



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

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**ON THE FOLLOWING MEASURE:**

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

**BEFORE THE:**

HOUSE COMMITTEE ON JUDICIARY

**DATE:** Thursday, February 7, 2019 **TIME:** 2:05 p.m.

**LOCATION:** State Capitol, Room 325

**TESTIFIER(S):** Clare E. Connors, Attorney General, or  
Christopher D.W. Young Administrator, Hawaii Criminal Justice  
Data Center

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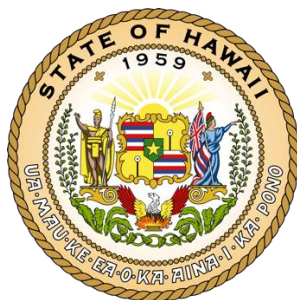
Chair Lee and Members of the Committee:

The Department of the Attorney General supports this bill.

On July 5, 2018, Governor David Ige signed Act 115, Sessions Laws of Hawaii 2018, known as 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.

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



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

Prepared for the H. Cmtee. on JUD

Testimony in Support of HB1433  
Thursday, February 7, 2019, at 2:05 p.m. in Room 325

Dear Chair Lee, Vice Chair San Buenaventura, and Honorable Members,

The Hawai'i State Commission on the Status of Women supports HB1433, 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 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



DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

ALII PLACE  
1060 RICHARDS STREET • HONOLULU, HAWAII 96813  
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KEITH M. KANESHIRO  
PROSECUTING ATTORNEY

ARMINA A. CHING  
FIRST DEPUTY PROSECUTING ATTORNEY



**THE HONORABLE CHRIS LEE, CHAIR  
HOUSE COMMITTEE ON JUDICIARY  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawai`i**

February 7, 2019

**RE: H.B. 1433; RELATING TO ADDRESS CONFIDENTIALITY.**

Chair Lee, Vice-Chair San Buenaventura and members of the House 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.

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. Thank you for the opportunity to testify on this matter.

# hscadv



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

DATE: February 5, 2019

TO:

**House Committee on Judiciary**

Chair Chris Lee  
Vice Chair Joy A. San  
Buenaventura  
Tom Brower  
Richard Creagan  
Nicole Lowen

Angus L.K. McKelvey  
Dee Morikawa  
Calvin K.Y. Say  
Gregg Takayama  
Ryan I. Yamane  
Cynthia Thielen

FROM: Hawaii State Coalition Against Domestic Violence

RE: Support HB 1433 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 1433** 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.

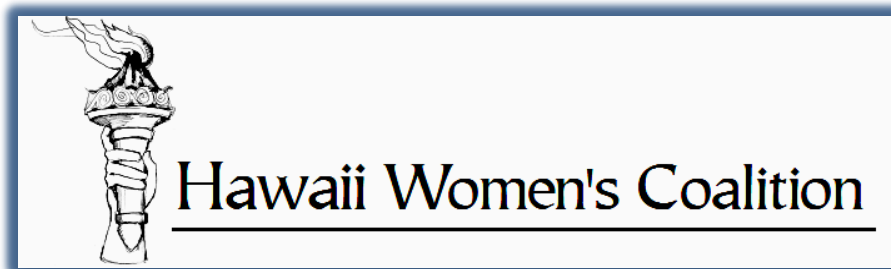
As stated above, HSCADV strongly supports HB 1433.

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*



**COMMITTEE ON JUDICIARY**

**Rep. Chris Lee, Chair**

**Rep. Joy A. San Buenaventura, Vice Chair**

DATE: Thursday, February 7, 2019

TIME: 2:05pm

PLACE: Conference Room 325

Aloha Chair Lee, Vice Chair San Buenaventura and members,

**Strong Support for HB 1433** that 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.

Last year Address Confidentiality became law and was sorely in needed in order to protect victims of domestic violence from their abusers as it has become increasingly simple for abusers to find their victims. Abusers are quite capable of using public data to find information on their victims. In cases of domestic violence, sexual assault, and stalking, this entails the intensive use of people search engines, impersonation, stealth use of public resources, using social media profiles, etc.

Finally, courts often request this information of victims in custody and protective order proceedings. If a victim does not understand the court system, is intimidated by the process or has limited English proficiency, it is increasingly difficult for a victim to protect her confidential location.

The Coalition was very pleased that this bill passed but the funding to run the program was removed. This bill would remedy that and we ask you to please pass this bill out of committee.

Mahalo,

Ann S. Freed

Co-Chair, Hawaii Women's Coalition.



Executive Director  
Adriana Ramelli

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Joshua A. Wisch

**Date:** February 7, 2019

**To:** The Honorable Chris Lee, Chair  
The Honorable Joy San Buenaventura, Vice Chair  
House Committee on Judiciary

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

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

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Good afternoon Chair Lee, Vice Chair San Buenaventura, and members of the House Committee on Judiciary:

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

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 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.





TO: Chair Chris Lee  
Vice Chair Joy San Buenaventura  
Members of the Committee

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

RE: HB 1433 Support

Please accept this testimony in support of HB 1433

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](http://WWW.DOMESTICVIOLENCEACTIONCENTER.ORG)

EMAIL: [DVAC@STOPTHEVIOLENCE.ORG](mailto:DVAC@STOPTHEVIOLENCE.ORG)



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

**HB-1433**

Submitted on: 2/5/2019 2:14:34 PM

Testimony for JUD on 2/7/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lea Minton	Individual	Support	No

Comments:

**HB-1433**

Submitted on: 2/6/2019 8:38:47 PM

Testimony for JUD on 2/7/2019 2:05:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eileen M Gawrys	Individual	Support	Yes

Comments: