consumer Protection & Commerce
Wednesday, March 18, 2026
2:00 PM
Via Videoconference

On the following measure:
S.B. 888, S.D. 2 Relating to Consumer Protection

Chair Matayoshi and Members of the Committee:

My name is Melissa Enright, and I am an Enforcement Attorney at the Department of Commerce and Consumer Affairs' (Department) Office of Consumer Protection (OCP). The Department offers comments.

OCP appreciates the amendments to this bill that were made by the previous committee. Through the amendment to subsection (d), OCP is authorized to enforce by bringing a civil action. In addition, the remedies available have been amended and now are cumulative to remedies provided by any other statute, including, but not limited to HRS § 480-2.

The balance between privacy rights and the needs of law enforcement is delicate. Consumers are rightly concerned with unauthorized access to personal and private information that may be captured by smart devices within the home. OCP notes that

Illinois passed the Protecting Household Privacy Act in 2022. The Illinois law does not prohibit a law enforcement agency from obtaining “household electronic data” when the law enforcement agency first obtains a warrant but also in the following circumstances:

“(2) To respond to a call for emergency services concerning the user or possessor of a household electronic device.

(3) In an emergency situation:

(A) involving a clear and present danger of imminent death or great bodily harm to a person or persons resulting from a kidnapping, abduction, or the holding of a hostage by force or the threat of the imminent use of force;

(B) where there was no previous notice of the emergency to the investigative or law enforcement officer sufficient to obtain prior judicial approval and the officer reasonably believes that an order permitting the obtaining of household electronic data would issue were there prior judicial review;

(C) the household electronic data is necessary and the only potential data available to prevent imminent death or great bodily harm to a person or persons; and

(D) the data must and can be accessed before a warrant could be issued to prevent imminent death or great bodily harm to a person or persons.”

[5 ILCS 855/15](#). Concerning this Illinois law, at present, we are not aware of any reported opinions addressing constitutional challenges or suppression or other evidentiary issues.

At present, we are not aware of any consumer complaints to our office about smart household security devices that require users to consent to data sharing with law enforcement.

Thank you for the opportunity to testify on this bill.

SB-888-SD-2

Submitted on: 3/16/2026 1:16:49 PM

Testimony for CPC on 3/18/2026 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Karen Takamine | Individual | Support | Written Testimony Only |

Comments:

Please support SB888 again! Do not allow smart home devices to sell our data and personal details. Thank you!

SB-888-SD-2

Submitted on: 3/16/2026 1:32:28 PM

Testimony for CPC on 3/18/2026 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Mariana Monasi | Individual | Support | Written Testimony Only |

Comments:

Aloha, I am writing today in strong supprt of SB888. Over the last year we have seen tech companies go practically completely unregulated and more than ever supporting a fascist federal government for tax loop holes. We know that cameras everywhere feed to large surveillance systems at a corporate level, and now we have to worry about our personal home security systems being used to aid state terrorism. This bill would prohibit companies from sharing daily personal footage with law enforcement unless they have a warrant and probable cause. If we do not pass this bill, we are allowing fascism and mass surveillance to be profitable for billionaires while being used against residents. Please support this bill, and help our residents stay safe and out of reach of mass surveillance by the federal oligarchy.

Mahalo for considering this bill.

SB-888-SD-2

Submitted on: 3/16/2026 7:52:10 PM

Testimony for CPC on 3/18/2026 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|---------------|--------------|--------------------|------------------------|
| William Caron | Individual | Support | Written Testimony Only |

Comments:

Aloha Chair, Vice Chair, and members of the committee,

I am writing in **strong support** of SB888, a bill that establishes critical privacy protections for users of smart household security devices in Hawai‘i.

This measure ensures that footage and data from doorbell cameras, smart locks, and other connected devices in our homes cannot be shared with law enforcement unless the user consents or law enforcement obtains a judicial warrant. It also prohibits companies from requiring consent to data sharing as a condition of using the device. This is a common-sense balance between supporting public safety and protecting the constitutional privacy rights of Hawai‘i residents.

1. Protecting Privacy and Preserving the Home as a Sanctuary

Smart home devices are becoming increasingly common in Hawai‘i households. While these tools can provide security and peace of mind, they also generate continuous streams of highly sensitive data about our daily lives—who visits our homes, when we come and go, and what happens inside our private spaces. Without clear legal guardrails, this data can be accessed by law enforcement without a warrant, effectively allowing police to bypass the Fourth Amendment's warrant requirement for searching a home. SB888 ensures that the privacy of the home remains protected in the digital age. A device on our porch or door should not become a backdoor for warrantless surveillance.

2. Ensuring True Consumer Choice

The bill also prohibits device operators from forcing users to consent to data sharing with law enforcement as a condition of using the product. This is a vital consumer protection. No one should have to choose between securing their home and surrendering their privacy rights. This provision ensures that consent, when given, is truly voluntary and informed, rather than a coercive requirement buried in terms of service.

