

DAVID Y. IGE  
GOVERNOR

JOSH GREEN  
LIEUTENANT GOVERNOR



SCOTT T. MURAKAMI  
DIRECTOR

ANNE EUSTAQUIO  
DEPUTY DIRECTOR

**STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

830 PUNCHBOWL STREET, ROOM 321

HONOLULU, HAWAII 96813

[www.labor.hawaii.gov](http://www.labor.hawaii.gov)

Phone: (808) 586-8844 / Fax: (808) 586-9099

Email: [dlir.director@hawaii.gov](mailto:dlir.director@hawaii.gov)

January 28, 2020

To: The Honorable Karl Rhoads, Chair,  
The Honorable Jarrett Keohokalole, Vice Chair, and  
Members of the Senate Committee on Judiciary

Date: Thursday, January 30, 2020

Time: 10:00 a.m.

Place: Conference Room 016, State Capitol

From: Scott T. Murakami, Director  
Department of Labor and Industrial Relations (DLIR)

**Re: S.B. No. 2306 RELATING TO PROOF OF DOMESTIC OR SEXUAL  
VIOLENCE VICTIM STATUS**

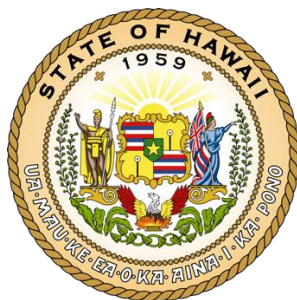
**I. OVERVIEW OF PROPOSED LEGISLATION**

SB2306 proposes to amend section 383-7.6, Hawaii Revised Statutes (HRS), and 383-30.5, Hawaii Revised Statutes (HRS) by amending the language to redefine the types of documents acceptable as proof of domestic violence or sexual violence victim status.

**II. COMMENTS ON THE HOUSE BILL**

DLIR supports the intent of the bill which is to ensure consistency in the types of documents accepted as proof of domestic or sexual violence victim status. The department is seeking confirmation from the US Department of Labor (USDOL) to ensure SB2306 does not raise any issues with Federal Unemployment (UC) law.

The DLIR notes that by practice the department employs a great amount of discretion in favor if an individual asserts domestic or sexual violence victim status.



‘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**  
Khara Jabola-Carolus, Executive Director

Prepared for the Senate Committee on Judiciary

Comments on SB2306  
Thursday, January 30, 2019, at 10:00 a.m. in Room 016

Dear Chair Rhoads, Vice Chair Keohokalole, and Honorable Members,

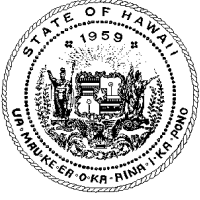
The Hawai‘i State Commission on the Status of Women supports SB2306, which would make consistent the types of documents accepted as proof of domestic or sexual violence victim status.

This measure is an important step to remove barriers to benefits and escape for victims of gender-based violence. One of the biggest challenges for someone who has just experienced a domestic violence situation or sexual assault can be navigating the disjointed requirements to show proof of victim status in order to access safety. This measure would create uniformity across statutes and allow victims to more easily leave a dangerous situation.

Accordingly, the Commission requests that the Committee pass SB2306.

Sincerely,

Khara Jabola-Carolus



# HAWAI‘I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 • PHONE: 586-8636 • FAX: 586-8655 • TDD: 568-8692

January 30, 2020  
Rm. 016, 10:00 a.m.

To: The Honorable Karl Rhoads, Chair  
The Honorable Jarrett Keohokalole, Vice Chair  
Members of the House Committee on Judiciary

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

Re: S.B. No. 2306

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state funded services (on the basis of disability). 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 supports S.B. No. 2306.**

S.B. No. 2306, if enacted, will make consistent the types of documents accepted as proof of domestic or sexual violence victim status.

Victims of domestic or sexual violence are a protected class pursuant to HRS § 378-2. The HCRC supports the proposed amendment of HRS § 378-2 in Section 3 of the bill to make this statute consistent with other Hawai‘i statutes.



## Hawaii Women's Coalition

### **COMMITTEE ON JUDICIARY**

**Kenekoa/Senator Karl Rhoads, Luna Ho'omalu/Chair**

**Kenekoa/Senator Jarrett Keohokalole, Hope Luna Ho'omalu/Vice Chair**

DATE: Thursday, January 30, 2020

TIME: 10:00 a.m.

PLACE: Conference Room 016

**STRONG SUPPORT FOR SB2306** that makes consistent the types of documents accepted as proof of domestic or sexual violence victim status.

Aloha Chair Rhoads, Vice Chair Keohokalole and members

**The Coalition is in strong support** of this measure that will alleviate the red-tape burden currently placed on victims of domestic violence. This is a simple housekeeping measure to standardize documentation required of victims in order to get the protection and services they are entitled to under the law.

From terminating a cell phone contract or a rental lease to obtaining unemployment support, it is simply common sense for a victim to collect and submit the same set of documents as proof of need. Victims have enough to deal with. They don't need the additional burden of navigating confusing and contradictory paperwork. Please pass this important bill out of committee.

Mahalo for the opportunity to testify,  
Ann S. Freed Co-Chair Emeritus,  
Hawaii Women's Coalition



## Hawaii Women's Coalition

To: Hawaii State Senate Committee on Judiciary  
Hearing Date/Time: Thurs., Jan. 30, 2020, 10:00 a.m.  
Place: Hawaii State Capitol, Rm. 016  
Re: Testimony of Hawaii Women's Coalition in support of S.B. 2306

Dear Chair Rhoads and Members of the Committee,

The Hawaii Women's Coalition writes in support of S.B. 2306 to standardize language across statutes. Multiple laws have been passed with the intention of providing support for survivors related to economic justice and freedom. However, each of them has different language and requirements for victims to prove their victimization (unemployment, release from cellphone contracts, rental leases), which proves to be a barrier for those seeking services.

It makes indisputable sense that survivors should be expected to provide the same kinds of evidence/documents to obtain benefits or access to support regardless of the benefit they are pursuing.

Collecting and submitting different kinds of documents should be standardized to make it more likely for the survivor to get the support/benefits/access they need.

Thank you for your support for this important housekeeping measure.

Sincerely,  
Hawaii Women's Coalition

To: Hawaii State Senate Committee on Judiciary  
Hearing Date/Time: Thurs., Jan. 30, 2020, 10:00 a.m.  
Place: Hawaii State Capitol, Rm. 016  
Re: Testimony of Hawaii Women's Coalition in support of S.B. 2306

Dear Chair Rhoads and Members of the Committee,

The Hawaii Women's Coalition writes in support of S.B. 2306 to standardize language across statutes. Multiple laws have been passed with the intention of providing support for survivors related to economic justice and freedom. However, each of them has different language and requirements for victims to prove their victimization (unemployment, release from cellphone contracts, rental leases), which prove to be a barrier for those seeking services.

It makes indisputable sense that survivors should be expected to provide the same kinds of evidence/documents to obtain benefits or access to support regardless of the benefit they are pursuing.

Collecting and submitting different kinds of documents should be standardized to make it more likely for the survivor to get the support/benefits/access they need.

Thank you for your support for this important housekeeping measure.

Sincerely,  
Hawaii Women's Coalition

Sincerely,  
Laurie Field  
Hawaii State Director



January 31, 2020

Members of the Senate Committee on Judiciary:

Chair Sen. Karl Rhoads

Vice Chair Sen. Jarrett Keohokalole

Sen. Kurt Fevella

Sen. Mike Gabbard

Sen. Donna Mercado Kim

Re: SB2306 Relating to Proof of Domestic or Sexual Violence Victim Status.

Dear Chair Rhoads, Vice Chair Keohokalole and Members of the Senate Committee on Judiciary:

On behalf of the 25 members of the Hawaii State Coalition Against Domestic Violence (HSCADV), I respectfully submit this testimony in support of SB2306.

Multiple laws have been passed with the intention of providing support for survivors related to economic justice and freedom. However, each of them has different language and requirements for victims to prove their victimization such as unemployment benefits, release from cellphone contracts, rental leases, which proves to be a barrier for those seeking services.

Victims should be able to provide the same kinds of evidence/documents to obtain benefits or access to support regardless of the benefit they are pursuing. Different requirements could result in undue delays in receiving the benefits.

The standardization of language across statutes, while a housekeeping item, will go a long way to supporting victims of domestic and sexual violence.

Thank you for the opportunity to submit testimony on this important manner.

Sincerely,

Angelina Mercado

Executive Director, Hawaii State Coalition Against Domestic Violence

**SB-2306**

Submitted on: 1/26/2020 6:27:17 PM

Testimony for JDC on 1/30/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eileen M Gawrys	Testifying for Dr.Eileen Gawrys	Support	No

Comments:

Aloha and mahalo for considering the passage of SB2306. The laws this Legislature has passed in the best interests of victims who are burdened with many challenges – existing all at once- makes the lack of uniformity for proving one’s victims status an additional burden.

This Bill is really just a housekeeping measure, to make standard the requirements needed by victims to utilize laws that were designed and passed for their well-being, healing and stabilization.

Whether it is terminating a cellphone contract, a rental lease or obtaining unemployment support, it would make infinite sense for a victim to collect and submit the same set of documents that would ease the way forward.

