

STAND. COM. REP. NO.

2199

Honolulu, Hawaii

FEB 12 2008

RE: S.B. No. 2456  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Madam:

Your Committee on Economic Development and Taxation, to which was referred S.B. No. 2456 entitled:

"A BILL FOR AN ACT RELATING TO HARASSMENT,"

begs leave to report as follows:

The purpose of this measure is to add computer communication as a form of nonconsensual contact in the offense of harassment by stalking.

Testimony in support of this measure was received from the Hawaii State Coalition Against Domestic Violence and Marvin S.C. Dang, LLC.

These testifiers also submitted testimony on S.B. No. 2457, a comparable measure.

In testimony before this Committee, members have heard that since April 2007, a number of Hawaii attorneys received thousands of e-mails from an anonymous sender. The e-mails contain false, derogatory, and defamatory messages about specific attorneys and law offices, as well as politicians, and others. These e-mails were also being sent to people outside the legal community and falsely identified as coming from a specific attorney.

Your Committee finds that this measure will help to deter the use of e-mails to defame, harass, and intimidate people, but that that the penalty may be too lenient. Your Committee further finds the classification of this offense as a class C felony is

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appropriate given that the actions of a perpetrator are so disruptive.

Your Committee has amended this measure by:

- (1) Incorporating the contents of S.B. No. 2457, which amends section 711-1106, Hawaii Revised Statutes, to provide that harassment includes all computer communications; and
- (2) Making harassment a class C felony.

As affirmed by the record of votes of the members of your Committee on Economic Development and Taxation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2456, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2456, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Economic  
Development and Taxation,



CAROL FUKUNAGA, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Economic Development and Taxation**  
**EDT**

Bill / Resolution No.:*	Committee Referral:	Date:
<i>SB 2456</i>	<i>EDT, JDL</i>	<i>2/7/08</i>

The committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312     Pass, with amendments 2311     Hold 2310     Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
FUKUNAGA, Carol (C)	✓			
ESPERO, Will (VC)	✓			
BAKER, Rosalyn H.	✓			
ENGLISH, J. Kalani				✓
IGE, David Y.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<i>5</i>			<i>1</i>

Recommendation:  Adopted     Not Adopted

Chair's or Designee's Signature: *Will Espero*

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\*Only one measure per Record of Votes