



Testimony on behalf of the
Hawai'i State Commission on the Status of Women
Khara Jabola-Carolus, Executive Director

Prepared for the S. Cmtee. on Judiciary

Testimony in Support of HB1433 HD1
Thursday, March 14, 2019, at 9:30 a.m. in Room 016

Dear Chair Rhoads, Vice Chair Wakai, and Honorable Members,

The Hawai'i State Commission on the Status of Women supports HB1433 HD1, which would appropriate funds for two full-time equivalent (2.0 FTE) positions, operating costs, and equipment to support the Attorney General's Hawaii Criminal Justice Data Center in administering the Address Confidentiality Program.

Gender-based violence does not end with immediate escape. The fear of being tracked by an obsessive assailant often haunts victims because most domestic violence, sexual offenses and stalking are committed by intimate partners, family members and acquaintances. Survivors attempting to escape from actual or threatened gender-based violence frequently establish new addresses in order to prevent their assailants from finding them. HB1433 HD1 would enable state and local agencies to respond to requests for public records without disclosing the location of a victim, to enable interagency cooperation with the secretary of state in providing address confidentiality for victims, and to enable state and local agencies to accept a program participant's use of an address designated by the secretary of state as a substitute mailing address.

Accordingly, the Commission requests that the Commission vote to appropriate the funds needed by the Department to implement this important and life-saving program for the 2019 – 2021 fiscal biennium.

Sincerely,

Khara Jabola-Carolus



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTIETH LEGISLATURE, 2019**

ON THE FOLLOWING MEASURE:

H.B. NO. 1433, H.D. 1, RELATING TO ADDRESS CONFIDENTIALITY.

LATE

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY

DATE: Thursday, March 14, 2019

TIME: 9:30 a.m.

LOCATION: State Capitol, Room 016

TESTIFIER(S): Clare E. Connors, Attorney General, or
Philip.D. Higdon, Assistant Administrator, Hawaii Criminal Justice
Data Center

Chair Rhoads and Members of the Committee:

The Department of the Attorney General supports this bill.

H.B. No. 1433, H.D.1, is the companion bill to S.B. No.1462, S.D. 2. The Senate version of the bill was supported by this Committee on Judiciary.

On July 5, 2018, Governor David Ige signed Act 115, Session Laws of Hawaii 2018, to establish the Address Confidentiality Program (ACP). No moneys were allocated within the Act. The Act was codified into Hawaii law in chapter 801G, Hawaii Revised Statutes. The ACP provides survivors of domestic violence, sexual offenses, or stalking with a substitute address to be used by state and local government agencies instead of their physical address to protect their physical address from inclusion in public records.

The Hawaii Criminal Justice Data Center (HCJDC) is assigned the responsibility of developing, implementing, and operating the ACP. HCJDC thoroughly reviewed chapter 801G and concluded that there is insufficient funding in HCJDC's current budget to properly implement or operate the ACP. HCJDC has begun developing policies, procedures, and forms using our current resources. Implementation and operation of the ACP is unlikely to occur without the funding provided in this bill.

HCJDC is requesting \$147,500, or so much thereof as may be necessary, for two full-time equivalent (2.0 FTE) positions, operating cost, and equipment to support the Hawaii Criminal Justice Data Center in administering the ACP.

The Department of the Attorney General respectfully requests the passage of this bill.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 547-7400 • FAX: (808) 547-7515

DWIGHT K. NADAMOTO
PROSECUTING ATTORNEY

ACTING FIRST DEPUTY
PROSECUTING ATTORNEY



LATE

**THE HONORABLE KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY
Thirtieth State Legislature
Regular Session of 2019
State of Hawai`i**

March 14, 2019

RE: H.B. 1433, H.D. 1; RELATING TO ADDRESS CONFIDENTIALITY.

Chair Rhoads, Vice-Chair Wakai and members of the Senate Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in support of H.B. 1433, H.D. 1.

The purpose of this bill is to provide funding for two full-time positions, operating costs & equipment to staff the Address Confidentiality Program, housed within the Attorney General's Hawaii Criminal Justice Data Center.

The Department believes the address confidentiality program is consistent with our dedication to assisting and counseling victims of crime, through the course of their involvement in the criminal justice system and beyond—via the Victim/Witness Kokua Services division—and supports the initiative to provide this program with the funding needed to fulfill its mission. We believe this program could provide a valuable and potentially life-saving service for crime victims, if given the appropriate personnel and resources.

For the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu supports passage of H.B. 1433, H.D. 1. Thank you for the opportunity to testify on this matter.



