

‘O kēia ‘ōlelo hō’ike no ke
Komikina Kūlana Olakino o Nā Wāhine

Testimony on behalf of the
**Hawai‘i State Commission on the Status of
Women**

SUPPORT for HB1676
February 1, 2022

The Hawai‘i State Commission on the Status of Women strongly supports HB1676, which would require that the sexual orientation and gender identity of persons processed for crimes be included in the systems of identification.

Firstly, this bill is needed to standardize data collection on gender across the State. At present, Honolulu Police Department and Maui Police Department offer male and female categories for sex/gender, while Kaua‘i and Hawai‘i County collect data on male, female, and transgender people when responding to the public. This means that we cannot even compare data sets between counties, let alone measure the problem of violence against māhū (transgender in English) and gender non-conforming people.

Secondly, the absence of transgender and non-binary categories creates the impression that this community does not exist, which can ingrain discrimination and societal transphobia. The State must legitimize transgender identity.

Finally, national data provides evidence that transgender individuals are nearly twice as likely to experience intimate partner violence.¹ Trans women face the additional burden of transmisogyny, which can be and is weaponized by abusive partners. This bill will create a foundation to understand and end transmisogynistic violence—an imperative for Hawai‘i State Commission on the Status of Women, including the Missing and Murdered Native Hawaiian Women and Girls Task Force.

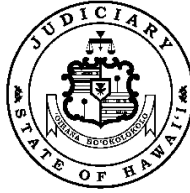
Accordingly, the Commission respectfully requests that the Committee pass HB1676.

Mahalo,

Khara Jabola-Carolus

¹ Peitzmeier, S., *Intimate Partner Violence in Transgender Populations: Systematic Review and Meta-analysis of Prevalence and Correlates*, American J. of Public Health, 2020.

Executive Director



The Judiciary, State of Hawaii

Testimony to the Thirty-First State Legislature, 2022 Regular Session

House Committee on Corrections, Military, & Veterans

Representative Takashi Ohno, Chair

Representative Sonny Ganaden, Vice Chair

Wednesday, February 2, 2022, 10:00 A.M.

Via Videoconference

by

Rodney A. Maile

Administrative Director of the Courts

WRITTEN TESTIMONY ONLY

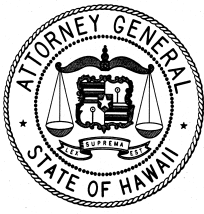
Bill No. and Title: House Bill No. 1676, Relating to Data Collection.

Purpose: Requires that the sexual orientation and gender identity of persons processed for crimes be included in the systems of identification.

Judiciary's Position:

The Judiciary takes no position on the intent of this bill, but would like to submit testimony on system impacts. The Judiciary's existing case-management system (Judiciary Information Management System or "JIMS") does not have a database field or table for sexual orientation data and changes will require software development time and resources. With the current schedule to implement JIMS for Family Civil in April 2022, all development time and resources are dedicated to this effort and will not be available for additional changes until later in the year. Therefore, the Judiciary respectfully requests an effective date of January 1, 2023 or later.

Thank you for the opportunity to testify on this measure.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTY-FIRST LEGISLATURE, 2022**

ON THE FOLLOWING MEASURE:

H.B. NO. 1676, RELATING TO DATA COLLECTION.

BEFORE THE:

HOUSE COMMITTEE ON CORRECTIONS, MILITARY, AND VETERANS

DATE: Wednesday, February 2, 2022 **TIME:** 10:00 a.m.

LOCATION: State Capitol, Room 430, Via Videoconference

TESTIFIER(S): Holly T. Shikada, Attorney General, or
Christopher D.W. Young, Administrator, Hawaii Criminal Justice
Data Center

Chair Ohno and Members of the Committee:

The Department of the Attorney General supports the intent of this bill with comments.

The purpose of this bill is to amend chapter 846, Hawaii Revised Statutes (HRS), by adding to part I a new section that requires that sexual orientation and gender identity be collected pursuant to section 846-2.5, HRS, and shall be included in the systems of identification.

HCJDC systems must be adapted to allow for collection of this data, which includes changes to records in law enforcement record management systems (RMS) of county police departments and state law enforcement agencies. Data will not be received by HCJDC until these RMS systems and their respective policies are properly updated. HCJDC is unable, at this time, to determine the costs or time needed to update the various RMS systems within the State. With respect to changes within the HCJDC data systems, HCJDC estimates that it will take approximately three to six months and a minimum of 80 hours of staff time to complete.

The Department of the Attorney General appreciates the opportunity to provide comments on this bill.

**STONEWALL
CAUCUS**

FORMED IN 2001



THE FIRST CAUCUS OF THE
**DEMOCRATIC PARTY
OF HAWAII**

January 31, 2022

House's Committee on Corrections, Military & Veterans
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

Hearing: Wednesday, February 2, 2022 – 10:00 a.m.

RE: Support the Intent for House Bill 1676

Aloha Chair Ohno, Vice Chair Ganaden, and fellow committee members,

I am writing to support the intent to House Bill 1676 on behalf of the Stonewall Caucus of the Democratic Party of Hawaii (formerly the LGBT Caucus) and to express our concern over the initial draft of this bill. HB 1676 would require that the sexual orientation and gender identity of persons processed for crimes be included in the systems of identification.

The Stonewall Caucus agrees that we need to gather this information to see if Hawaii's LGBTQIA+ community is over represented in our criminal justice system, [like we are currently seeing on the continent](#).¹ Our major concern over this bill arises over the lack of confidentiality currently in the bill.

The Caucus recognizes that this data will only be gathered 'if disclosed.' But after talking with members of the LGBTQIA+ community that have been incarcerated they have relayed to us that if this question is on the intake forum, that a person being processed will feel they have to answer or may be forced to answer. If they refuse to answer or decide to not out themselves, for whatever reason, that could be held against them by the staff or their fellow inmates.

We encourage that you find a way to gather this much needed data, while protecting the civil rights of the persons being 'processed for crimes'. This is a serious concern since the data shows that members of the LGBTQIA+ community in prison are sexually victimized at much higher rates than their straight/cisgender counterparts.

Mahalo nui loa,

Michael Golojuch, Jr.
Chair and SCC Representative
Stonewall Caucus for the DPH

¹ Visualizing the unequal treatment of LGBTQ people in the criminal justice system
<https://www.prisonpolicy.org/blog/2021/03/02/lgbtq/>



To: Committee on Corrections, Military and Veterans Affairs

Hearing Date/Time: Wednesday February 2, 10 AM

Re: Testimony in Support of HB 1676

From: Heather Lusk, Hawaii Health and Harm Reduction Center

Dear Chair Ohno, Vice Chair Ganaden and members of the Committee:

The Hawaii Health & Harm Reduction Center (HHRC) supports HB 1676 which would standardize data collection on gender across the State. We are particularly concerned that many data collection systems do not allow people to identify as transgender and/or non-binary which makes it challenging to truly assess our community and the impact of the criminal legal system.

HHRC's mission is to *reduce harm, promote health, create wellness and fight stigma in Hawaii and the Pacific*. We focus our efforts on those disproportionately affected by social determinants of health, including but not limited to: people living with and/or affected by HIV, hepatitis, substance use, and the transgender, LGBTQ and the Native Hawaiian communities. Part of HHRC services is our Kua`ana Program which provides services for the transgender community and we see a very high rate of intimate partner violence and other violence that impacts our community. HB 1676 would help by ensuring a strong foundation of data to create the epidemiological picture of what is happening and therefore to have an evidence-based response.

Thank you for the opportunity to testify.

Heather Lusk, Executive Director, Hawaii Health and Harm Reduction Center



HB1676 Sexual Orientation and Gender Identity for Offenders
COMMITTEE ON CORRECTIONS, MILITARY, & VETERANS

Rep. Takashi Ohno, Chair

Rep. Sonny Ganaden, Vice Chair

Tuesday, Feb 2 2022: 10:00 am : Videoconference

Hawaii Substance Abuse Coalition Supports HB1676:

ALOHA CHAIR, VICE CHAIR AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization for substance use disorder and co-occurring mental health disorder treatment and prevention agencies.

HSAC supports the LBGTQ, sexual orientation and gender identity. We recommends assessment tools that mitigates any potential biases.

We appreciate the opportunity to provide testimony and are available for further questions.

HB-1676

Submitted on: 1/31/2022 4:38:45 PM

Testimony for CMV on 2/2/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Maddalynn Seseapasara	Individual	Support	No

Comments:

Dear Chair Ohno, Vice Chair Ganaden and Members of the CMV Committee:

I strongly support HB1676, which requires the collection of sexual and gender minority data for people being processed for crimes.

