



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
THIRTY-FIRST LEGISLATURE, 2021**

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**ON THE FOLLOWING MEASURE:**

S.B. NO. 826, S.D. 1, RELATING TO SEX OFFENDERS.

**BEFORE THE:**

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

**DATE:** Tuesday, March 30, 2021 **TIME:** 2:00 p.m.

**LOCATION:** State Capitol, Room 325, Via Videoconference

**TESTIFIER(S):** Clare E. Connors, Attorney General, or  
Michelle M.L. Puu, Deputy Attorney General

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Chair Nakashima and Members of the Committee:

The Department of the Attorney General (Department) appreciates the intent of this bill but respectfully opposes it in light of constitutional and practical considerations.

This bill seeks to prohibit a sex offender from residing within 2,000 feet of his/her victim or the victim's immediate family member (spouse, parent, child, or grandparent). It further requires the Department to engage in rule making, pursuant to chapter 91, Hawaii Revised Statutes (HRS), to develop a procedure to effectuate this prohibition.

The Covered Offender Registry has routinely received significant scrutiny in our court system. In response, the registration requirements have been revised so as to withstand constitutional privacy, due process, equal protection, and cruel and unusual punishment challenges. Up until now, registration has been designed exclusively to equip the public with the ability to identify where these individuals might be located at a given time in our community. The current registration system does not restrict a covered offender's movement, it simply requires that particular movements be reported to ensure that the stored information is current.

Conversely, this bill seeks to restrict the sex offender's ability to relocate by limiting where the offender may take up residence. This restriction of movement will receive strict scrutiny as to whether the offender's constitutional freedoms are impermissibly abridged. Certainly, our courts will recognize the compelling governmental interest in protecting victims from their offenders. However, that interest must be achieved in a measured manner. Likely, our courts will want to examine

whether orders for protection are a more appropriate tool to accomplish the intent of this bill.

Finally, there are practical concerns as to how the Department will go about overseeing and administering this restriction. First, victim information is rightfully guarded and not readily available to the Department. Second, a victim might not want an offender to have any information as to the residential whereabouts of those sought to be protected by this bill - certainly a rejection of approval (pursuant to this provision) would readily provide sensitive information to the sex offender. Third, the development of a monitoring system will require added expense and resources to the Department during an already strained financial situation. Fourth, maintaining and ensuring the accuracy of this information initially and for the duration of a sex offender's registration period will be a daunting task. Fifth, one cannot ignore the potential for abuse whereby a victim or immediate family member might resort to providing residential information in a manner that would effectively prevent an offender's ability to relocate.

For the foregoing reasons, the Department respectfully asks the Committee to hold this bill.

**STATE OF HAWAI‘I**  
**OFFICE OF THE PUBLIC DEFENDER**

**Testimony of the Office of the Public Defender,  
State of Hawai‘i to the House Committee on Judiciary & Hawaiian Affairs**

March 30, 2021

S.B. No. 826, SD1: RELATING TO SEX OFFENDERS

Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee:

The Office of the Public Defender opposes S.B. No. 826, SD1.

The bill as written may lead to violations of the law which are completely unintended and will create restrictions that not all victims or family members of victims may want or support.

We acknowledge the need for residential housing restrictions for victims or family members of victims who may want them. However, not all victims or their families are interested or seek these restrictions imposed without their input. The language of this provision removes the valued input from the victim to determine whether a housing restriction is wanted or needed. The provision fails to take into consideration that perpetrators and victims may be members of the same family, and that victims and families may wish to support a perpetrator who has taken the time to seek treatment, education, and therapy with the support of their family. Our concern is that the provision does not allow for input from those it seeks to “protect” and may hinder restorative justice, impede family reunification, and may prevent probationers or parolees from seeking the help and support that they may need, at which some families wish to give, at the time of re-entry to successfully find appropriate housing with family members, especially if those families want reunification. Quite simply, each situation is unique and this proposed measure would make it impossible for a family seeking reunification to move forward. A victim or family member who does not want reunification should have the option of a residential restriction, however, we should not prevent unification for a family who does seek this option.

We strongly encourage this Committee to consider amendments to this provision that would allow exceptions upon approval of the victim or the victim’s immediate family members.

