



SB 580, HD1, RELATING TO VICTIM-COUNSELOR PRIVILEGE

MARCH 30, 2023 · SENATE JUDICIARY COMMITTEE
· CHAIR SEN. KARL RHOADS

POSITION: Support.

RATIONALE: Imua Alliance supports HB 580, HD1, relating to victim-counselor privilege, which expands the victim-counselor privilege under the Hawai'i Rules of Evidence to include confidential advocates employed by the University of Hawai'i and increases the minimum number of hours of training a domestic violence victims' counselor must complete to be considered a victim counselor.

According to the Rape, Abuse and Incest National Network, the nation's largest anti-sexual violence organization, 11.2 percent of all college students experience rape or sexual assault through physical force, violence, or incapacitation. Among undergraduate students, 23.1 percent of females experience rape or sexual assault through physical force, violence, or incapacitation. This issue is not specific to women, either. Male college-aged students (18-24) are 78 percent more likely than non-students of the same age to be a victim of rape or sexual assault. Sexual violence is pervasive on college campuses in Hawai'i. According to UH's most recent climate survey, conducted in 2021:

- Approximately 35 percent of students at the University of Hawai'i feel that the issues of sexual assault and sexual harassment are extremely, very, or somewhat problematic.
- 9.2 percent of students at the University of Hawai'i experienced sexual harassment while at the university according to the 2021 campus climate survey.

- 18.5 percent of students at the University of Hawai'i experienced dating or domestic violence while at the university according to the 2021 campus climate survey.
- 6 percent of students at the University of Hawai'i experienced nonconsensual sexual contact while at the university according to the 2019 campus climate survey, an increase of 14 percent since 2017.
- 100 percent of students experiencing sexual harassment reported negative consequences from the incidents, such as emotional trauma and adverse academic impacts.

To provide UH students with the strongest possible protections from sexual and gender violence, we should ensure that confidential advocates have the legal privilege that is necessary to sustain confidential communication with survivors. If survivors can trust that an advocate to whom they report incidents of trauma will not be compelled to initiate disciplinary or legal proceedings, then they will be far more likely to seek the support they need to heal and, ultimately, if they choose, pursue a formal claim about the harm they have endured.

Kris Coffield · Executive Director, Imua Alliance · (808) 679-7454 · kris@imuaalliance.org



Academic Labor United

academiclaborunited.org

Testimony from Academic Labor United

Attention: Senate Judiciary Committee
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Re: Strong Support of HB580 Relating to Victim-Counselor Privilege

Mahalo for the opportunity to submit testimony on this measure, Academic Labor United stands in strong support for HB580. Academic Labor United is committed to the creation of a safe working and learning environment for all at the University of Hawai‘i at Mānoa and we firmly agree that HB580 is crucial to that goal. College campuses are hot spots for sexual assault, harassment and abuse, whether it is against students, against our members, or other employees. HB580 takes the correct steps to help support survivors of this abuse and to protect them. UH Mānoa has unfortunately seen a concerning trend in the rates of sexual harassment and abuse on campus and our Graduate Workers are no stranger to it. The university’s own studies have found that Graduate workers experience harassment at an incredibly high rate, especially from their own bosses. HB580 is a step in the right direction to help end this alarming trend and to create a university that promotes safe education and truly allows us to educate the next generation of Hawai‘i. We respectfully ask that you pass HB580 and create the change needed to improve the university for all.

Respectfully Submitted,

Kawena‘ulaokalā Kapahua
Academic Labor United



COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

March 30, 2023

Aloha Chair Karl Rhoads, Vice Chair Mike Gabbard and honorable members of the Judiciary committee,

My name is Ryan Coughlin and I am a student at the University of Hawai'i at Hilo. I appreciate the opportunity to testify in SUPPORT of SB236 Relating to Victim-Counselor Privilege to include University of Hawai'i Confidential Advocates in having legal victim-counselor privilege as well as equal training requirements to other victims' advocates in Hawai'i. I was extremely shocked and disgusted to learn that victim-Counselor Privilege does not extend to the courtroom. Before I learned of this fact, I was under the impression that Victim-Counselor Privilege is there to provide Sexual Assault victims with a safe and confidential outlet to discuss their experiences. However, I believe that by forcing confidential advocates to disclose the information of victims when dealing with legal prosecution defeats the purpose of having a confidential advocate to begin with. To be straightforward, based on the definition of a Confidential Advocate, I believe that the term should be redefined to properly represent what it entails, therefore the term Confidential Advocate would transform into Confidential Advocate to a degree.