3. Providing Clear Enforcement and Accountability

Finally, SB888 establishes a meaningful enforcement mechanism by authorizing the Department of the Attorney General or the Office of Consumer Protection to bring civil actions against violators, with statutory penalties. This ensures that the law has teeth and that companies operating in Hawai‘i take their obligations seriously. Clear rules and consequences protect both consumers and responsible businesses that wish to respect customer privacy.

Hawai'i has an opportunity to be a leader in protecting consumer privacy in the smart home era. I urge this Committee to pass SB888 and send it forward.

Thank you for the opportunity to testify.

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Scot Z. Matayoshi, Chair

Rep. Tina Nakada Grandinetti, Vice Chair

HEARING:

Wednesday, March 18, 2026 at 2 pm

Via Videoconference and Conference Room 329

TESTIMONY IN **SUPPORT** OF SB 888, SD2 - RELATING TO CONSUMER PROTECTION.

Aloha Chair Matayoshi, Vice Chair Grandinetti, and Members of the Committee,

My name is Christine Andrews, and I live in Wailuku, Maui. I have been an attorney licensed in Hawaii for over 25 years and I currently volunteer as a Know Your Rights and constitutional protector trainer and educator statewide. I am writing today in **strong support of SB 888, SD2**, Relating to Consumer Protection, which prohibits operators of smart household security devices from sharing user data with law enforcement agencies unless the user consents or the law enforcement agency obtains a judicial warrant, prohibits operators from requiring users to consent to share data with law enforcement agencies to use a smart household security device, allows the Department of the Attorney General or the Office of Consumer Protection to bring a civil action against operators who violate certain requirements and establishes statutory penalties.

The images we have seen on the news and social media of aggressive, untrained, and violent unmasked, unbadged persons attacking citizens and noncitizens alike has eroded trust in law enforcement and our government. In my capacity as a volunteer educator, I have heard concerns that victims of sexual and domestic violence, some of our most vulnerable community members, are now afraid to call local law enforcement for assistance because of concerns related to federal agents potentially detaining people based on their race ethnicity, country of origin, nationality, the way they speak and the work they do. I have heard from health care providers that fear of lawless, violent, unmasked and unidentified persons is making people afraid to leave their homes to seek necessary medical care.

As a lawyer with an understanding of the Constitution and who has taken an oath to uphold it, what I am witnessing nationwide is chilling. Federal agents have murdered people engaged in lawful, constitutionally-protected activity. People like me. I fear extreme surveillance techniques being deployed against me, such as the use of license-plate identifying technology and now this, the federalization of security cameras on private property. This is how far we as a nation have fallen in the direction of authoritarianism that I am afraid of being targeted by government agents that find images of me on a home security camera and find out who I am, where I live, and come to my house and harm not just myself but my loved ones.

As a Know Your Rights educator and someone who trains constitutional observers, I feel that I must share with you my personal perspective on how necessary this bill is. In the scope of my volunteer work as a constitutional observer I may go to a residence to verify a tip of federal agent activity. I do this work driving my own car, and I now fear that my license plate number, car make and model, and my face are all being surveilled or could be surveilled by federal agents. One day, I was helping a woman afraid to go home after federal agents removed her husband from the house and detained him. She was not detained by them, they had let her go, but she was afraid to go home nonetheless. As I was helping her get items for her infant from the home, I was afraid myself that being at the home would subject me to tracking, and that, if I were identified as a constitutional observer, that I then would be tracked, endangering everyone I serve. I was very wary of surrounding homes having security cameras that could then be compelled to be used against me and the community I was helping.

This kind of heightened federal surveillance endangers not only the community I seek to protect, but also myself and my family. People like me engage in mutual aid, bringing food, medicine, and necessary supplies to families afraid to leave their homes. Absent the protections envisioned by SB 888, SD2, neighbors could be compelled by

federal agents to share security device data with federal agents, unwillingly endangering their neighbors and those who help them. Federal agents could use home security data to track community members and volunteers to interfere with mutual aid networks and violate First Amendment rights in the process. The entire idea that neighbor could be compelled to provide evidence against neighbor makes us all less safe. This is why SB 888, SD2 is so important to protect all of us.

I, like millions of others, have chosen to stand up for and protect my neighbors and community members. People like me are being killed for it. Yet I am undeterred by the deaths of Renne Goode and Alex Pretti. I am inspired, and millions are standing alongside me. The government agents who killed Alex Pretti and Renee Goode felt empowered to engage in violence openly and with impunity because they felt protected from accountability. It is time to protect our community members and each other from federal overreach that endangers us all. **I request that you support SB 888, SD2** to protect people like me and the community we serve.

Mahalo,

Christine L. Andrews, J.D.
Wailuku, Maui

SB-888-SD-2

Submitted on: 3/18/2026 7:18:28 PM

Testimony for CPC on 3/18/2026 2:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------|--------------------|------------------------|
| David Ball | Individual | Support | Written Testimony Only |

Comments:

I support this legislation.

David Ball

Waialae-Kahala

