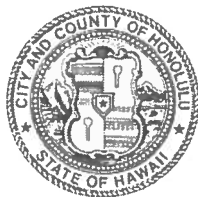


POLICE DEPARTMENT
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OUR REFERENCE **RP-KK**

February 4, 2021

The Honorable Aaron Ling Johanson, Chair
and Members
Committee on Consumer Protection
and Commerce
House of Representatives
Hawaii State Capitol
415 South Beretania Street, Room 329
Honolulu, Hawaii 96813

Dear Chair Johanson and Members:

SUBJECT: House Bill No. 448, Relating to Violation of Privacy

I am Randall Platt, Captain of the Criminal Investigation Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 448, Relating to Violation of Privacy.


Recent years have seen a proliferation in the use of unmanned aircraft systems (drones), both for recreational and professional use. Drones are now able to look into places that were commonly not open to public view, which includes enclosed yards, high-rise residences, and other private areas. The amendments to this law rightfully protect the public from invasions of privacy through the use of an unmanned aircraft system.

The HPD urges you to support House Bill No. 448, Relating to Violation of Privacy, and we thank you for the opportunity to testify.

APPROVED:

Sincerely,


Susan Ballard
Chief of Police


Randall Platt, Captain
Criminal Investigation Division

HB-448

Submitted on: 2/2/2021 11:59:23 AM

Testimony for CPC on 2/4/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tim Orden	Individual	Oppose	No

Comments:

Aloha and mahalo for this opportunity to contribute to the consideration of this bill HB444.

It seems to me that what is described as a violation of privacy, could in fact be abused by the complainant because the complainant could falsely report that there was an invasion of privacy simply because a drone flew over the private dwelling at any altitude, thereby beginning an investigation that simply cannot be proven.

We can imagine how there may be complainants who use this law as a way of harassing or denying drone activity in the federal airspace simply because the complainant "assumed" their privacy by way of observation from a drone sighting was violated.

It seems to me that the publishing of any material would be a better target for regulating the rights of privacy rather than a complainant guessing that they were being recorded, and therefore having their right of privacy infringed upon.

I believe that one's right to relax on their own property should not be violated. I also believe that no crime is committed by overflights of private property as the airspace above the ground is the **exclusive purview of the Federal Aviation Administration.**

The State of Hawaii has for many years, attempted to regulate drones as relating to personal privacy. I believe that it can only be done with specifically demonstrated abuses. I say that no crime is committed until any images are published, therefore actually damaging the claimant.

I do hope that my thoughts on this contribute to addressing a very legitimate concern for privacy and drones.

mahalo nui loa

Tim Orden

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