Being a Sexual Assault victim is already unfathomably traumatic, but when a victim goes to a Confidential Advocate and expects total confidentiality and instead is met with confidentiality to a degree the psychological impact that comes with this can be extremely detrimental to the victim's mental health. In addition, the fact that Confidential Advocates are not fully confidential plays a direct role in the very little amount of Sexual Assault victims that report their experiences to these advocates. So when asked the question "Why do an extremely low percentage of women report Sexual Assaults in a college setting?" It can be concluded that women do not want to report their traumatic experiences to a Confidential Advocate who is not fully confidential. To conclude, I strongly believe Confidential Advocates should be confidential when pertaining to legal prosecutions, as a result, a larger percentage of women would report their traumatic experiences which would better the victims as a whole when dealing with the plague that is Sexual Assault.

Mahalo for your dedication to equity in education and the health of our campus communities in Hawai'i.

Signed,



Ryan Coughlin



March 29, 2023

Dear Chair Rhoads, Vice Chair Gabbard and honorable members of the committee,

My name is Jessie and I am a student at the University of Hawai'i Hilo. I appreciate the opportunity to testify in SUPPORT of HB580 Relating to Victim-Counselor Privilege to include University of Hawai'i Confidential Advocates in having legal victim-counselor privilege as well as equal training requirements to other victims' advocates in Hawai'i.

Not providing survivors with confidential resources greatly reduces the chance that they will use the resources. Survivors should not have to worry about the circumstances under which their attack happened, or have to consider repercussions. They should be able to feel safe and protected by the programs in place and the people they are talking to. Anything else takes away from the crime at hand, causing further trauma to the survivor, and distracts from getting them justice.

The purpose of the University of Hawai'i Confidential Advocates is to open doors and clarify options for students in the process of navigating college after experiencing sexual violence. However, a Confidential Advocate without victim-counselor privilege is misleading to students and poses serious risks for survivors disclosing sensitive information. Please pass SB236 to ensure students can access truly confidential resources on campus.

Mahalo for your dedication to equity in education and the health of our campus communities in Hawai'i.

Mahalo,
Jessie Gunderman



To: Senate Committee on Judiciary

Hearing Date/Time: Thursday, March 30, 2023, 9:35 AM

Re: Testimony in SUPPORT of HB580 HD1

Dear Chair Rhoads, Vice Chair Gabbard, and the Members of Committee,

Members of Hawaii State Democratic Women's Caucus thank you for this opportunity to testify in support of HB580 HD1, which would ensure that Confidential Advocates at the University of Hawaii have victim-counselor privileges as well as the minimum number of hours of training required for other victims' advocates in Hawaii.

Most students experiencing domestic violence or sexual assault, 5 out of 6 in case of University of Hawaii, did not use campus resources. One in five victims at the University of Hawaii did not report because they feared their experiences would not be kept confidential.

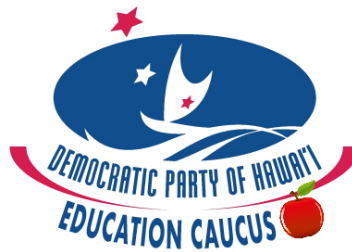
HB580 HD1 would protect the privacy of student survivors and build students' trust in University of Hawaii's resources.

Please support the students by passing HB580 HD1. Thank you for your consideration.

Sincerely,

Members of Hawaii State Democratic Women's Caucus

The Hawai'i State Democratic Women's Caucus is a catalyst for progressive, social, economic, and political change through action on critical issues facing Hawai'i's women and girls.



HOUSE BILL 580, HD1, RELATING TO VICTIM-COUNSELOR PRIVILEGE

MARCH 30, 2023 · SENATE JUDICIARY COMMITTEE
· CHAIR SEN. KARL RHOADS

POSITION: Support.