Mahalo and thank you for the opportunity to comment on this measure.

DAVID Y. IGE  
GOVERNOR



STATE OF HAWAII  
**HAWAII PAROLING AUTHORITY**  
1177 Alakea Street, First Floor  
Honolulu, Hawaii 96813

EDMUND "FRED" HYUN  
CHAIR

CLAYTON H.W. HEE  
FITUINA F. TUA  
MEMBERS

ANDREW MORGAN  
ACTING ADMINISTRATOR

No. \_\_\_\_\_

**TESTIMONY ON SENATE BILL 826, SD1  
RELATING TO SEX OFFENDERS**

by  
Andrew Morgan  
Acting Paroles & Pardons Administrator  
Hawaii Paroling Authority

Committee on Judiciary and Hawaiian Affairs

Senator Mark M. Nakashima, Chair  
Senator Scot Z. Matayoshi, Vice Chair

Tuesday, March 30, 2021 – 2:00 p.m.  
Via Videoconference – State Capitol

Committee Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee:

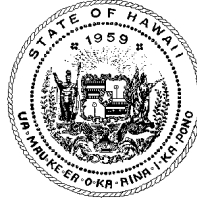
The Hawaii Paroling Authority (HPA) opposes Senate Bill 826, SD1 which seeks to restrict sex offenders from residing within two thousand feet from the victim or the victim's immediate family.

Presently, there is an estimated known registered population of 3,400 sex offenders throughout the State of Hawaii. This number does not take into account those who fail to register, fail to comply, or those individuals relocated from another state. The Hawaii Paroling Authority currently supervises only 65 of these individuals who have been convicted of Sex Offenses until they reach their end of sentence date. Upon completion of their sentence/parole term, HPA no longer has jurisdiction over them and their residence can no longer be substantiated.

My previous testimony submitted was directed towards the parole population as it would hinder the parole officer from making residence changes in a timely manner. HPA does not have the resources to manage the total sex offender population in the state.

The HPA believes further study is warranted and should include appropriate State entities, Judiciary, and the four Counties. Thank you for the opportunity to provide testimony on SB 826, SD 1.

DAVID Y. IGE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
919 Ala Moana Boulevard, 4th Floor  
Honolulu, Hawaii 96814

**MAX N. OTANI**  
DIRECTOR

**Maria C. Cook**  
Deputy Director  
Administration

**Tommy Johnson**  
Deputy Director  
Corrections

**Jordan Lowe**  
Deputy Director  
Law Enforcement

No. \_\_\_\_\_

TESTIMONY ON SENATE BILL 826, SENATE DRAFT 1  
RELATING TO SEX OFFENDERS.

by  
Max N. Otani, Director

House Committee on Judiciary and Hawaiian Affairs  
Representative Mark M. Nakashima, Chair  
Representative Scot Z. Matayoshi, Vice Chair

Tuesday, March 30, 2021; 2:00 p.m.  
State Capitol, Via Videoconference

Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee:

The Department of Public Safety (PSD) **opposes** Senate Bill (SB) 826, Senate Draft (SD) 1, which seeks, in part, to prohibit a sex offender from residing within two thousand feet of the sex offender's former victim or the victim's immediate family member(s) and to require sex offenders to receive approval from the Attorney General prior to a change of address.

The Department notes that sex offenders released on parole fall under the sole jurisdiction of the Hawaii Paroling Authority (HPA), which works closely with PSD staff to review and approve sex offender residences prior to their release on parole. In addition, subsequent changes of address for sex offenders under parole supervision must also be approved by the HPA. As written, this measure appears to usurp the authority of the HPA relative to the approval of initial residences and subsequent relocation to new residences for sex offenders paroled by the HPA.

Testimony on SB 826, SD1  
House Committee on Judiciary and Hawaiian Affairs  
March 30, 2021  
Page 2

It should also be noted that the measure makes no provision for sex offenders in the Department's custody who are nearing the completion of their terms of incarceration and who PSD is required to release upon the expiration of their term, who may not yet have found a residence or whose proposed residence would be in contravention with this measure. For these reasons, PSD respectfully opposes SB 826, SD 1.

Thank you for the opportunity to present this testimony.

