

INTRO1.

Aloha,

You are receiving this candidate questionnaire because you are a candidate for the Hawai'i State House or State Senate in the 2020 election.

The purpose of this questionnaire is to gather information on candidates' positions on important civil rights and civil liberties policy issues that affect the lives of Hawai'i residents. This questionnaire was sent to every candidate running for Hawai'i State House and State Senate in the 2020 election. By responding to this questionnaire, you give permission for your responses to be made available to the public.

Responses will be published on ACLU of Hawaii's website, acluhi.org, sometime after June 18, 2020. Your responses will be published exactly as you write them and while formatting of the questionnaire may change when published to the website, the substance of both the questions and your responses will not be altered in any way. Candidates will *not* have the opportunity to make changes to their responses once submitted.

Questions are organized by topic. For most questions, candidates should provide a response to the question by selecting YES, NO, or PREFER NOT TO ANSWER. Candidates then have the option of elaborating on their position in the text box below each question. **The questionnaire is extended to Monday, June 29, 2020.** No responses will be recorded after June 18. In publishing the results of this questionnaire, the ACLU of Hawai'i will note if a candidate did not respond to the questionnaire.

The intent of this questionnaire is *for the sole purpose of producing and disseminating informational or educational communications and is not intended to influence the outcome of an election, question, or issue on a ballot.*

The American Civil Liberties Union of Hawai'i is a 501(c)(4) nonprofit, nonpartisan organization. We do not support or oppose candidates for elected office. The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and state constitutions.

SA.

Candidate Information

Name:

Colehour Bondera

SB. Office/District for which you are running:

District 5

INTRO2. Privacy & Technology

PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE TWO QUESTIONS THAT FOLLOW

A recent study by the National Institute of Standards and Technology found that the majority of facial recognition technology programs exhibited disproportionate rates of error when analyzing the faces of women and people of color. In 2018, the ACLU tested Amazon's facial recognition technology software by running the photographs of sitting members of Congress against an arrest database. Twenty-eight false matches came

back, including those of six Congressional Black Caucus members. Multiple jurisdictions across the U.S. have instituted bans and/or moratoriums on government use of this technology.

Q1. Do you support legislation ending government use of facial recognition technology?

Yes

No

Prefer not to answer

Q1a. Please write any comments you might have in the box provided below.

Facial recognition software is problematic. There are insufficient government regulations to prevent potential abuse, including law enforcement agencies. It has proven to be inaccurate in identifying people of color. Then there is the issue of whether this technology would undermine a citizen's right to privacy.

Q2. Do you support legislation limiting private entities' use of facial recognition technology without the clear, written consent of the subject?

Yes

No

Prefer not to answer

Q2a. Please write any comments you might have in the box provided below.

I do not support the unauthorized use of a person's image.

INTRO3. Police Reform

PLEASE ANSWER THE FOLLOWING QUESTION

Q3. Do you support legislation establishing a uniform policy for law enforcement use of body cameras?

Yes

No

Prefer not to answer

Q3a. Please write any comments you might have in the box provided below.

Body cameras have now proven to provide a unique unbiased perspective on events that are essential to determining what actually occurred.

INTRO4. PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE QUESTION THAT FOLLOWS

Hawai'i law allows law enforcement to seize—and keep—personal property without ever charging the property owner with a crime. This is done through a process called civil asset forfeiture. The Legislature passed—and Governor Ige vetoed—a bill in 2019 reforming Hawaii's civil asset forfeiture law by prohibiting civil asset forfeiture except where the property owner had been convicted of a felony connected to that piece of property.

Q4. Do you support this reform?

Yes

No

Prefer not to answer

Q4a. Please write any comments you might have in the box provided below.

Civil asset forfeiture laws contain an inherent potential for abuse by law enforcement. Such abuses have been documented across the nation where similar laws are on the books.

INTRO5.

PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE QUESTION THAT FOLLOWS

Hawai'i law provides special protections for the disclosure of police disciplinary records.

Q5. Do you support legislation repealing such special protections and disclosing the disciplinary records of all law enforcement officers in Hawai'i?

Yes

No

Prefer not to answer

Q5a. Please write any comments you might have in the box provided below.

I support the police reform laws soon to be introduced in the Hawai'i state legislature, which would effectively repeal special protection laws and require disclosure of disciplinary records.

INTRO6.

PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE QUESTION THAT FOLLOWS

The Legislature passed a law establishing a Law Enforcement Standards Board in 2018. To date, this board has met on two occasions and has not set any standards for law enforcement.

Q6. Do you support legislation to strengthen the board's independence, increase citizen oversight, set deadlines, and provide the board additional resources?

Yes

No

Prefer not to answer

Q6a. Please write any comments you might have in the box provided below.

These reforms are being proposed because time has proven the original intent of the Law Enforcement Standards Board has not been manifested. These reforms would address the weaknesses in the original legislation.

