HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No. **24-64, CD1**

RESOLUTION

AUTHORIZING THE USE OF OVERT VIDEO MONITORING IN THE CITY AND COUNTY OF HONOLULU AT SCENIC POINTS IN EAST O'AHU.

WHEREAS, Section 2-32.1, Revised Ordinances of Honolulu 2021 ("ROH"), defines "overt [video] monitoring" as monitoring of which a reasonable person would be aware; and

WHEREAS, ROH Section 2-32.1 defines "legitimate law enforcement objective" as "the detection, investigation, prevention, or deterrence of crime, protection of a person or property from harm, or the apprehension and prosecution of a suspected criminal or traffic violator"; and

WHEREAS, ROH Section 2-32.1 defines "legitimate public purpose" as the detection, investigation, prevention, or deterrence of violations of federal, State of Hawai'i ("State"), or City and County of Honolulu ("City") regulatory requirements, the evaluation of City programs and operations, the training of City personnel, the investigation of claims involving the City, and other activities supporting public functions; and

WHEREAS, ROH Section 2-32.3(a)(6) provides for the use of overt video monitoring of public activity by the City from fixed locations for purposes as designated by the City Council ("Council") via resolution, following the holding of a public hearing at which members of the public may express their views on the proposed monitoring and the proposed general areas where the monitoring will take place; and

WHEREAS, the City has a significant interest in tourism and providing a safe environment for tourists; and

WHEREAS, there are four popular lookouts and trails ("scenic points") located in East O'ahu, specifically the Makapu'u Point Lighthouse lookout, the Kaiwi State Scenic Shoreline trails, the Hālona Blowhole lookout, and the Lāna'i lookout located near the Koko Head Shooting Complex, all of which are among the most highly publicized attractions on O'ahu for tourists; and

WHEREAS, tourists are known to leave cameras, sunglasses, wallets, purses and other valuables in their vehicles while visiting the scenic points, making the vehicles susceptible to unauthorized entry into a motor vehicle ("UEMV") violations (i.e. break-ins), thefts, and subsequent financial fraud and other related crimes; and

RESOLUTION

WHEREAS, in the calendar year 2023, 225 UEMV offenses took place at the scenic points located in East O'ahu, not including the subsequent criminal offenses that are committed using stolen credit cards and personal information; and

WHEREAS, similar to other police departments across the nation, the Honolulu Police Department ("HPD") is currently dealing with a staffing shortage that makes staffing and monitoring of these scenic points challenging; and

WHEREAS, a pilot project was conducted for a month at the scenic points whereby signboards were deployed stating "Do not leave valuables in car;" and

WHEREAS, during the pilot project, thefts at the scenic points decreased by 80 percent, but the pilot project was discontinued due to vandalism of the signboards and salt exposure of the related equipment, rendering it inoperable; and

WHEREAS, a second pilot project has been proposed to address the UEMV problem by deploying portable surveillance trailers containing surveillance cameras, audio speakers, and blue lights mounted on a mast; and

WHEREAS, the proposal will include a person monitoring the cameras, with video recording to identify possible suspects in any criminal activity and/or deter criminal activity; and

WHEREAS, the HPD and other city departments seek to coordinate with other stakeholders, including the State of Hawai'i, which manages the Makapu'u Point Lighthouse lookout and the Kaiwi State Scenic Shoreline trails, to address the UEMV problem; and

WHEREAS, the HPD and other city departments are currently utilizing video surveillance cameras and are installing additional video surveillance cameras at various locations within the City, including but not limited to Waikīkī and downtown Honolulu; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it hereby authorizes the Honolulu Police Department and its designees to use overt video monitoring at the four scenic points in East O'ahu identified by this resolution (subject to State approval for the State-managed scenic points), in order to achieve the legitimate public purposes and legitimate law enforcement objectives as defined in ROH Section 2-32.1, including the detection and deterrence of criminal activity and ensuring the safety and security of the general public and its property; and

RESOLUTION

BE IT FURTHER RESOLVED that the Honolulu Police Department shall submit a report to the Council pursuant to ROH Section 2-32.3(b)(8) for the time period during which overt video monitoring is occurring at the four scenic points, describing the condition of the video monitoring equipment, and reporting the latest available statistical data as to criminal activity, including the number of arrests, at the four scenic points; and

BE IT FURTHER RESOLVED that the provisions of this resolution will take effect upon the adoption of this resolution and compliance with the notice requirements provided in ROH Sections 2-32.3(b)(5) and 2-32.3(b)(6) and will remain in effect until June 30, 2028, or eighteen months after the Honolulu Police Department or its designees begin overt video monitoring, whichever comes first; and

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BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Mayor, the Managing Director, the Chief of Police, and the Legislative Liaison Office of the Honolulu Police Department at 801 South Beretania Street, Honolulu, Hawaii 96813.

INTRODUCED BY:

Tommy Waters

DATE OF INTRODUCTION:

March 14, 2024
Honolulu, Hawaii

Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

CERTIFICATE

RESOLUTION 24-64, CD1

Introduced: 03/14/24 By: TOMMY WATERS Committee: COUNCIL/PUBLIC HEARING (PH)
PUBLIC SAFETY (PS)
COUNCIL (CCL)

Title: AUTHORIZING THE USE OF OVERT VIDEO MONITORING IN THE CITY AND COUNTY OF HONOLULU AT SCENIC POINTS IN EAST O'AHU.

Voting Legend: * = Aye w/Reservations

03/14/24	INTRO	Introduced.
04/05/24	PUBLISH	Public hearing notice published in the Honolulu Star-Advertiser.
04/17/24	CCL/PH	Public hearing closed and referred to Committee.
05/02/24	PS	Postponed to a date and time to be determined by the Committee Chair. 3 AYES: OKIMOTO, TULBA, TUPOLA 1 ABSENT: DOS SANTOS-TAM
05/23/24	PS	Reported out for adoption as amended in CD1 form. CR-186 3 AYES: DOS SANTOS-TAM, OKIMOTO, TULBA 1 ABSENT: TUPOLA
06/05/24	CCL	Committee report and Resolution as amended were adopted. 7 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, SAY, TUPOLA, WATERS, WEYER 2 ABSENT: OKIMOTO, TULBA

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.

GLEN I. TAKAHASHI, CITY CLERK

TOMMY WATERS, CHAIR AND PRESIDING OFFICER