



HAWAI‘I CIVIL RIGHTS COMMISSION

KOMIKINA PONO KIWILA O HAWAI‘I

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Tuesday, March 12, 2024

2:00pm

Conference Room 325 & Videoconference
State Capitol, 415 South Beretania Street

To: The Honorable David A. Tarnas, Chair
The Honorable Gregg Takayama, Vice Chair
Members of the House Committee on Judiciary & Hawaiian Affairs

From: Liann Ebesugawa, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: S.B. No. 2683 SD1

The Hawai‘i Civil Rights Commission (HCRC) offers the following comments on S.B. No. 2683

SD1. The HCRC strongly supports this bill’s attempt to address the chilling effect that threats of lawsuits may have on survivors of sexual assault, sexual harassment, or sexual discrimination by providing additional protections for the good-faith reporting of such claims.

The HCRC has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment (Chapter 378, Part I, HRS), housing (Chapter 515, HRS), public accommodations (Chapter 489, HRS), and access to state and state-funded services (section 368-1.5, HRS). The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

The HCRC recognizes the financial and emotional impacts of the threat of lawsuits to survivors and good-faith reporters attempting to report sexual misconduct. In many employment and housing discrimination cases there may be a power imbalance that disadvantages survivors of sexual harassment or sexual assault. Reporting an incident of sexual assault, sexual harassment, or sexual discrimination

may come with the fear of loss of employment or housing, or other retaliation, such as the threat of a defamation lawsuit. This bill would address that power imbalance and provide additional protections for those making good-faith claims of sexual assault, sexual harassment, or sexual discrimination.

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

SB-2683-SD-1

Submitted on: 3/12/2024 2:17:02 AM

Testimony for JHA on 3/12/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Angela Melody Young	Kapalama Neighborhood Security Watch	Support	Remotely Via Zoom

Comments:

Kapalama NSW testifies in strong support.