

STAND. COM. REP. NO.

1601

Honolulu, Hawaii

APR 04 2023

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

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, 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 and intent 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 Imua Alliance, Every Voice Coalition Hawai'i, Women's Caucus of the Democratic Party of Hawai'i, Education Caucus of the Democratic Party of Hawai'i, Sex Abuse Treatment Center, Hawai'i State Coalition Against Domestic Violence, Academic Labor United, American Association of University Women of Hawaii, and sixteen individuals.

Your Committee finds that there is no mechanism that guarantees confidentiality to students and employees who seek



confidential advocacy support within the University of Hawaii System as a result of sexual harassment, sexual assault, domestic violence, and stalking. This measure not only ensures that the confidential advocates employed by the University of Hawaii provide confidentiality protections to students and employees who seek the counseling services of these campus-based advocates, but also better prepares domestic violence victims' counselors in the State to work with survivors of domestic violence in a trauma-informed and survivor-centered manner.

Your Committee has amended this measure by making it effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 580, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 580, H.D. 1, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
Thirty-Second Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* HB 580 HDI	Committee Referral: HRE, JDC	Date: 3/30/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	5	—	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes