

STAND. COM. REP. NO.

535

Honolulu, Hawaii

FEB 16 , 2023

RE: H.B. No. 580  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 580, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO VICTIM-COUNSELOR PRIVILEGE,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Expand the victim-counselor privilege under the Hawaii Rules of Evidence to include confidential advocates employed by the University of Hawaii; and
- (2) Increase the minimum number of hours of training a domestic violence victims' counselor must complete to be considered a victim counselor.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Democratic Party of Hawai'i Education Caucus, Imua Alliance, American Association of University Women of Hawaii, Hawai'i State Coalition Against Domestic Violence, Sex Abuse Treatment Center, Every Voice Coalition, and four individuals.

Your Committee finds that, despite the availability of confidential advocates at the University of Hawaii, confidentiality concerns remain a deterrent to seeking assistance.

2023-1637 HB580 HD1 HSCR HMSO



According to data collected by the University in the 2021 Systemwide Campus Climate Survey on Sexual Harassment & Gender-Based Violence, of the students who reported experiencing some form of sexual misconduct who did not seek help through the University, 22.2 percent stated they did not report because they feared their experiences would not be kept confidential. This measure seeks to provide the mechanism needed to alleviate a complainant's fear that disclosure could lead to retaliation, further abuse, or harassment.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 580, H.D. 1, and recommends that it be referred to your Committee on Finance.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,

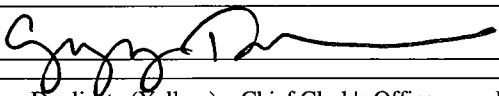


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DAVID A. TARNAS, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: <b>HB 580, HD 1</b>	Committee Referral: <b>HET, JHA, FIN</b>	Date: <b>2/10/2023</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	/			
2. TAKAYAMA, Gregg (VC)	/			
3. GANADEN, Sonny	/			
4. HOLT, Daniel	/			
5. HASHIMOTO, Troy N.	/			
6. ICHIYAMA, Linda	/			
7. ILAGAN, Greggor	/			
8. KONG, Sam Satoru	/			
9. MIZUNO, John M.	/			
10. SOUZA, Kanani	/			
<b>TOTAL (10)</b>	<b>10</b>	-	-	-
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ <div style="text-align:center; font-size: large; font-family: cursive;">  </div>				
<b>Distribution:</b> Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				