Please consider the simple act of making legislative changes to language in the sections included in this Bill, which will, in effect, be making changes for someone’s life. We do hope for favorable action on SB 2306.

Mahalo nui loa,

Dr. Eileen Gawrys

Board Member, Domestic Violence Action Center





To: Chair Karl Rhoads  
Vice Chair Jared Keohokalole  
Fr: Nanci Kreidman, MA,  
CEO, Domestic Violence Action Center  
Re: SB 2306; Support

Aloha. And thank you for placing this Bill on your agenda for consideration. The laws this Legislature has passed in the best interests of victims who are burdened with many challenges –existing all at once– makes the lack of uniformity for proving one's victims status an additional burden.

This Bill is really just a housekeeping measure, to make standard the requirements needed by victims to utilize laws that were designed and passed for their well-being, healing and stabilization.

Whether it is terminating a cellphone contract, a rental lease or obtaining unemployment support, it would make infinite sense for a victim to collect and submit the same set of documents that would ease the way forward.

Please consider the simple act of making legislative changes to language in the sections included in this Bill, which will, in effect, be making changes for someone's life. We do hope for favorable action on SB 2306. Thank you.

**DOMESTIC VIOLENCE ACTION CENTER**  
ADDRESS: P.O. BOX 3198, HONOLULU, HI 96801-3198  
LEGAL HELPLINE: (808) 531-3771  
TOLL-FREE NEIGHBOR ISLAND HELPLINE: (800) 690-6200  
WEBSITE: [WWW.DOMESTICVIOLENCEACTIONCENTER.ORG](http://WWW.DOMESTICVIOLENCEACTIONCENTER.ORG)  
EMAIL: [DVAC@STOPTHEVIOLENCE.ORG](mailto:DVAC@STOPTHEVIOLENCE.ORG)



**Testimony of Lisa Volpe McCabe**

**CTIA**

**In Opposition to Hawaii Senate Bill 2306**

**Before the Hawaii Senate Committee on Judiciary**

**January 28, 2019**

Chair Rhoads, Vice Chair Keohokalole, and Members of the Committee, thank you for the opportunity to provide this testimony on behalf of CTIA, the trade association for the wireless communications industry, in opposition to Senate Bill 2306. CTIA, the trade association for the wireless communications industry is concerned with Hawaii SB 2306.

The wireless industry wholeheartedly shares the goal of ensuring that victims of domestic abuse have the flexibility to modify access to phone service when they are not the account holder on a shared plan. The safety of our consumers is of the utmost importance. However, the wireless industry has operational concerns with expanding the forms of evidence of domestic violence as proposed in SB 2306. The bill requires carriers to release without charge or penalty a victim of domestic violence from a shared wireless service plan involving the victim's abuser when the victim provides certain documentation to the wireless carrier. However, the bill would place carrier representatives in a precarious position of interpreting various forms of documentation, which as proposed in SB 2306 could vary broadly from documents from criminal cases to letters from a member of the clergy. Our sales and customer service representatives are not trained to verify the authenticity of such documentation.

In other states, the wireless industry has worked with legislators to ensure victims of domestic violence who are on a shared plan with their abuser, can separate from the account and take their number with them without having to first obtain consent from the abuser, if the abuser is the account holder. Requiring a court order directing a wireless provider to transfer billing responsibility and control over the wireless numbers (and those of any minors on the plan) to the victim supersedes the need for an account holder's consent to separate the line.

We share the sponsor's goal of working to ensure the safety and well-being of victims of domestic violence. Although the bill is well-intentioned, the wireless industry urges you to not pass the legislation as drafted.



Parents And  
Children Together  
BUILDING THE RELATIONSHIPS THAT MATTER MOST

**LATE**

**TO: Chair Rhoads, Vice Chair Keohokalole, and Members of the Senate Committee on Judiciary**

**FROM:** Ryan Kusumoto, President & CEO of Parents And Children Together (PACT)

**DATE/LOCATION:** February 06, 2020; 10:00 a.m., Conference Room 016

**RE: TESTIMONY IN STRONG SUPPORT OF SB 2306– RELATING TO PROOF OF DOMESTIC OR SEXUAL VIOLENCE VICTIM STATUS**

**We ask you to support SB 2306 which makes consistent the types of documents accepted as proof of domestic or sexual violence victim status.** This bill would standardize language across statutes and eliminate undue stress caused by complicated paperwork for those seeking supporting and healing.

Domestic violence survivors not only endure the trauma of the abuse itself but also must deal with additional baggage in the wake of the drama and destruction. There is often the additional burden of legal follow up, medical and health related issues, necessity to seek new shelter, not to mention the healing process itself and the time and effort that is associated with these many tasks on top of normal day to day life. Collecting multiple documents to prove that you are a victim further adds to the list when survivors are already juggling multiple tasks and responsibilities. This bill is a simple housekeeping measure that would simplify the process and remove barriers for those who are seeking services and attempting to move forward with their lives.