TO: Chair Karl Rhoads
Vice Chair Glenn Wakai
Members of the Committee

FR: Nanci Kreidman, M.A.
Chief Executive Officer

RE: HB 1433 HD1 Support

Please accept this testimony in support of HB 1433 HD1

Since 1991, thirty-six states enacted legislation and launched Address Confidentiality Programs. The legislative intent of every program is to protect the location of a survivor's actual address and reduce the risk of future harm. Women in Hawaii who are fleeing domestic abuse must leave their home and relocate to a safe place. However, each woman is only safe so long as her abuser does not track her down. Advancing Internet technologies, the release of personal information by state agencies, and Court-ordered disclosures in family court proceedings make it easier than ever for abusers to locate survivors. The risks may also prove deadly for the woman who underestimates the lengths to which her abuser will go to continue the abuse. Further, the fear of having identifying information disclosed has actually deterred survivors from filing restraining orders, and divorce complaints.

DOMESTIC VIOLENCE ACTION CENTER

ADDRESS: P.O. BOX 3198, HONOLULU, HI 96801-3198

LEGAL HELPLINE: (808) 531-3771

TOLL-FREE NEIGHBOR ISLAND HELPLINE: (800) 690-6200

WEBSITE: WWW.DOMESTICVIOLENCEACTIONCENTER.ORG

EMAIL: DVAC@STOPTHEVIOLENCE.ORG



During the 2018 Legislative Session, Hawaii passed Act 115 which statutorily established an Address Confidentiality program in the Department of the Attorney General. However, funds were not allocated to support the program at that time. Without this financial support, it is our understanding that the Department will be unable to implement the Program or conduct its day-to-day operations.

We shall look forward to favorable action on HB 1433 HD1.
Thank you.

HB-1433-HD-1

Submitted on: 3/12/2019 12:03:06 AM

Testimony for JDC on 3/14/2019 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Younghi Overly	Testifying for AAUW of Hawaii	Support	No

Comments:

Dear Chair Rhoads, Vice-Chair Wakai, and members of the committee,

Thank you for this opportunity to submit a testimony in support of HB1433 HD1 which would appropriate funds for the State Department of the Attorney General to administer the Address Confidentiality program.

Address confidentiality for victims and survivors of domestic violence is a critical aspect of planning for long term safety. Protecting the location of a person who has left a violent relationship will promote long term safety and will likely reduce harassment, stalking attempts, and the day to day anxiety a person who has relocated experiences upon terminating the relationship. Appropriations to make this program a reality would be a gift to survivors of intimate partner violence and stalking and would show a commitment to protect citizens from offenders of violent crime. Hawaii would join the other 36 states that have a program like this in place.

The American Association of University Women (AAUW) of Hawaii is a state-wide organization made up of six branches (Hilo, Honolulu, Kauai, Kona, Maui, and Windward Oahu) and includes just over 450 active members with over 1700 supporters statewide. As advocates for gender equity, AAUW of Hawaii promotes the economic, social, and physical well-being of all persons.

Thank you for your consideration.

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Adriana Ramelli

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Nadine Tenn Salle, M.D.

Joshua A. Wisch

Date: March 14, 2019

To: The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Vice Chair
Senate Committee on Judiciary

From: Justin Murakami, Manager, Prevention Education and Public Policy
The Sex Abuse Treatment Center
A Program of Kapi'olani Medical Center for Women & Children

RE: Testimony in Support of H.B. 1433 H.D. 1
Relating to Address Confidentiality

Good morning Chair Rhoads, Vice Chair Wakai, and members of the Senate Committee on Judiciary:

The Sex Abuse Treatment Center (SATC) supports H.B. 1433 H.D. 1.

Most sexual assaults are not committed by strangers, but by intimate partners, family members, and acquaintances. Moreover, sexual assault often does not occur in isolation, but can be one feature of a pattern of violence and intimidation between non-strangers that also includes physical abuse and stalking. In order to ensure their own safety and the safety of loved ones, survivors are sometimes forced to relocate in order to avoid further actual or threatened violence.

Unfortunately, modern search technologies and access to public records make it easy for perpetrators to find survivors' new addresses. This places survivors in harm's way and can complicate the difficult task of recovering from the trauma of sexual assault.

Address confidentiality programs enhance survivors' safety and privacy, providing them the means to shield their actual locations through the use of substitute addresses, and penalizing unauthorized disclosures of actual address information. According to the National Center for Victims of Crime, 36 other states have, to date, successfully implemented Address Confidentiality programs.

During the 2018 Legislative Session, Hawaii passed Act 115 which statutorily established an Address Confidentiality program in the Department of the Attorney General. However, funds were not allocated to support the program at that time. Without this financial support, it is our understanding that the Department will be unable to implement the Program or conduct its day-to-day operations.