RATIONALE: The Democratic Party of Hawai'i Education Caucus supports HB 580, HD1, relating to victim-counselor privilege, which expands the victim-counselor privilege under the Hawai'i Rules of Evidence to include confidential advocates employed by the University of Hawai'i and increases the minimum number of hours of training a domestic violence victims' counselor must complete to be considered a victim counselor.

According to the Rape, Abuse and Incest National Network, the nation's largest anti-sexual violence organization, 11.2 percent of all college students experience rape or sexual assault through physical force, violence, or incapacitation. Among undergraduate students, 23.1 percent of females experience rape or sexual assault through physical force, violence, or incapacitation. This issue is not specific to women, either. Male college-aged students (18-24) are 78 percent more likely than non-students of the same age to be a victim of rape or sexual assault. Sexual violence is pervasive on college campuses in Hawai'i. According to UH's most recent climate survey, conducted in 2021:

- Approximately 35 percent of students at the University of Hawai'i feel that the issues of sexual assault and sexual harassment are extremely, very, or somewhat problematic.

- 9.2 percent of students at the University of Hawai'i experienced sexual harassment while at the university according to the 2021 campus climate survey.
- 18.5 percent of students at the University of Hawai'i experienced dating or domestic violence while at the university according to the 2021 campus climate survey.
- 6 percent of students at the University of Hawai'i experienced nonconsensual sexual contact while at the university according to the 2019 campus climate survey, an increase of 14 percent since 2017.
- 100 percent of students experiencing sexual harassment reported negative consequences from the incidents, such as emotional trauma and adverse academic impacts.

To provide UH students with the strongest possible protections from sexual and gender violence, we should ensure that confidential advocates have the legal privilege that is necessary to sustain confidential communication with survivors. If survivors can trust that an advocate to whom they report incidents of trauma will not be compelled to initiate disciplinary or legal proceedings, then they will be far more likely to seek the support they need to heal and, ultimately, if they choose, pursue a formal claim about the harm they have endured.

Kris Coffield · Chairperson, DPH Education Caucus · (808) 679-7454 · kriscoffield@gmail.com



To: Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Committee on Judiciary

From: Lynn Costales Matsuoka, Executive Director
The Sex Abuse Treatment Center,
A Program of Kapi'olani Medical Center for Women and Children

Re: Victim Counselor Privilege, HB 580

Date: March 27, 2023

Good morning, Chair Karl Rhoads and Vice Chair Mike Gabbard and members on the Committee on Judiciary.

The Sex Abuse Treatment Center (SATC) is in support of HB 580, Relating to Victim-Counselor Privilege. This bill would expand the Victim-Counselor Privilege under the Hawai'i Rules of Evidence Rule 505.5 to include confidential advocates employed by the University of Hawaii.

The Victim-Counselor Privilege has been effective in protecting trauma victims as it provides privilege status to their confidential communications. Survivors of sexual assault often face extreme difficulty and fear when disclosing their experience. The relationship between a counselor and a survivor is critical and requires trust and safety. The Victim-Counselor Privilege promotes this, and as a result, plays a big role in the survivor's recovery process.

Mandating confidential advocates to undergo a minimum of 35 hours of training, ensures they will have the knowledge, and skill to provide quality services to victims and align the confidential advocate with other victim counselors provided by this rule.

The SATC supports this measure as it will protect the confidentiality of sexual assault survivors accessing care within the University of Hawai'i system.

Thank you for the opportunity to provide testimony in support of HB 580.



March 30, 2023

Members of the Senate Committee on Judiciary:

Chair Karl Rhoads
Vice Chair Mike Gabbard
Sen. Brandon J.C. Elefante
Sen. Joy A. San Buenaventura
Sen. Brenton Awa

Re: HB580 HD1 Relating to Victim-Counselor Privilege

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

The Hawai'i State Coalition Against Domestic Violence (HSCADV) addresses the social, political, and economic impacts of domestic violence on individuals, families, and communities. We are a statewide partnership of domestic violence programs and shelters.

On behalf of HSCADV and our 28 member programs statewide, I respectfully submit testimony in **strong support of HB580 HD1**. This bill expands the victim-counselor privilege under Rule 505.5 of the Hawai'i Rules of Evidence to include confidential advocates employed by the University of Hawai'i and increases the training requirements for domestic violence advocates from 25 hours to 35 hours.