DAVID Y. IGE  
GOVERNOR



STATE OF HAWAII  
**HAWAII PAROLING AUTHORITY**  
1177 Alakea Street, First Floor  
Honolulu, Hawaii 96813

EDMUND "FRED" HYUN  
CHAIR

CLAYTON H.W. HEE  
GENE DEMELLO, JR.  
MEMBERS

ANDREW MORGAN  
ACTING ADMINISTRATOR

No. \_\_\_\_\_

**TESTIMONY ON SENATE BILL 826, SD1  
RELATING TO SEX OFFENDERS**

by  
Edmund "Fred" Hyun  
Chairman, Hawaii Paroling Authority

Committee on Judiciary and Hawaiian Affairs  
Senator Mark M. Nakashima, Chair  
Senator Scot Z. Matayoshi, Vice Chair

Tuesday, March 30, 2021 – 2:00 p.m.  
Via Videoconference – State Capitol

Committee Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee:

The Hawaii Paroling Authority (HPA) stands in strong OPPOSITION to SB 826 SD1, and any other changes, to have the HPA serve as the regulatory approving entity for sex offender's change of address. The function is outside of HPA's purview and statutory mandates (HRS 353-61 thru 72). The HPA is a quasi-judicial body and the central paroling authority for the State of Hawaii, responsible for the administration of the discharge of all parole and community supervision programs and services for felons currently fulfilling their prison sentences. The HPA does NOT have jurisdiction over individuals and sex offenders whose sentences have expired (and rights restored) and/or Sentenced Felon Probationers (Judiciary).

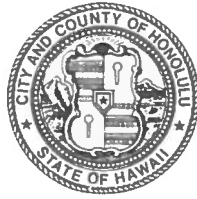
Currently, there are between 3,000 and 3,400 known registered sex offenders throughout the State of Hawaii. The number of unregistered Sex Offenders is UNKNOWN. This unknown population is comprised of sex offenders residing in Hawaii from another State or Country, homeless, transients, discharged felons, and refusals who pose a greater risk to the community.

The HPA recommends further study and review of the measure to address the total scope of the Sex Offender population as well as which agency(s) be tasked to receive applications, investigate, and approve and/or enforce any change of address.

I thank you for the opportunity to provide testimony and am available to answer questions.

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813  
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RICK BLAUGIARDI  
MAYOR

SUSAN BALLARD  
CHIEF

JOHN D. MCCARTHY  
AARON TAKASAKI-YOUNG  
DEPUTY CHIEFS

OUR REFERENCE RP-KK

March 30, 2021

The Honorable Mark M. Nakashima, Chair  
and Members  
Committee on Judiciary  
and Hawaiian Affairs  
House of Representatives  
Hawaii State Capitol  
415 South Beretania Street, Room 325  
Honolulu, Hawaii 96813

Dear Chair Nakashima and Members:

SUBJECT: Senate Bill No. 826, S.D. 1, Relating to Sex Offenders

I am Randall Platt, Captain of District 4 of the Honolulu Police Department (HPD),  
City and County of Honolulu.

The HPD supports Senate Bill No. 826, S.D. 1, Relating to Sex Offenders.

The HPD recognizes that the trauma of a sexual assault can be multifaceted and  
long lasting. Seeing the offender can bring back memories of the assault and cause the  
victim to be fearful of engaging in necessary everyday tasks. Prohibiting the offender from  
living within 2,000 feet of the victim or the victim's immediate family provides a small safety  
zone for the victim to be without fear of "running into" or coming upon a chance encounter  
with the offender.

The HPD urges you to support Senate Bill No. 826, S.D. 1, Relating to Sex  
Offenders.

Thank you for the opportunity to testify.

APPROVED:

  
Susan Ballard  
Chief of Police

Sincerely,

  
Randall Platt, Captain  
District 4



**Date:** March 29, 2021

**To:** House Committee on Judiciary and Hawaiian Affairs  
Representative Mark M. Nakashima, Chair  
Representative Scot Z. Matayoshi, Vice Chair

**From:** Early Childhood Action Strategy  
**Re:** Support for SB826, Relating to sex offenders

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Early Childhood Action Strategy (ECAS) is a statewide, cross-sector collaborative designed to improve the system of care for Hawai'i's youngest children and their families. ECAS partners work to align priorities for children prenatal to age eight, streamline services, maximize resources and improve programs to support our youngest keiki.

