

STAND. COM. REP. NO.

2573

Honolulu, Hawaii

FEB 28 2008

RE: S.B. No. 2458
S.D. 2

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

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 2458, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL IMPERSONATION,"

begs leave to report as follows:

The purpose of this measure is to establish the offense of
criminal impersonation, making it a class C felony to impersonate
and make a transmission of information about another person that
the transmitter does not believe to be true, with the intent of
placing that person at risk of bodily injury.

Testimony in support of this measure was received from the
Hawaii State Coalition Against Domestic Violence and the Law
Office of Marvin S.C. Dang, LLLC. Testimony in opposition to this
measure was submitted by the Office of the Public Defender.

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. Your
Committee also finds that the classification of this offense as a



class C felony is appropriate given that the actions of the perpetrator are so disruptive.

Your Committee has amended this measure by amending the effective date to July 1, 2050, for purposes of facilitating further discussion and clarification.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2458, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2458, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



BRIAN T. TANIGUCHI, Chair



