

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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LATE TESTIMONY

KIRK W CALDWELL
MAYOR



LOUIS M. KEALOHA
CHIEF

DAVE M KAJIHIRO
MARIE A MCCAULEY
DEPUTY CHIEFS

OUR REFERENCE CT-GR

February 18, 2015

The Honorable Gilbert S. C. Keith-Agaran, Chair
and Members
Committee on Judiciary and Labor
State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Keith-Agaran and Members:

SUBJECT: Senate Bill No. 225, S. D. 1, Relating to Driving Under the Influence

I am Calvin Tong, Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu. The HPD supports the passage of Senate Bill No. 225, S. D. 1. Relating to Driving Under the Influence.

The passage of this bill would strengthen the existing law concerning Habitually Operating a Vehicle Under the Influence of an Intoxicant (OVUII). Currently, in order to be convicted of Habitually OVUII, a driver must have at least three prior petty misdemeanor or felony convictions for OVUII within the previous ten years. This bill would qualify a person who has a single prior conviction for Habitually OVUII as a "habitual operator" for the ten years following his or her conviction. It would not eliminate the need for the three prior petty misdemeanor OVUII convictions to initially qualify as a "habitual operator."

According to a study by the National Highway Traffic Safety Administration (NHTSA), a person with prior Driving Under the Influence (DUI) convictions is 4.1 times more likely to be involved in a fatal motor vehicle collision. Another study has shown that the chances of being involved in a fatal motor vehicle collision increase with every additional DUI arrest.

Habitually OVUII is a serious felony offense punishable by up to five years in prison in addition to driver license revocation, fines, and other sanctions. Drivers who have been stopped, arrested, and convicted for Habitually OVUII have repeatedly demonstrated their reluctance to stop driving while impaired by alcohol or drugs despite the sanctions placed upon them by the courts. Their actions create a substantial and unjustifiable risk to the general public. Allowing a single Habitually OVUII conviction to qualify a person as a "habitual operator" for the next ten years sends a strong and clear message that his or her actions are serious and will be treated as such by the criminal justice system.

Serving and Protecting With Aloha

The Honorable Gilbert S. C. Keith-Agaran, Chair
and Members
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The HPD urges you to support Senate Bill No. 225, S. D. 1, Relating to Driving Under the Influence.

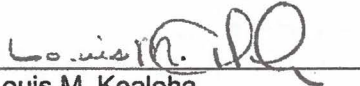
Thank you for the opportunity to testify.

Sincerely,



Calvin Tong, Major
Traffic Division

APPROVED:



Louis M. Kealoha
Chief of Police



ALAN M. ARAKAWA
MAYOR

OUR REFERENCE

YOUR REFERENCE

LATE TESTIMONY

POLICE DEPARTMENT

COUNTY OF MAUI

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TIVOLI S. FAAUMU
CHIEF OF POLICE

DEAN M. RICKARD
DEPUTY CHIEF OF POLICE

February 2, 2015

The Honorable Clarence K. Nishihara, Chair
and Members of the Committee on Transportation
The Senate
State Capitol
Honolulu, HI 96813

Re: Senate Bill No. 225, RELATING TO DRIVING UNDER THE INFLUENCE

Dear Chair Nishihara and Members of the Committee:

The Maui Police Department strongly supports S.B. No. 225.

This proposed bill amends the offense of habitually operating a vehicle under the influence of an intoxicant to include operating a vehicle under the influence of an intoxicant after at least one conviction within the previous ten years for habitually operating a motor vehicle under the influence of an intoxicant.

This bill will close a loophole in the current law by keeping a person's habitual operator status for a period of ten years, and make that status apply to subsequent offenses within that time period.

The Maui Police Department asks your committee to **STRONGLY SUPPORT** S.B. No 225.

Thank you for the opportunity to testify.

Sincerely,

TIVOLI S. FAAUMU
Chief of Police