**ECAS strongly supports the passage of SB826.** Research shows that exposure to sustained trauma within the first five years of life can have lasting effects on brain development and long-term health outcomes. Adverse Childhood Experiences (ACEs) and early trauma, such as chronic child abuse and neglect, to include sexual violence, impede on healthy early brain development. Secure and safe relationships buffer keiki's hormonal stress response and therefore, protect the developing brain from harmful effects of stress hormones.

A 2005 study on rates of sexual recidivism found an average rate of 11.1% for treated sex offenders and 17.5 percent for untreated sex offenders. The average recidivism rate for any crime was 22.4% for treated sex offenders and 32.5% for untreated sex offenders. Protecting our keiki and `ohana from repeat and potentially retributive offenses is critical, especially given the secretive and concealed nature of sexual violence.

Abuse and neglect, are on the rise in Hawai'i, due to the stressors of the COVID19 pandemic and have ripple effects into our communities. By further distancing a perpetrator from survivors, you will be protecting survivors while still providing opportunities for the perpetrator to heal.

Mahalo for your consideration in supporting SB826.

**SB-826-SD-1**

Submitted on: 3/25/2021 3:09:17 PM

Testimony for JHA on 3/30/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
cheryl B.	Individual	Support	No

Comments:

Support

Anything we can do to protect.

**SB-826-SD-1**

Submitted on: 3/25/2021 4:51:15 PM

Testimony for JHA on 3/30/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mike Goljuch, Sr.	Individual	Support	No

Comments:

I support SB826. Please pass this bill. Thank you.

**SB-826-SD-1**

Submitted on: 3/27/2021 8:02:47 PM

Testimony for JHA on 3/30/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dana Keawe	Individual	Support	No

Comments:

I support sb826 sd1

**SB-826-SD-1**

Submitted on: 3/28/2021 12:49:40 PM

Testimony for JHA on 3/30/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Victoria Anderson	Individual	Support	No

Comments:

Please pass this important bill.

Date: March 30, 2021  
To: The Honorable Mark Nakashima, Chair  
The Honorable Scot Matayoshi, Vice Chair  
Members of the Committee on Judiciary and Hawaiian Affairs  
  
From: HeNaniNoOeKaWahineU‘ioIkePono Wandasan  
Re: Strong support for SB826, SD1, Relating to Sex Offenders  
Hearing: Tuesday, March 30, 2021, at 2:00 pm at Capitol Room 325

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Mahalo for the opportunity to submit testimony in SUPPORT of SB826, SD1, which prohibits a sex offender from residing within two thousand feet of the sex offender’s former victim or victim’s immediate family members.

Although this bill may impede on a sex offender’s reentry into the community, the safety and wellbeing of the survivor must be considered as well. Studies have shown that people who experience post-traumatic stress disorder (PTSD) are affected in various aspects of their lives such as physically, emotionally, cognitively, etc. Survivors may face such effects throughout their lifetime. Knowing about the residential restriction outlined in this bill could reduce any stress or fear that a survivor may experience. Furthermore, survivors may have a sense of increased safety. Therefore, I urge you to support SB826.

Mahalo,

HeNaniNoOeKaWahineU‘ioIkePono Wandasan

**SB-826-SD-1**

Submitted on: 3/28/2021 11:25:20 PM

Testimony for JHA on 3/30/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Deb Lyn	Individual	Support	No

Comments:

SB826 SD1 (HB563)  
Relating to Sex Offenders

Honorable Chair Rep. Mark Nakashima and Members of the Committee:

The safety and protection of Hawaii's victims lie in your hands today.

This bill is a safeguard for victims and sex offenders alike. A physical separation reduces risk. Especially if sex offenders are not in control of their own impulses, curiosities, or planned retaliation upon their victims.

This bill safeguards victims and their families from further harm and/or death by their assailants the sex offenders.

Under, SB826 SD1, the message is made clear to sex offenders and gives them the opportunity to understand the critical necessity of residential separation. 2,000 feet is a minimal separation. No sex offender should contest this if they truly have been rehabilitated and know the long-term effects of their crimes to victims, families, and communities.