By appropriating the funds needed by the Department to implement this important and life-saving program for the 2019 – 2021 fiscal biennium, passing H.B. 1433 H.D. 1 will help to ensure that survivors of sexual assault who are forced to relocate in order to escape their attackers are able to meaningfully recover their security and peace of mind.

hscadv



HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE
1164 Bishop Street, Suite 1609, Honolulu, HI 96813

DATE: March 12, 2019

Senate Committee on Judiciary

Chair Karl Rhoads
Vice Chair Glenn Wakai
Mike Gabbard
Donna Mercado Kim
Kurt Fevella

FROM: Hawaii State Coalition Against Domestic Violence
RE: Support HB 1433HD1 Relating to Address Confidentiality

Dear Members of the Committee:

On behalf of the Hawaii State Coalition Against Domestic Violence (HSCADV) and our 23 member organizations across the state, I am submitting testimony in **STRONG SUPPORT of HB 1433HD1** which appropriates funds for two full time positions, operating costs, and equipment to support the Attorney General's Hawaii Criminal Justice Data Center in administering the Address Confidentiality program.

Address confidentiality for victims and survivors of domestic violence is a critical aspect of planning for long term safety. Protecting the location of a person who has left a violent relationship will promote long term safety and will likely reduce harassment, stalking attempts, and the day to day anxiety a person who has relocated experiences upon terminating the relationship. Appropriations to make this program a reality would be a gift to survivors of intimate partner violence and stalking and would show a commitment to protect citizens from offenders of violent crime. Hawaii would join the other 36 states that have a program like this in place. We are grateful to the State Department of the Attorney General who has agreed to administer this vital service.

As stated above, HSCADV strongly supports HB 1433HD1.
Thank you for your consideration of our testimony.

Respectfully,

Carmen Golay
Members Services Manager
Hawaii State Coalition Against Domestic Violence

Together we can do amazing things



**Parents And
Children Together**

BUILDING THE RELATIONSHIPS THAT MATTER MOST

TO: Chair Rhoads, Vice Chair Wakai, and Members of the Senate Committee on Judiciary

FROM: Ryan Kusumoto, President & CEO of Parents And Children Together (PACT)

DATE/LOCATION: March 14, 2019; 9:30 a.m., Conference Room 16

RE: TESTIMONY IN STROG SUPPORT OF HB 1433 HD 1– RELATING TO ADDRESS CONFIDENTIALITY

We urge you to support HB 1433 which appropriates funds for two full-time equivalent (2.0 FTE) positions, operating costs, and equipment to support the Attorney General's Hawaii Criminal Justice Data Center in administering the Address Confidentiality Program. This critical funding would enable us to join the 36 other states who have launched address confidentiality programs helping to protect victims of crimes such as sexual assault, domestic violence and stalking.

We thank the Department of the Attorney General for agreeing to administer this program. The funding in this bill would enable the creation of positions within the Department to support legislation that passed in 2018 to establish the program. The address confidentiality program will keep survivors safe and allow them to focus on putting the pieces of themselves and their lives back together to become healthy and whole again. All survivors deserve to be safe. All people deserve to be safe. With laws in place that help to protect their safety, we can all work together to help them triumph over trauma and focus on the positive future ahead.

Founded in 1968, Parents And Children Together (PACT) is one of Hawaii's not-for-profit organizations providing a wide array of innovative and educational social services to families in need. Assisting more than 18,000 people across the state annually, PACT helps families identify, address and successfully resolve challenges through its 18 programs. Among its services are: early education programs, domestic violence prevention and intervention programs, child abuse prevention and intervention programs, childhood sexual abuse support services, child and adolescent behavioral health programs, sex trafficking intervention, and community building programs.

Thank you for the opportunity to testify in **strong support of HB 1433 HD 1**, please contact me at (808) 847-3285 or rkusumoto@pacthawaii.org if you have any questions.

LATE

HB-1433-HD-1

Submitted on: 3/13/2019 9:24:40 PM
Testimony for JDC on 3/14/2019 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ann S Freed	Testifying for Hawaii Women's Coalition	Support	No

Comments:



Aloha Chair Rhoads, Vice Chair Wakai and members,

We are in strong support of this measure to fund the office of the Attorney General in administering the Address Confidentiality Program designed to protect victims from perpetrators who currently can get access to their location through court documents, such as orders of protection.

As we have noted elsewhere, domestic violence is a scourge upon our state that is epidemic. We need to do all we can to help victims and keep the problem from continuing to grow.

Mahalo,

Ann S. Freed

Co-Chair, Hawaii Women's Coalition