HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No. 24-248

RESOLUTION

AUTHORIZING THE USE OF OVERT VIDEO MONITORING IN THE CITY AND COUNTY OF HONOLULU IN WEST 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 enforce objective" as "[t]he 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, 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

WHERAS, 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, several tragic and violent events have occurred recently in West O'ahu, causing fear among residents and visitors in the area; and

WHEREAS, the violent events included an attempted murder during the early morning hours of September 6, 2024, at the north end of Mā'ili Beach Park, one of the most beautiful beaches on O'ahu and a popular scenic point; and

WHEREAS, while the Honolulu Police Department ("HPD") Wai'anae Substation opened in 2016, the facility remains unfinished and underutilized, often with only one HPD officer available at the substation to receive walk-ins; and

WHEREAS, the HPD is currently dealing with a staffing shortage that impacts the department's ability to have ongoing physical presence of officers at crime "hot spots" to deter crime; and

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WHEREAS, the City has a significant interest in deterring crime and providing a safe environment for City residents, visitors, and employees; and

WHEREAS, the HPD and other City departments are currently utilizing video surveillance cameras and installing additional video surveillance cameras at various locations within the City, including but not limited to Waikīkī, downtown Honolulu, and East Oʻahu; 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 in West Oʻahu at Māʻili Beach Park and the Honolulu Police Department Waiʻanae Substation in order to achieve the legitimate public purposes and legitimate law enforcement objectives as defined in Section 2-32.1, Revised Ordinances of Honolulu 2021 ("ROH"), including the detection and deterrence of criminal activity and ensuring the safety and security of the general public and its property; and

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 Māʻili Beach Park and the Honolulu Police Department Waiʻanae Substation, describing the condition of the video monitoring equipment and reporting the latest available statistical data as to criminal activities; 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 January 1, 2030, or three years 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, the Legislative Liaison Office of the Honolulu Police Department, the Director of Parks and Recreation, and the Director of Information Technology.

INTRODUCED BY:

A. Fpola

DATE OF INTRODUCTION:

OCT 03 2024

Honolulu, Hawai'i

Councilmembers

Report Title:
Overt Video Monitoring; Honolulu Police Department ("HPD"); HPD Waiʻanae Substation; HPD Waianae Substation; West Oʻahu; West Oahu; Māʻili Beach Park; Maili Beach Park; Criminal Activity; Crime Prevention; Crime Deterrence

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