I ardently support SB826 SD1 (HB563) and ask that this dire safety measure becomes law as soon as possible.

Thank you.

Sincerely,

Deborah Lyn

**SB-826-SD-1**

Submitted on: 3/29/2021 9:06:56 AM

Testimony for JHA on 3/30/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shereen Balles	Individual	Support	No

Comments:

To whom this may concern, I write this letter on behalf of my entire family. This is an excerpt of a letter I sent to the Hawaii State Paroling Authority.

I SUPPORT THIS BILL. PLEASE MAKE THIS BILL A LAW.

My 'ohana and I are Kanaka Maoli. I want you to see a glimpse of what my 'Ohana and I have endured. I know other 'ohanas are afraid to tell their story. Please help the people of Hawai'i get up from this horrible epidemic, by binding together to stay strong and Rise Up.

"He is a danger to myself and my children. He has demonstrated this, because he literally has hurt all of us in many ways. He is manipulative. And he has the ability to hide his true nature from even close friends and family.

Although he has presented himself to comply with the minimum prison requirements, there is still two more years that our whole family believes he still needs to rehabilitate.

This inmate wreaked havoc on our family for the duration of our lives while he was with us. 19 years that I was with him, 18 years I was married to him, and the entirety of my children's lives up until and including while I was pregnant to them. He punched and kicked me in my belly while I was pregnant. From conception all the way up until he was arrested in 2012. Even up until today we experience SEVERE Post-Traumatic Stress Disorder which we all are recovering from and healing from by going to our personal behavioral therapists.

This inmate violently physically, sexually, mentally, emotionally, spiritually abused all of our family on a daily basis for our entire lives. He was a former trained marine, who was separated and medically discharged with personality disorder, unable to conform to military lifestyle.

He then began training in various martial arts of Jujitsu, Boxing, Medieval Arts, Hawaiian Lua, Kung Fu, Hand Palm Training, Iron Body Training, Raging, breaking up to 5- 2" concrete bricks high with his hands, breaking coconuts with his hands, hitting his hands on our bodies to see if the handprint would show up on the other side of our bodies, force us to participate in practice with him. He weightlifted to powerlifting. He



took steroids. This inmate went so far as to purchase steroids online, and his shipment was intercepted/confiscated. The unit met him at our wahiawa address and took his photo notified him not to purchase a bulky order like that anymore. They tagged him. He found other sources of steroids, and continued powerlifting. I was his spotter. He would max out. Bench pressing 500 pounds. For his safety, I was supposed to be there to spot him. And the weight/bar started to drop on his chest, so, I would lift it up off of his chest. But because, I did that, it meant he didn't do his bench press, and I got cracks, for it. This inmate used the money that I made in my teachers job for most of his hobbies, like for his steroids, etc. And ultimately, the department of education in 2012, called me in to let me know that due to his incarceration I have lost my job as a teacher in the State of Hawai'i.

This inmate forced us to keep all of the injuries, bruises broken bones, etc..secret from our family and friends, so much so that when he was incarcerated, they all could not believe it was true. I mention this fact to this parole board, as he is doing this very same thing to you right now, because this inmate hid this side of himself from the rest of our family and friends so well.

When my eldest was 2 years old, I called CPS, for fear for her life, as she had " u - like " marks on her body that couldn't be explained, and because I turned him in, this inmate informed me that he is capable of horrible things. He wanted me to know, and basically threatened me, that he has put my daughter in the bathtub and held her under water until she came close to being drowned, and felt proud of himself because he resuscitated her. He just wanted me to know that he did that every so often so I better not call CPS ever again.

I don't need to list all of the 100s of times and years this inmate has beaten me up, raped me, taken advantage of me, and give you all the details of each incident, it's too many to list. It's actually very hard for me to remember all of them as I have severe PTSD. My mind has buried most of the horrible and unimaginable things that this inmate has done to me and my children. Of what I can recall, my first recollection of when he 1st laid hands on me was when I was in the Frear Hall dormitory. He was in the Marines and about to deploy for Okinawa, and was upset with me because he was leaving for a long duration of time. He punched me in my face, choked me, slammed me against the wall and with his hand on my throat lifted me off of the floor.

