CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 16-236

RESOLUTION

AUTHORIZING THE USE OF OVERT VIDEO MONITORING IN THE CITY AND COUNTY OF HONOLULU TO PREVENT AND DETER GENERAL CRIMINAL ACTIVITY AND ACHIEVE THE LEGITIMATE LAW ENFORCEMENT OBJECTIVE AND LEGITIMATE PUBLIC PURPOSE OF ENSURING A SAFE AND SECURE 2016 HONOLULU MARATHON EVENT.

WHEREAS, Section 2-32.1, Revised Ordinances of Honolulu 1990, as amended ("ROH"), defines "overt video monitoring" as monitoring of which a reasonable person would be aware; and

WHEREAS, Section 2-32.1, ROH, 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, Section 2-32.1, ROH, defines "legitimate public purpose" as the detection, investigation, prevention or deterrence of violations of federal, 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, Section 2-32.3(a)(6), ROH, provides for the use of overt video monitoring of public activity by the City from fixed locations for purposes as designated by the Council of the City and County of Honolulu ("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, on December 11, 2016, the City will host the 44th annual Honolulu Marathon, one of the largest marathons in the world, and which is projected to attract 25,000 runners or more from the international running community; and

WHEREAS, the size and scope of this prestigious event requires a coordinated multi-agency and cross-jurisdictional security effort between federal, state and City agencies, including the Department of Emergency Management ("DEM"), the Honolulu Police Department ("HPD") and other City programs, to ensure the safety of the world class runner-participants and their families, 10,000 local race volunteers and supporters, and the general public; and

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WHEREAS, after the event has been completed, certain cameras used for overt video monitoring during the Honolulu Marathon will also be utilized by the Department of Transportation Services to monitor traffic and by the Department of Information Technology to monitor entry points and equipment located in and around public buildings or facilities; and

WHEREAS, 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 Waikiki and downtown Honolulu; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it authorizes the Department of Emergency Management and its designees to use overt video monitoring at various locations in the City to achieve the legitimate law enforcement objective and legitimate public purpose of ensuring the safety of marathon participants and attendees, and the general public, and the security of event expo venues in preparation for, during, and after the 2016 Honolulu Marathon; and

BE IT FURTHER RESOLVED that the provisions of this Resolution takes effect upon the passage of this Resolution and upon compliance with the noticing requirements as provided in Sections 2-32.3(b)(5) and 2-32.3(b)(6), of the Revised Ordinances of Honolulu 1990, as amended, and will remain in effect until December 11, 2016; and

BE IT FURTHER RESOLVED that the Department of Emergency Management shall report to the Council no later than January 20, 2017, detailing the long term implementation plans for the videos surveillance cameras that will remain in use after December 11, 2016 for traffic monitoring purposes, the disposal or refurbishment plans for the video surveillance cameras that will be immediately removed after December 11, 2016, and the schedule to destroy or retain the video surveillance recordings; and

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BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the Mayor, the Managing Director, the Director of Emergency Management, the Prosecuting Attorney, the Chief of Police, the Legislative Liaison Office of the Honolulu Police Department, 801 South Beretania Street, Honolulu, Hawaii 96813, the Director of Transportation Services, the Director of Information Technology, and the 2016 Honolulu Marathon Planning Group.

INTRODUCED BY:

(br)

DATE OF INTRODUCTION:

AUG 26 2016
Honolulu, Hawaii

Councilmembers