Founded in 1968, Parents And Children Together (PACT) is one of Hawaii's not-for-profit organizations providing a wide array of innovative and educational social services to families in need. Assisting more than 15,000 people across the state annually, PACT helps families identify, address and successfully resolve challenges through its 18 programs. Among its services are: early education programs, domestic violence prevention and intervention programs, child abuse prevention and intervention programs, childhood sexual abuse supportive group services, child and adolescent behavioral health programs, sex trafficking intervention, and poverty prevention and community building programs.

Thank you for the opportunity to testify in **support of SB 2306**, please contact me at (808) 847-3285 or [rkusumoto@pacthawaii.org](mailto:rkusumoto@pacthawaii.org) if you have any questions.

**SB-2306**

Submitted on: 1/26/2020 11:36:21 AM

Testimony for JDC on 1/30/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Younghi Overly	Testifying for aauw of hawaii	Support	No

Comments:

**SB-2306**

Submitted on: 1/28/2020 5:55:36 PM

Testimony for JDC on 1/30/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dara Carlin, M.A.	Individual	Support	No

Comments:

**SB-2306**

Submitted on: 1/27/2020 11:09:05 AM

Testimony for JDC on 1/30/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carmen Golay	Individual	Support	No

Comments:

**SB-2306**

Submitted on: 1/26/2020 7:43:59 PM

Testimony for JDC on 1/30/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
maria Tijerina	Individual	Support	No

Comments:

I think this bill would help victims know what to expect and what's expected of them.

**LATE**

**SB-2306**

Submitted on: 1/29/2020 9:31:30 PM

Testimony for JDC on 1/30/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
MARSHA H BOLSON	Individual	Support	No

Comments:

SUPPORT for SB 2306

SB 2306 proposes to help domestic violence victims more effectively utilize laws that are designed for their well-being, healing and advancement to a safer and more stable life free from their abuser. It would be incredibly helpful to allow victims to collect and submit a standard set of documents for the many actions they must take to escape from their abusive relationship, such as terminate a cellphone contract, a rental lease, or apply for unemployment, food stamps or other forms of governmental support. Please vote in favor of SB 2306. Thank you,

Marsha H. Bolson



**LATE**

**SB-2306**

Submitted on: 1/29/2020 8:20:11 PM

Testimony for JDC on 1/30/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kara england	Individual	Support	No

Comments:

Thank you for your support!

Kara England

**LATE**

**SB-2306**

Submitted on: 1/30/2020 11:04:25 PM

Testimony for JDC on 1/30/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Caroline Kunitake	Individual	Support	No

Comments:

Please support SB2306.

Mahalo,

Caroline Kunitake

**SB-2306**

Submitted on: 2/3/2020 5:05:09 PM

Testimony for JDC on 2/6/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Laurie Field	Testifying for Planned Parenthood Votes Northwest and Hawaii	Support	No

Comments:

**SB-2306**

Submitted on: 2/3/2020 5:38:36 PM

Testimony for JDC on 2/6/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Laurie Field	Testifying for Hawaii Women's Coalition	Support	No

Comments:

**SB-2306**

Submitted on: 1/31/2020 7:32:44 AM

Testimony for JDC on 2/6/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Younghi Overly	Testifying for aauw of hawaii	Support	No

Comments:

**SB-2306**

Submitted on: 2/1/2020 10:26:07 PM

Testimony for JDC on 2/6/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Caroline Kunitake	Individual	Support	No

Comments:

Dear Chair Karl Rhoads and Members of the Committee of the Judiciary,

I am writing in support of SB2306.

This bill will standardize the Proof of Status:Victimization (DV/SV Uniformity). Currently, survivors who need benefits, support, and waivers are subject to inconsistent documentation requirements across statutes to prove victimization. This bill would allow for standardization of language and uniformity related to required documentation to establish domestic violence and sexual assault victimization so that no victim is denied support.

Please support this bill.

Mahalo,

Caroline Kunitake

**SB-2306**

Submitted on: 2/2/2020 10:43:19 PM

Testimony for JDC on 2/6/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lisa Marten	Individual	Support	No

Comments:

Please make it easier for victims of domestic violence to protect themselves by passing this Bill.

**SB-2306**

Submitted on: 2/2/2020 11:38:28 PM

Testimony for JDC on 2/6/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lea Minton	Individual	Support	No

Comments:



**SB-2306**

Submitted on: 2/2/2020 11:35:55 PM

Testimony for JDC on 2/6/2020 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Midwives Alliance of Hawaii	Testifying for Midwives Alliance of Hawaii	Support	No

Comments: