

STAND. COM. REP. NO. **2455**

Honolulu, Hawaii

**FEB 19 2016**

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

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 2318 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the address confidentiality program to help survivors of domestic violence, sexual assault, and stalking to relocate and keep their actual addresses confidential by using a substitute address; and
- (2) Make an appropriation for the implementation and operation of the address confidentiality program.

Your Committee received testimony in support of this measure from the Crime Victim Compensation Commission; Hawaii State Commission on the Status of Women; Department of the Prosecuting Attorney, City and County of Honolulu; American Association of University Women of Hawaii; Domestic Violence Action Center; The Sex Abuse Treatment Center; Parents And Children Together; Planned Parenthood Votes Northwest and Hawaii; Women's Caucus of the Democratic Party of Hawai'i; Hawaii Women's Coalition; and four individuals. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that address confidentiality programs are necessary in light of modern technology that makes information



easily accessible through the Internet and in public records. According to the written testimony submitted by the Hawaii State Commission on the Status of Women, more than thirty states have enacted and implemented address confidentiality programs. This measure helps to keep victims of domestic violence, sexual assault, and stalking safe by protecting their actual addresses while providing a substitute address to enable them to be legally served, receive child support payments, register to vote, and apply for a driver's license.

Your Committee has amended this measure by:

- (1) Adopting language suggested by the Hawaii State Commission on the Status of Women that:
  - (A) Adds the definition of "agency" to include state and county agencies;
  - (B) Deletes the definition of "resident" and clarifies that a minor who resides with a parent or guardian does not need to be a resident of Hawaii to become a program participant;
  - (C) Deletes the definition of "state agency" or "agency" and makes conforming amendments accordingly;
  - (D) Clarifies the program director is required to designate, rather than hire, applicant assistants because applicant assistants are not employees of the address confidentiality program;
  - (E) Clarifies that a secondary program participant may have the secondary program participant's certification cancelled if the program participant's certification is cancelled for any reason; and
  - (F) Establishes that disclosure of the actual address of a program participant is prohibited unless required by chapter 92F, Hawaii Revised Statutes, or the court makes certain findings by clear and convincing evidence; and disclosure of a program participant's actual address is a misdemeanor;



- (2) Changing the administrative placement and expending agency of the address confidentiality program from the Department of Accounting and General Services to the Department of the Attorney General and making conforming amendments accordingly; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 2318, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2318, S.D. 1, and be referred to your Committee on Ways and Means.

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



GILBERT S.C. KEITH-AGARAN, Chair



