



UNIVERSITY OF HAWAII SYSTEM

‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
Senate Committee on Water and Land
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By

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HB 364 – RELATING TO TRESPASS

Chair Inouye, Vice Chair Elefante, and Members of the Committee:

Thank you for the opportunity to testify on this measure, which clarifies that either state or county law enforcement officers may enforce trespass violations on public lands regardless of whether that land is owned or controlled by the state or a county. The University of Hawai'i (UH) System supports this measure, because it will make government more effective and expedite the enforcement of trespass laws.

The UH can attest that there is a public benefit to clarifying this issue. It is already the case that law enforcement can enforce trespass under existing statutes, e.g., [HRS §708-814.7](#), entitled "Criminal trespass onto state lands." However, the UH and I have witnessed first-hand how jurisdictional uncertainties have limited the vigor, and thereby, cooperation at which county and state law enforcement officers have been able to effectuate removing trespassers from public property – even when those trespassers were explicitly preventing public agencies from providing public services.

Although this bill may only succeed in re-iterating the authority that is already codified in statutes, I believe that such restatement will serve to make clearer that either state or county law enforcement can enforce trespass violations regardless of which government entity owns or controls a parcel of public land. The bill will also further convey the legislature's intent that enforcing trespass statutes already on the books is important to ensuring the public's health, safety, and welfare as well as the proper management of public lands.

Thank you for the opportunity to testify on this measure.