Firstly, this bill is needed to standardize data collection on gender across the State. At present, Honolulu Police Department and Maui Police Department offer male and female categories for sex/gender, while Kaua‘i and Hawai‘i County collect data on male, female, and transgender people when responding to the public. This means that we cannot even compare data sets between counties, let alone measure the problem of violence against māhū (transgender in English) and gender non-conforming people.

Secondly, the absence of transgender and non-binary categories creates the impression that this community does not exist, which can ingrain discrimination and societal transphobia. The State must legitimize transgender identity.

Finally, national data provides evidence that transgender individuals are nearly twice as likely to experience intimate partner violence. Trans women face the additional burden of transmisogyny, which can be and is weaponized by abusive partners. This bill will create a foundation to understand and end transmisogynistic violence.

Thank you for your consideration.

Maddalynn Seseapasara

HB-1676

Submitted on: 1/31/2022 10:04:03 PM

Testimony for CMV on 2/2/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Thaddeus Pham	Individual	Support	No

Comments:

Dear Chair Ohno, Vice Chair Ganaden and Members of the CMV Committee:

I strongly support HB1676, which requires the collection of sexual and gender minority data for people being processed for crimes.

Firstly, this bill is needed to standardize data collection on gender across the State. At present, Honolulu Police Department and Maui Police Department offer male and female categories for sex/gender, while Kaua‘i and Hawai‘i County collect data on male, female, and transgender people when responding to the public. This means that we cannot even compare data sets between counties, let alone measure the problem of violence against māhū (transgender in English) and gender non-conforming people.

Secondly, the absence of transgender and non-binary categories creates the impression that this community does not exist, which can ingrain discrimination and societal transphobia. The State must legitimize transgender identity.

Finally, national data provides evidence that transgender individuals are nearly twice as likely to experience intimate partner violence. Trans women face the additional burden of transmisogyny, which can be and is weaponized by abusive partners. This bill will create a foundation to understand and end transmisogynistic violence.

With gratitude,

Thaddeus Pham (he/him)

HB-1676

Submitted on: 2/1/2022 5:37:55 AM

Testimony for CMV on 2/2/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Itai Bradshaw-Lang	Individual	Support	No

Comments:

Dear Chair Ohno, Vice Chair Ganaden and Members of the CMV Committee:

I strongly support HB1676, which requires the collection of sexual and gender minority data for people being processed for crimes.

As a nurse, I know the value of data, of evidence. Evidence based practice is what nursing is built on. It's what enables the medical community to help people. This is also true in other settings. Right now, the data is missing. There is no cohesive evidence about how these issues are at work in my community. This bill is incredibly important.

Firstly, this bill is needed to standardize data collection on gender across the State. At present, Honolulu Police Department and Maui Police Department offer male and female categories for sex/gender, while Kaua'i and Hawai'i County collect data on male, female, and transgender people when responding to the public. This means that we cannot even compare data sets between counties, let alone measure the problem of violence against māhū (transgender in English) and gender non-conforming people.

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Finally, national data provides evidence that transgender individuals are nearly twice as likely to experience intimate partner violence. Trans women face the additional burden of transmisogyny, which can be and is weaponized by abusive partners. This bill will create a foundation to understand and end transmisogynistic violence.

Thank you for your consideration.

Itai Bradshaw-Lang, RN, BSN

HB-1676

Submitted on: 2/1/2022 7:39:29 AM

Testimony for CMV on 2/2/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Amanda Martinez	Individual	Support	No

Comments:

Dear Chair Ohno, Vice Chair Ganaden and Members of the CMV Committee:

I strongly support HB1676, which requires the collection of sexual and gender minority data for people being processed for crimes.

Firstly, this bill is needed to standardize data collection on gender across the State. At present, Honolulu Police Department and Maui Police Department offer male and female categories for sex/gender, while Kaua'i and Hawai'i County collect data on male, female, and transgender people when responding to the public. This means that we cannot even compare data sets between counties, let alone measure the problem of violence against mähū (transgender in English) and gender non-conforming people.

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Finally, national data provides evidence that transgender individuals are nearly twice as likely to experience intimate partner violence. Trans women face the additional burden of transmisogyny, which can be and is weaponized by abusive partners. This bill will create a foundation to understand and end transmisogynistic violence.

Thank you for your consideration,

Amanda Martinez