



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

ON THE FOLLOWING MEASURE:

H.B. NO. 1676, H.D. 1, RELATING TO DATA COLLECTION.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

DATE: Wednesday, February 16, 2022 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Via Videoconference

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

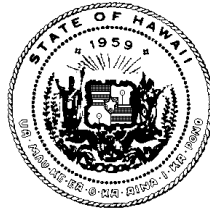
Chair Nakashima and Members of the Committee:

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.



‘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**

STRONG SUPPORT for H.B 1676 HD 1
February 15, 2022

The Hawai‘i State Commission on the Status of Women strongly supports H.B. 1676 HD1, 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 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.

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.

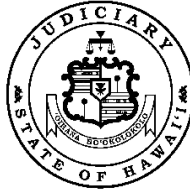
Finally, national data provides evidence that transgender individuals are nearly twice as likely to experience intimate partner violence.¹ Trans women face the additional burden of transmisogyny, which can be and is weaponized by abusive partners. This bill will create a foundation to understand and 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 HD1.

Mahalo,

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

Khara Jabola-Carolus
Executive Director



The Judiciary, State of Hawaii

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

House Committee on Judiciary & Hawaiian Affairs

Representative Mark M. Nakashima, Chair

Representative Scot Z. Matayoshi, Vice Chair

Wednesday, February 16, 2022, 2:00 P.M.

Via Videoconference

by

Rodney A. Maile

Administrative Director of the Courts

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 1676, H.D.1, 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, if disclosed. Requires that sexual orientation and gender identity information collected under this measure remain confidential and be used strictly for statistical research and data analysis purposes. Effective 7/1/3000.

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.



LATE

HB1676 Sexual Orientation and Gender Identity for Offenders

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. Mark M. Nakashima, Chair

Rep. Scot Z. Matayoshi, Vice Chair

Wednesday, Feb 16 2022: 2:00 pm : 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 recommend assessment tools that mitigates any potential biases.

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

HB-1676-HD-1

Submitted on: 2/14/2022 9:16:40 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

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

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi and Members of the JHA Committee:

I strongly support HB1676 HD1, 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-HD-1

Submitted on: 2/15/2022 7:53:25 AM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kunane Dreier	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi and Members of the JHA Committee:

I strongly support HB1676 HD1, 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.

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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.

HB-1676-HD-1

Submitted on: 2/15/2022 8:01:11 AM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Breanna Zoey	Individual	Support	No

Comments:

Greetings Chair Nakashima, Vice Chair Matayoshi and Members of the JHA Committee.

My name is Breanna Zoey, my pronouns are she/her, and I strongly support HB1676 HD1, which requires the collection of sexual and gender minority data for people being processed for crimes. As a transgender non-binary individual myself, I understand the importance of implementing this legislation's intent.

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.

- Breanna Zoey, she/her

HB-1676-HD-1

Submitted on: 2/15/2022 8:20:16 AM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Linda Kim	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi and Members of the JHA Committee:

I strongly support HB1676 HD1, 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.

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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.

As the APRN at the Hale Ho'omaluu Juvenile Detention Center, I see first hand the necessity of providing appropriate care and services to the LGBTQ population. Part of that care is validating them in being their authentic selves. Having data is critical to making appropriate care decisions for this population.

Thank you for your consideration.

HB-1676-HD-1

Submitted on: 2/15/2022 9:01:10 AM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Anika Martin	Individual	Support	Yes

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and Members of the IHA Committee,

I am in strong support of HB1676 HD1, which requires the collection of sexual and gender minority data for people being processed for crimes.

The passing of this bill would allow for standardized data collection on gender across the State. At this time, the Honolulu Police Department and Maui Police Department offer male and female categories for sex/gender, whereas, Kauai and Hawaii County collect male, female, and transgender people. As a result, we are unable to compare data sets between counties.

Furthermore, the lack of representation, even amongst those processed with crimes, create this image that the transgender and non-binary communities do not exist.

Please consider passing this bill in hopes of acknowledging our transgender and non-binary communities. Thank you for your consideration.

HB-1676-HD-1

Submitted on: 2/15/2022 10:06:54 AM

Testimony for JHA on 2/16/2022 2:00:00 PM

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

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi and Members of the JHA Committee:

I strongly support HB1676 HD1, 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.

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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.

Maddalynn Seseapasara

LATE

HB-1676-HD-1

Submitted on: 2/15/2022 4:34:39 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Shalani Placencia	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi and Members of the JHA Committee:

I strongly support HB 1676 HD1, 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.

Shalani Placencia

LATE

HB-1676-HD-1

Submitted on: 2/16/2022 12:53:00 PM

Testimony for JHA on 2/16/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Michael EKM Olderr	Individual	Support	No

Comments:

People of all different minds and souls should be allowed to acknowledged, especially in the name of reaching justice.