INTRO7. PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE THREE QUESTIONS THAT FOLLOW

Evidence shows that school suspensions and school-based arrests lead to further contacts with the juvenile justice system and adult criminal legal system, as well as higher dropout rates and lower academic performance. Currently, students are being suspended for up to 92 days—over half of the school year—for even smelling like cannabis.

Q7. Do you support further limiting the number of days that schools can suspend students?

Yes

No

Prefer not to answer

Q7a. Please write any comments you might have in the box provided below.

In general, juvenile social services in our state, including those in our public education system, have been underfunded and inadequate. It is critical that the cause of problem behaviors, not the symptoms, be identified and addressed, especially since problem behavior in early years tend to escalate with age without effective intervention. At the very least, legislation should be introduced to require a coordinated approach across service systems, including public education, in addressing youths' needs.

Q8. Do you support ending the use of school resource officers (i.e., police officers permanently placed in certain schools)?

Yes

No

Prefer not to answer

Q8a. Please write any comments you might have in the box provided below.

The fact students are now calling for an end to the use of school resource officers should be enough information for any objective decision.

Q9. Do you support eliminating status offenses for youth, such as truancy?

Yes

No

Prefer not to answer

Q9a. Please write any comments you might have in the box provided below.

Status offenses often result because a youth's mental health needs have not been addressed. After a charge has been made, indigent youth lack the resources for an adequate legal defense. Again, there should be a coordination between agencies and services practices and policies. Behavioral issues should not be criminalized.

INTRO8. Economic Justice

PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE QUESTION THAT FOLLOWS

Only seventeen percent of workers nationwide have access through their employers to paid family leave to care for and/or bond with a new child, or to care for a sick or injured family member. The availability of paid family leave has been shown to increase workers' loyalty to employers, decrease employee turnover, and has been linked to decreased infant mortality rates and decreased reliance on public assistance. Eight states and Washington D.C. have passed laws that guarantee paid family leave to workers. In December 2019, Congress passed and President Trump signed the Federal Employee Paid Leave Act extending 12 weeks of paid parental leave to most federal employees.

Q10. Do you support legislation to guarantee 12 weeks of paid family leave to Hawaii's workers through the establishment of a social insurance program?

Yes

No

Prefer not to answer

Q10a. Please write any comments you might have in the box provided below.

Dozens of other countries require paid family leave because they recognize how this individual cost/benefit enhances the health, safety, and welfare for all of society.

INTRO9.

PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE QUESTION THAT FOLLOWS

Hawai'i law does not guarantee any paid, short-term sick leave to workers.

Q11. Do you support legislation to guarantee paid sick days to Hawaii's workers?

Yes

No

Prefer not to answer

Q11a. Please write any comments you might have in the box provided below.

Paid sick leave is essential to basic public health because workers who are sick stay home and those with children who are sick can stay home to care for them instead of going to work or school and exposing others to infectious diseases. Our current state of affairs proves this fact.

INTRO10.

PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE QUESTION THAT FOLLOWS

Half of Hawaii's families cannot afford to meet basic needs. A recent study found that four in ten adults do not have access to \$400 at any given time, making them one emergency—or court-ordered fine—away from financial ruin. Studies have found that scaling fines based on affordability increases the likelihood that fines will be paid in full and increases revenue.

Q12. Do you support legislation that would require courts to scale fines based on an individual's income?

Yes

No

Prefer not to answer

Q12a. Please write any comments you might have in the box provided below.

For many years now, court costs and fees have been increasing and increasingly, the poor are being jailed instead of being freed because they do not have the funds to pay these costs and fees. This often causes job loss and harm to families who are separated during this time. People should not be jailed simply because they are poor.

INTRO11. PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE TWO QUESTIONS THAT FOLLOW

State law punishes nonpayment of traffic and parking tickets by placing a “stopper” on a person’s driving or vehicle record that prevents them from renewing or obtaining a driver’s license or vehicle registration until they’ve paid the ticket in full, plus a 21% fee assessed by the state’s contracted, Texas-based collection agency. Those who cannot afford their ticket and therefore cannot renew their license may be forced to choose between driving without a valid license (a traffic crime punishable by up to a \$1,000 fine or up to one year in jail) and losing their job or taking their child to the doctor. In recent years, several jurisdictions have either moved away from or completely stopped suspending licenses for nonpayment of traffic and parking tickets. In Hawai’i, there are approximately 350,000 outstanding license and registration stoppers.

Q13. Do you support legislation that would end the use of “stoppers” for nonpayment of traffic and parking fines?

Yes No Prefer not to answer

Q13a. Please write any comments you might have in the box provided below.

While I am concerned about those who would refuse to pay traffic and parking fines, I would support legislation ending the use of "stoppers" as long as the record of traffic violation(s) do not indicate a driver who is a danger to themselves and others.

Q14. Would you support a traffic ticket amnesty program to ease the economic burden that traffic tickets place on the working class in Hawai’i?

Yes No Prefer not to answer

Q14a. Please write any comments you might have in the box provided below.

I would support a traffic ticket amnesty program with conditions similar to those in other states.

