

**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](http://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:

Vickie LP Kam

SB. Office/District for which you are running:

House District 42

**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.

As there are currently no legal regulations yet established to address the potential for abuse of this technology, nor are there any systems to gain our consent as citizens, the use of government facial recognition technology should be ended.

**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.

This seems a clear violation of our right to privacy and without citizens giving consent for our image to be used, stored, or analyzed, this practice needs to stop.

*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.

Establishing a uniform policy regarding body cameras provides protection to law enforcement and the general public alike. The potential for accurately gathering data to inform training practices for law enforcement, as well as, evidence produced for incidence is a valuable tool.

**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.**

Supporting this reform is an important step in protecting individual rights. I can see no valid reason to keep someones personal property if there has been no crime committed.

**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.**

Public trust in our law enforcement officers is important in order to maintain the public order. Accountability measures will help to weed out those not suited to the job and build public trust in those that are to serve and protect.

**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.

I see this as parallel to the Hawaii Teacher Standards Board which monitors qualification, training and licensing of Hawaii public school teachers. Having a set of clear standards to be met is important for increased professionalism. The establishment of this board could be a strong tool to support law enforcement officers in career advancement as well.

**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.

Suspending a student for Chapter 19 based offenses without a system that provides mandatory counseling or support for the student and family is counter productive. However, finding a balance to protect all the students impacted by other students poor behavior must be considered as well.

**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.

There are ways to address student issues that do not require a daily police presence in our schools. Offering a space students can be removed to for counseling and deescalation of the situation would be more in line with schools mission to educate and support.

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.

As an educator for the past 2 dacades, I would like to see Hawaii's truancy policy reworked as a tool for family support and allow for exceptions for special situations. The expectation of school attendance in order to gain the education to become a contributing member of society can not be overlooked, however, it does not need to be weaponized to further alienate the student.

*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.

YES YES YES this is long overdue! Hawaii's working families deserve to have the safety of knowing they will not lose their job if they have a medical crisis, provide care for an aging parent or need bonding time with a new child. Paid Family Leave supports business interests as well, by ensuring a dedicated work force.

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.

Not having paid sick leave basically forces people to show up to work sick, thereby infecting coworkers and clientele alike. This is not good business practice.

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.

Finding a reliable way to determine an individuals level of affordability to pay fines imposed will be paramount to the success of such a program. I look forward to learning more about this concept and how it would be applied.

**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.

Yes and No... no one is forced to drive without a valid license, Hawaii has outstanding public transportation. There needs to be accountability for safety on the roads. I would support legislation that used local businesses to collect these fines and eliminate the exorbitant 21% fee assessed. The sliding scale for fines could also be applied in these instances.

**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.

The safety of everyone on the road can not be dismissed. Receiving a traffic ticket serves as reminder to follow the laws that protect public interest. I would support legislation that allows for a sliding scale for ticketed fines to be applied.

**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.

Treatment facilities are in short supply in our state and need to be available to support those that need help. It would be useful to clearly specify "small amount" in order to ensure that stopping the distribution chain of illegal substances is enforced.

**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.

These programs have been successful in other countries so a model exists that could be used to create programs for Hawaii. I believe this would actually save the state money in the long run as it would cut back on the need for emergency services that are needed to address substance abuse.

**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.



Increased transparency of data is a tool that can support citizens and the justice system to find patterns and areas of concern that can then be addressed. Maintaining confidentiality of individuals information is important as well and should be written into any legislation introduced on disclosure of county prosecutors' decisions.

**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.

I believe that there needs to be educational and job training opportunities, as well as, rehabilitation and mental health services for those willing to participate that are part of the support system provided. This may serve as a transition in their lives that can provide successful reintegration into society.

**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.

If someone has paid their debt to society and is completing programs provided after incarceration, then decreasing these employment barriers is a logical next step. Not supporting the ability to get a paying job is cutting off their ability to survive and possibly leads to committing more crime.

**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.

Overall, Hawaii's justice system seems to be functioning more efficiently than many other jurisdiction nationwide. That said, there are issues, areas of concern and definite weaknesses that need to be addressed both within the system itself and through 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.

Hawaii has several initiatives created to address the needs of our houseless population. These include healthcare services such as 4H, several housing programs, like Housing First, to allow for faster response to the need for a safe environment, and outreach programs with a variety of services. I believe these are important projects that are a solid beginning to establishing a support system for our houseless population are working. What is not working at this time is the lack of enough specialized supports needed for our houseless that are mental ill or addicted. This population of citizens are at the most risk and need the most support. However, by supplying the needed services it would save the state and hospitals funds that could be used to provide more opportunities for services.

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.

This is not a novel concept, Homeless Bill of Rights have been passed in other states to protect the basic human right to safety and access to public spaces and services. Creating a bill that is place based and strives to malama our struggling citizens would be legislation that I support.

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.

Short term options are already on the table in the form of mobile outreach services and clinics. Funding to continue these efforts will be an important part of addressing the issue. Working with stakeholders to determine how to continue and increase these type services will be something I support. Additionally, medium range plans that include working with our law enforcement and mental health service providers need to be strengthened. Once a Homeless Bill of Rights is passed, it will be time to share those new community expectations and find assistance to increase community programs that can prepare the working poor for job training programs to gain financial stability. The state's Kauhale Project is an exciting development with great potential. I was able to attend several community meetings on this program and feel that it has a solid chance of success. Finally, when considering long term ways to address the issue of Hawaii's increasing homeless population, we have to face the need for truly "affordable housing". This term is used differently by different stakeholders and we must have the hard conversations around how our high cost of living is making it impossible for working families and those struggling with illness to find stable housing. I shared written testimony in support of several bills related to homelessness in Hawaii this legislative session. I believe there are long term solutions and now is the time to work together to insure all Hawaii's citizens are housed.

*END.*

Mahalo for your participation.

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

Aloha!