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OFFICE OF THE ADJUTANT GENERAL
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HONOLULU, HAWAII 96816-4495

TESTIMONY ON SENATE BILL, SB3085 SD2 HD2
RELATING TO THE HAWAII CODE OF MILITARY JUSTICE

PRESENTATION TO
THE COMMITTEE ON FINANCE

BY

MAJOR GENERAL KENNETH S. HARA
ADJUTANT GENERAL
DIRECTOR OF THE HAWAII EMERGENCY MANAGEMENT AGENCY
AND HOMELAND SECURITY ADVISOR

MARCH 31, 2022

Chair Luke, Vice Chair Yamashimta and members of the Committee on Finance.

I am Major General Kenneth Hara, Adjutant General, Director of the Hawaii Emergency Management Agency, and Homeland Security Advisor.

The Department of Defense (DOD) provides testimony in **SUPPORT** of SB3085 SD2 HD2.

The Hawaii Code of Military Justice (HCMJ) was originally enacted in 1982. This measure if passed will update the HCMJ into the 21st Century. This update is needed to give commanders the tools they need to maintain good order and discipline within the State Military Forces while simultaneously protecting the due process rights of the accused.

These changes were based on a model provided by the National Guard Bureau, and bring non-judicial punishment and court-martial procedures further in line with the Uniform Code of Military Justice (UCMJ), as contained in title 10 United States Code. These revisions will also further develop confidence in an independent military justice system.

The proposed changes in this bill were coordinated with the Judiciary. They were subsequently modified and amended by the Legislature, and the DOD has no objects and concurs with the proposed modifications and amendments.

Thank you for this opportunity to provide testimony in support of SB3085 SD2 HD2.

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SB-3085-HD-2

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Testimony for FIN on 3/31/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Levi K. Hookano	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Luke and Members of the House Finance Committee,

I am in strong support of SB3085. Passage of an updated Hawaii Code of Military Justice is long overdue, gives commanders the proper tools to maintain good order and discipline, and provides procedural safeguards for individual rights.

This update is much needed, especially given the increased duties placed upon the State Military Forces since 2001.

Thank you for the opportunity to testify in support.