This inmate has thrown me out of the house beaten and naked.

This inmate has almost killed our entire family in a car accident because I was driving and he thought I was looking at a guy so he punched me in the face and I veared off the road and into oncoming traffic.

This inmate heard my voice in the shower, so he thought I was talking to someone in the shower, I was actually singing, he came in with no questions asked and just started unloading on me and punching me in the shower and I slipped, hit my head on the tub. I was out for 2 days, he misaligned my jaw. I lost my job. Because no call no show

because I was so out of it. There are so many more incidents. He is a very dangerous man. And I do not want him in my life or my children's lives anymore. We just want to live in peace please.

On numerous occasions we could be sitting just having a nice time and all of a sudden this inmate could burst out into a fit of rage with bloodshot eyes foaming at the mouth and choking me in my bed or on the couch or for any given reason all because of the "Animal" that he called himself, sometimes he would hit me a lot or just slap or punch me. It varied from incident to incident over the years. And I'd have some kind of bruising or I'd be crying or not want to talk to him, or he would notice something about myself or one of the kids, and one of us would say, he did it, and he would deny ever doing it, saying "what are you talking about?" , " I didn't do that" and then hit us harder for saying he did it.

This inmate has taken the 3 foot long 2" (the size of a large baseball bat and swing it full blast) medieval sticks to my body without armor on. This inmate has used the medieval stick to the backside of my eldest daughter for punishment. Hit her backside 15-20 times for sneaking out of the house to go visit her friends at the age of 14, of which left welts and it was raw and she could not sit for weeks.

Used the same stick and hit the back of my 2nd daughters head, she was bleeding profusely, and he agreed to take her to the ER to get staples. Gave an excuse to the ER. At this time I cannot recall what excuse he gave.

Another occasion, this inmate would turn/pull my children's ears so much that my 2nd daughters ear was yanked so hard by him that it created a cyst, that we had to take her to the ER to get the cyst drained and removed.

Around 2010, My 2nd daughter was watching my son, and he fell. This inmate over reacted. He picked my daughter up over his head, threw her up into the ceiling, as she fell onto the floor, and repeated this about 10 times over and over again. She broke her shoulder. When I got home from work, this inmate lied to me and told me she fell down the stairs, and told me to take her to the ER. My 2nd daughter told me the real story after he was incarcerated.

This inmate began to train my son to box at the age of 2 years old and if my son did not block his face, this inmate would slap him hard in his face, and I was not allowed to defend him, and if I did, he would take me in another room and hit me. And that was the way it was if I ever came in the way of any of my children.

This inmate would thrash/exercise (military style) my 2 eldest children for no reason for hours and hours after school until I came home from work and abuse them.

This inmate made my son of 3 years old stand outside in the dark in wahiawa at 6 to 7pm to make him strong and not be scared. (Mental/emotional abuse)

Without my knowledge he molested my eldest daughter from the age of 15 til incarceration.

Did he say to you, that he found God and Jesus since he has been incarcerated? I find this suspicious, because for the majority of our marriage about 18 years. This inmate is ATHEIST.

In April 2012, this inmate punched my eldest daughter in the face and split her eyebrow open and beat her up because she lost her virginity. I'm about to take her to the ER, with pools of blood all over the floor and stairwell, told me to go to Longs to pick up superglue so he can glue the gash together and burning her eye. He ended up paralyzed from the waist down because a bone spur broke off and dislodged into his spine and had to have back surgery to be able to walk again. He decided he wanted to try to go to my church. He still continued to be abusive to the entire family while we attended church services. He was then baptized with all 4 of my children, and the very next day, because I went back to work, and summer was over, new school year for the younger children, high school not til the following day, he preyed on my eldest daughter, and he began molesting her on monday, even though they were just baptized the day before on sunday. He told her because Jesus will forgive him of his sin. He clearly does not understand this concept.

Per my 2nd eldest daughter and sons account: who have been scarred mentally and emotionally for life: The day this inmate was arrested 2012, My son who was 5 years old at the time, witnessed him ask my 2nd eldest daughter retrieve from our attic for him, while he consumed all of the alcohol in the house, as he put together and take apart the rifle about 7 to 8 times until he was arrested, that he registered and owned, Take the safety off, and pointed the rifle at his head or into his mouth pulling the trigger, jokingly saying "ah jus' practice."

