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**COUNTY COUNCIL**  
COUNTY OF MAUI  
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[www.MauiCounty.us](http://www.MauiCounty.us)

July 16, 2019

Governor David Ige  
Governor's Office  
415 Beretania Street , Suite 5  
Honolulu, Hawaii 96813

**SUBJECT: URGING SENSITIVITY AND SAFETY TOWARD  
'OHANA ON THE SUMMIT OF MAUNA KEA**

Dear Governor Ige:

This urgent plea is for the safety of our 'ohana the keiki and kupuna now assembled at Mauna Kea. I have received concerns from many of my constituents in East Maui and other parts of Maui County about the safety of 'ohana members and loved ones protesting on the sacred summit of Mauna Kea. It is unsettling that "preparation for potential arrests if people illegally protest construction on Mauna Kea" is underway, as well as the tactics of allegedly engaging the use of Long-Range Acoustic Hailing Devices also known as "LRAD" on our people by law enforcement personnel.

As a fellow elected official who shares constituents with you, I am very concerned about the use of LRAD on our 'ohana. These devices emit intolerable piercing sounds in the hopes that people will flee the area. Previous use of this equipment has resulted in lasting injuries and lawsuits against the municipalities using them. My constituents and others deserve respect and LRAD systems are not a respectful method of crowd control. In fact, recently U.S. District Court Judge Robert Sweet ruled that it is plausible that the use of LRAD can be considered assault and excessive force. While that case is proceeding to trial in New York, Hawaii would be wise to avoid creating opportunities for legal challenges and wise avoid even the perception of cruel

treatment of peaceful cultural protestors, many of whom are vulnerable keiki and kupuna.

Our 'ohana have a right to be on that summit for their religious and cultural practices and for protest purposes. I am asking that respect, sensitivity and safety prevail. As extreme weather is common place up at the Summit, it would be wise to have medically trained first responders join law enforcement so that, if our kupuna, keiki or others on Mauna Kea need healthcare assistance, it will be available. I am also requesting that respect be shown to citizens and their right to peacefully assemble by providing portable personal care units (i.e. porta-potties) so our people don't have to worry about holding back on hydrating themselves while on the Mauna.

As my foremost concern is for the safety and protection of the 'ohana opposing TMT's construction, **I urgently request that LRAD equipment not be used on our citizens, and that you provide comfort stations and first responders to assist people in need.**

'Ohana is one of our most treasured values which includes all kanakamaole including our DLNR, Police, First Responders and other government works. We urge all to respect the values of the 'ohana.

Thank you for your consideration of this very serious matter and your earnest attention would be greatly appreciated. Should you have any questions regarding my urgent request, please contact me by email at [Shane.Sinenci@mauicounty.us](mailto:Shane.Sinenci@mauicounty.us) or by phone at (808) 270-7246.

Sincerely,

*Shane Sinenci*

SHANE SINENCI  
Councilmember

cc: The Honorable David Ige, Governor, State of Hawai'i  
Clare Connors, Attorney General, State of Hawai'i  
Suzanne Case, Chair, Board of Land and Natural Resources, State of Hawai'i  
Henry Yang, Ph.D., Chair, TMT International Observatory (TIO) Board of Governors  
Chad Goodfellow, Chief Executive Officer, Goodfellow Bros., Inc.  
The Honorable Harry Kim, Mayor, County of Hawai'i  
J. Kalani English, State Senator  
Lynn DeCoite, State Representative