Survivors within the University of Hawai'i system, whether they are students or employees, should be afforded the same confidentiality protections as they would receive from community advocates and other service providers. This measure would enable more students and employees to be willing to disclose their victimization and in doing so, the opportunity to receive critical services such as safety planning. Currently, there are gaps in confidentiality and for many survivors in higher education, it can dissuade them from seeking the appropriate assistance, access to justice, and resources to heal from their trauma.

Increasing the minimum number of hours of training a domestic violence advocate from 25 to 35 would better prepare them to work with survivors of domestic violence in a trauma-informed and survivor-centered manner. This requirement is overdue for an update - Hawai'i has one of the lowest training requirements in the nation, with most states requiring an average of 35 hours.

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

Sincerely,
Angelina Mercado, Executive Director



To: Senate Committee on Judiciary

Date: March 30, 2023

Location: Hawai'i State Capitol, Room 016

Re: Testimony in support of HB580 HD1

Dear Chair Rhoads, Vice Chair Gabbard, and honorable members of the Committee,

My name is Anna Ezzy and I am the co-State Director of the Every Voice Coalition, a student-led organization working to end sexual violence on college campuses. I am honored to have the opportunity to submit testimony in **support of the totality of HB580 HD1: Relating to Victim-Counselor Privilege**. Passing HB580 HD1 is crucial to sustaining trust between Confidential Advocates and the campus communities they serve by ensuring Advocates are truly confidential.

Confidentiality is a substantial barrier for victims to access help after experiencing sexual violence; in 2021, one in five victims at the University of Hawai'i shared that they did not report their experiences because they feared it would not be kept confidential (2021 UH Campus Climate Survey). Campus survivors often do not have the information they need to make informed decisions that will impact their educational, personal, and professional trajectories, and almost 50% of sexual violence survivors at UH in 2021 reported negative academic and/or professional consequences, a significant increase from 2019.

Confidential Advocates fill a crucial role on University of Hawai'i campuses as a safe place for students to learn their options for support, both on campus and off campus. However, a Confidential Advocate without confidentiality privilege is misleading to students, poses additional risks for survivors, and increases institutional distrust. As a single person on campus that has access to the experiences of survivors, confidential advocates are holders of sensitive information. No victim should be barred from accessing a Confidential Advocate because they fear losing control over their story by having it shared without their consent.

Thank you for the opportunity to submit testimony in support of HB580 HD1 and mahalo for all you do to support the health and safety of Hawai'i's students.

Sincerely,

A handwritten signature in cursive script that reads 'Anna Nalani Ezzy'.

Anna Nalani Ezzy

State Director

Every Voice Coalition Hawai'i



To: Senate Committee on Judiciary
Hearing Date/Time: March 30, 2023 at 9:35AM
Place: Hawai'i State Capitol, Room 016
Re: Testimony in STRONG SUPPORT of HB580 HD1

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

Members of AAUW of Hawaii thank you for this opportunity to testify in strong support of HB580 HD1 which would ensure that Confidential Advocates at the University of Hawai'i have victim-counselor privilege as well as equal training requirements to other victims-advocates in Hawai'i. These actions are needed to protect the privacy of student survivors and build campus community trust in University of Hawai'i's supportive resources.

AAUW research shows that nearly two-thirds of college students nationally experience some type of sexual harassment. The repercussions of campus violence are serious: the 2021 Campus Climate Survey of the University of Hawai'i showed 46% of students reported negative academic or professional consequences after experiencing gender violence, a significant increase in percentage from 2019. Yet 5 out of 6 of students experiencing gender violence did not access campus resources post-incident. Confidentiality is a substantial barrier to getting help: one in five victims at the University of Hawai'i shared that they did not report their experiences because they feared it would not be kept confidential.

The purpose of a Confidential Advocate is extremely important, as they open doors and clarify options for students in the process of navigating college after experiencing sexual violence. HB580 HD1 is a crucial measure to guarantee true confidentiality for advocates who have access to sensitive information about the experiences of survivors. Without privilege, confidential advocates could serve as an easily accessible repository for defendants who want to devalue the perspective of a survivor by accessing this information through legal means. No victim should have to avoid accessing a Confidential Advocate for fears of confidentiality. Now is the time more than ever to act and support students by passing HB580 HD1.