Our family does not believe this inmate is ready or will ever be ready to be a normal and capable functional member of society.

Dear Parole Board members, we ask you to also consider the fact that although we haven't had contact with this inmate, we do have reasons to believe that this inmate has vengeance and has reasons due to the numerous occasions, and years that he has threatened all of us and made it very clear to us that if he ever ended up in prison, that if I or we ever put him in prison, for what he did to us, that when he came out, he would come after us. And he told us this on a regular basis.

Thank you on behalf of myself and all of my children,  
Shereen Balles

**SB-826-SD-1**

Submitted on: 3/29/2021 12:29:55 PM

Testimony for JHA on 3/30/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jacob Makaiwi	Individual	Support	No

Comments:

**Aloha, my name is Jacob Makaiwi and I am in support of SB826 which “Prohibits a sex offender from residing within two thousand feet of the sex offender's former victim or the victim's immediate family members. Requires the sex offender to receive approval from the Attorney General prior to a change in address.” Whether through my experience helping Child Welfare Services or in personally knowing others who have experienced sexual abuse, I know that the trauma these victims carry is very painful. I also know that they have a reasonable and dire need to feel safe from their trauma in order to progress and live healthy lives. These victims I know have experienced negative affects and have increased in unhealthy behaviors when they have come in contact with their former sex offenders. Examples of these unhealthy behaviors have included increased substance abuse, self harm, suicidal attempts, and violence or aggression towards others in their environment to name a few. These victims are constantly haunted by their trauma, and need to feel safe. If the offender lives close to a victim, the possibility of recurring offense can be higher than if they didn’t live so close. And even if the abuser refrains from further abuse, the victim can experience increased stress, pain, and panic by just knowing that the offender lives so close to them. Not only does the victim need recovery, but so do their family members. A victim’s family needs to be their greatest support in overcoming their trauma. This Bill makes sure that offenders don’t live close to a victim’s immediate family member, which also benefits the situation of the victim in their recovery because as a family they have less chance of being in contact with the offender who has hurt the victim and in turn caused stress to the family. I know living situations in Hawaii are hard to come by, but I believe it’s reasonable for an offender to find a residence at least 2,000 feet away from their victims and the victim’s immediate family. The offender may have personal struggles, but the pain and trauma they have caused their victim(s) needs to be fixed, and this Bill is just another safety factor in helping a victim and their family overcome the offense. Please allow this bill to move forward. Mahalo.**

Sincerely,

Jacob Makaiwi

**SB-826-SD-1**

Submitted on: 3/29/2021 12:35:46 PM

Testimony for JHA on 3/30/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ryan Kawaihani Ozawa	Individual	Support	No

Comments:

Aloha, Rep. Mark M. Nakashima, Chair, Rep. Scot Z. Matayoshi, Vice Chair, and members of the Committee on Judiciary and Hawaiian Affairs.

While current sex offender law typically protects general members of the public, such as children and homes within a certain distance of local schools, domestic abusers are much more likely to reoffend against original victims. Their victims deserve similar consideration.

Mahalo.

**SB-826-SD-1**

Submitted on: 3/30/2021 7:13:25 AM

Testimony for JHA on 3/30/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John D. Smith	Individual	Support	No

Comments:

I support this bill and pass it through.

**SB-826-SD-1**

Submitted on: 3/30/2021 8:14:46 AM

Testimony for JHA on 3/30/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tyler Ralston, PsyD, ABPP	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice-Chair Matayoshi, and JHA Committee Members,

Please SUPPORT SB826 SD1 to help keep those who have been sexually abused safe from sexual abuse perpetrators. I'm a doctor of psychology in private practice, where for many years, I have specialized in treating those who have experienced traumas. The large majority of those traumas that I treat are interpersonal victimizations, such as sexual assault, rape, molestation and more. Perpetrators often rape / molest more than once, and often more than one victim. Passage of this bill would make for safer communities and allow for increased space and ease facilitating victim healing.

Please SUPPORT SB826 SD1.

Sincerely,

Tyler Ralston, PsyD, ABPP