INTRO12. Criminal Law Reform

PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE TWO QUESTIONS THAT FOLLOW

Under Hawai’i law, it is a felony to possess any amount of a drug that has been classified as dangerous, which is essentially every drug except cannabis. Even the possession of small amounts is punishable by up to five years in prison and a \$10,000 fine.

Q15. Do you support legislation decriminalizing possession of small amounts of dangerous drugs, and reinvesting the savings in effective, community-based drug treatment?

Yes

No

Prefer not to answer

Q15a. Please write any comments you might have in the box provided below.

This approach has proven to be successful in other nations. The key is effective, community-based treatment, which currently problematic in Hawai'i. This reform would have to encompass other mental health treatment reforms.

Q16. Do you think substance use should be treated as a matter of public health?

Yes

No

Prefer not to answer

Q16a. Please write any comments you might have in the box provided below.

Addiction is a disease that harms not only the individuals, but their families, friends, and the community-at-large. Oftentimes it is the result of experiences such as emotional or physical abuse. Society has already identified these as a matter of public health and so it follows that substance abuse should as well.

INTRO13. PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE QUESTION THAT FOLLOWS

Prosecutors are possibly the most influential player in the criminal legal system, yet there is little publicly-available information about how prosecutorial decisions are made.

Q17. Do you support legislation to promote transparency in county prosecutors' offices by requiring increased data tracking and disclosure?

Yes

No

Prefer not to answer

Q17a. Please write any comments you might have in the box provided below.

Transparency in government is essential to justice and democracy.

INTRO14. PLEASE ANSWER THE FOLLOWING THREE QUESTIONS

Q18. Do you support increasing funding for re-entry services for those who are released from incarceration?

Yes

No

Prefer not to answer

Q18a. Please write any comments you might have in the box provided below.

There was a time that prisons were rehabilitation facilities reforming and preparing a person for a healthy, effective re-entry into society. Re-entry services should not only be funded for those released from incarceration, but prior to release as well to lessen the chances for recidivism.

Q19. Do you support measures to decrease barriers to employment for formerly incarcerated individuals?

Yes

No

Prefer not to answer

Q19a. Please write any comments you might have in the box provided below.

A person who has paid his dues to society should not be further penalized by society.

Q20. Do you believe that Hawaii's criminal legal system is working?

Yes

No

Prefer not to answer

Q20a. Please write any comments you might have in the box provided below.

There is inconsistent law enforcement and sentencing. While there have been improvement such as drug courts, many people have shared tales of unfairness in the experience of their lives and those of their families and friends. Clearly, there is room for improvement and the current political environment now seems to be favorable for criminal justice reform legislation.

INTRO15. Houselessness

PLEASE READ THE STATEMENT BELOW AND THEN ANSWER THE THREE QUESTIONS THAT FOLLOW

Hawai'i has one of the highest houselessness rates in the country. The number of unsheltered people has exploded in the past decade even though we have had low unemployment and a relatively strong economy. With COVID-19's harm to the Hawai'i economy, the number of people experiencing houselessness is likely to grow.

Q21.

What do you believe is working and is not working about Hawaii's approach to houselessness?

Please explain your thinking in the space below.

What is working is the realization that sweeping the problem away one place does not solve the problem. I hope to work with Lt. Gov. Josh Green in leading efforts to pass legislation to assist in the implementation of his 10-point plan. https://ltgov.hawaii.gov/wp-content/uploads/2019/04/10-pt-plan-update_Page_2.jpg

Q22.

Do you support legislation establishing a homeless bill of rights?

Yes



No



Prefer not to answer



Q22a. Please write any comments you might have in the box provided below.

Too often we have seen legislation introduced that undermines the Constitutional and basic human rights of the homeless. The Hawai'i Constitution Article IX, Section 10 states: "The law of the splintered paddle, mamala-hoe kanawai, decreed by Kamehameha I--Let every elderly person, woman and child lie by the roadside in safety--shall be a unique and living symbol of the State's concern for public safety. The State shall have the power to provide for the safety of the people from crimes against persons and property." A homeless bill of rights dictating how this Constitution protect shall be administered should be established.

Q23.

How do you plan to address houselessness in Hawai'i in the short, medium, and long term?

Please explain your thinking in the space below.

This is a difficult question to answer because our state is in the midst of an unprecedented crisis. We have no way of knowing how the global and national economies are going to be impacting our state's economy and state budget. We have no idea if the federal government will be providing funding to allow our state to maintain it's current governmental services or just how severe unemployment is going to impact our citizens. There is no doubt there are going to be an increase in the number of people who are no longer able to afford housing, especially since the homeless' families and friends have already been doing what they can to help. We have to take immediate action in the short-term with an eye to the long term goal we had before this economic and public health crisis, this is ending homelessness. This time requires leadership and I will be doing what I can to be a leader while working with others to step forward without fear.

END.

Mahalo for your participation.

Please select the '**Submit survey**' button to submit your answers.

Aloha!