

**Testimony for HB1778 on 2/3/2012 2:00:00 PM**

LATE TESTIMONY

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**Sent:** Friday, February 03, 2012 9:18 AM

**To:** JUDtestimony

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Testimony for JUD 2/3/2012 2:00:00 PM HB1778

Conference room: 325  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Dara Carlin, M.A.  
Organization: Individual  
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Submitted on: 2/3/2012

**Comments:**

Good Afternoon once again and thank you for this opportunity to lend my support for this measure WITH A SUGGESTION. Like the previous measure (HB2147) is there any way you might consider adding an (e) that would refer to domestic violence, ie:

(e) The offense is related to ongoing or past domestic violence for stalking, monitoring and/or harassment of the victim

Any support you could lend towards HB1778 will be much appreciated by domestic violence victim-survivors who continue to remain at their abuser's "mercy" unless the rest of us do something about it.

Thank you again for your time and consideration.



Written Statement of  
**YUKA NAGASHIMA**  
**Executive Director & CEO**  
High Technology Development Corporation  
before the  
**HOUSE COMMITTEE ON JUDICIARY**  
Friday, February 3, 2012  
2:00 PM  
State Capitol, Conference Room 325

In consideration of  
**HB 1778 RELATING TO UNAUTHORIZED COMPUTER ACCESS.**

Chair Keith-Agaran, Vice Chair Rhoads, and Members of the House Committee on Judiciary:

The High Technology Development Corporation (HTDC) **respectfully opposes HB1778**, especially Section 1, where unauthorized computer access in the first degree is recategorized as a class A felony.

HTDC views **this recategorization as unnecessary and disproportional a response to crimes of this level** to join the ranks of kidnapping, rape and murder.

HTDC further **questions the intent** of this and other bills introduced this legislative session that addresses computer crimes (**HB2027, HB1788, and HB2147**). While some assumed that the upgrade to a class A felony is a mere "parity" issue to this State's unusually harsh punishment for identity theft which already carries a class A felony distinction, they are incorrect. **HRS §708-839.6 which describes identity theft in the first degree, already explicitly includes theft by electronic means.** Therefore, there is no need for a mere unauthorized access to be redefined, as if it were a crime of identity theft, it is already covered in HRS §708-839.6, whether it was committed using electronic means or not.

Thank you for this opportunity to testify.