

**Testimony before the
House Committee on Judiciary**

H.B. 1788 -- Relating to Computer Crime

**Friday, February 3, 2012
2:00 pm, Conference Room 325**

**By Thomas Overman
Information Assurance Manager
Hawaiian Electric Company, Inc.**

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

My name is Thomas Overman. I am the Information Assurance Manager for Hawaiian Electric Company. I am testifying on behalf of Hawaiian Electric Company (HECO) and its subsidiary utilities, Maui Electric Company (MECO) and Hawaii Electric Light Company (HELCO).

We support the majority of content in H.B. 1788, which seeks to strengthen and clarify Chapter 708-890, Hawaii Revised Statutes, but strongly recommend two changes to clarify the legislation. The protection of Personal Identifying Information is clearly in the best interests of everyone. Clarity in the legislative language is critical for any company to be able to implement policies, procedures and systems to protect such information. There are two areas where we strongly encourage modification of the proposed bill.

- 1) As currently written, the definition of "identifying information" on pages 5-6 does not require correlation in order to require protection. Thus, as written, a Social Security Number (SSN) or customer number out of context, or a seemingly random nine digit number which happens to be someone's SSN, would require protection, even if not correlated with the person's name. To ensure clarity and afford the protections we all desire, we strongly recommend the first line of this section, on page 5, line 13, be revised as follows:



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 1788 RELATING TO COMPUTER CRIME.

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

The High Technology Development Corporation (HTDC) **respectfully opposes**
HB1788, especially Section 3, where unauthorized computer access in the first degree is
recategorized as a class A felony.

HTDC views **this bill as well as HB1778, HB2027, and HB2147 as unnecessary**, and
proposed **recategorization as disproportional a response to crimes of this level** to join the
ranks of kidnapping, rape and murder.

Please refer to HTDC's testimonies for HB1778 and HB2027 for a more detailed
testimony outlining our reasons, suggestions and concerns.

Thank you for the opportunity to submit testimony on this bill.

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