

Honolulu, Hawaii

March 17, 2016

RE: S.B. No. 2318
S.D. 2
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 2318, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ADDRESS CONFIDENTIALITY,"

begs leave to report as follows:

The purpose of this measure is to help victims of domestic violence, sexual assault, and stalking by:

- (1) Establishing the Address Confidentiality Program (Program) to maintain the confidentiality of the addresses of those victims upon relocation and prevent assailants or potential assailants from locating the victim through public records; and
- (2) Appropriating funds to the Department of the Attorney General for the implementation and operation of the Program.

The Department of the Attorney General, Hawaii State Commission on the Status of Women, Crime Victim Compensation Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, Parents and Children Together, Hawaii Women Lawyers, Domestic Violence Action Center, Hawaii State Democratic Women's Caucus, Planned Parenthood Votes Northwest and Hawaii, Sex Abuse Treatment Center, Hawaii State Coalition Against Domestic Violence, American Association of University Women in Hawaii,



Hawaii Women's Coalition, and several individuals supported this measure. The Office of Information Practices provided comments.

Your Committee has amended this measure by:

- (1) Allowing the Program to develop policies and procedures concerning undeliverable mail, including allowing the mail to be returned to the sender;
- (2) Prohibiting the disclosure of a Program participant's address unless required by order of a court, rather than by chapter 92F, Hawaii Revised Statutes;
- (3) Deleting the reference to the section on prohibitions and penalties from the section on indemnification; and
- (4) Changing its effective date to July 1, 2017.

Should the Committee on Judiciary deliberate on this measure further, your Committee on Human Services respectfully requests that it consider the concerns raised by the Office of Information Practices in its testimony regarding the mandatory disclosure provisions under section 92F-12(a)(5) and (12), Hawaii Revised Statutes. These provisions require state and county agencies to release names connected to address-related records, such as land ownership, property tax records, and Board of Water Supply records of water consumption, for public inspection and duplication. The release of this information to the public may enable assailants or potential assailants to track down victims seeking confidentiality through the Program.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2318, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2318, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committee on Human Services,



DEE MORIKAWA, Chair