The American Association of University Women (AAUW) of Hawaii is an all volunteer, statewide chapter of a national organization and is made up of six branches: Hilo, Honolulu, Kaua'i, Kona, Maui, and Windward O'ahu. UH Hilo, UH Mānoa, UH Maui College, and Windward Community College are also AAUW partners. AAUW's mission is to advance gender equity for equal opportunities in education, at workplace and for economic security, and in leadership.

with Aloha,
Public Policy Committee, AAUW of Hawaii
publicpolicy-hi@auw.net



February 10, 2023

Dear Chair Roads, Vice-Chair Gabbard, and honorable members of the Senate Committee on Judiciary,

My name is Kealani B. and I am a student at the University of Hawai'i Hilo and a member of Every Voice Coalition Hawaii. I appreciate the opportunity to testify in SUPPORT of HB580 Relating to Victim-Counselor Privilege to include University of Hawai'i Confidential Advocates in having legal victim-counselor privilege as well as equal training requirements to other victims' advocates in Hawai'i.

I have had personal experiences regarding my safety that have kept me from doing well in class. This was due to the stress that came from the interactions I had with a student that made me feel unsafe. As well as feeling like I was on my own in dealing with the situation, avoiding conflict, and a fear of speaking out. My experience was minor compared to many stories that I have heard from fellow student friends of all genders. Most of the stories I have heard were incidents that either never got reported or had negative consequences for the victim.

The purpose of the University of Hawai'i Confidential Advocates is to open doors and clarify options for students in the process of navigating college after experiencing sexual violence. However, a Confidential Advocate without victim-counselor privilege is misleading to students and poses serious risks for survivors disclosing sensitive information. Please pass HB580 to ensure students can access truly confidential resources on campus.

Mahalo for your dedication to equity in education and the health of our campus communities in Hawai'i.

Signed,
Kealani B.

HB-580-HD-1

Submitted on: 3/25/2023 11:52:06 PM

Testimony for JDC on 3/30/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Cards Pintor	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support this bill.

Mahalo nui,

Cards Pintor

HB-580-HD-1

Submitted on: 3/27/2023 3:52:32 PM

Testimony for JDC on 3/30/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Hannah Rozendo	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Hannah and I am a student at the University of Hawai'i Hilo. I appreciate the opportunity to testify in SUPPORT of HB580 Relating to Victim-Counselor Privilege to include University of Hawai'i Confidential Advocates in having legal victim-counselor privilege as well as equal training requirements to other victims' advocates in Hawai'i.

I'm grateful to not have the experience of a sexual assault victim, however I do experience sexual harrassment and sexism on a regular basis, like all women. Unfortunately many of my close friends are victims and survivors and I believe access to a confidential resource such as this would have made a significantly better experience for them in the wake of the assault. A victim's access to immediate resources are essential to the healing process, and especially in the early stages of grief and recovery, confidentiality is necessary to confer that that space is safe.

The purpose of the University of Hawai'i Confidential Advocates is to open doors and clarify options for students in the process of navigating college after experiencing sexual violence. However, a Confidential Advocate without victim-counselor privilege is misleading to students and poses serious risks for survivors disclosing sensitive information. Please pass HB580 to ensure students can access truly confidential resources on campus.

Mahalo for your dedication to equity in education and the health of our campus communities in Hawai'i.

Signed,

Hannah

HB-580-HD-1

Submitted on: 3/27/2023 4:19:57 PM

Testimony for JDC on 3/30/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Dara Carlin, M.A.	Individual	Support	Written Testimony Only

Comments:

Stand in Support

HB-580-HD-1

Submitted on: 3/28/2023 11:17:14 AM

Testimony for JDC on 3/30/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Sarah Armstrong	Individual	Support	Written Testimony Only

Comments:

Aloha,

I'm Sarah Armstrong and I am a medical student at John A. Burns School of Medicine at the University of Hawai'i. I appreciate the opportunity to testify in SUPPORT of HB580 Relating to Victim-Counselor Privilege to include University of Hawai'i Confidential Advocates in having legal victim-counselor privilege as well as equal training requirements to other victims' advocates in Hawai'i.

The purpose of the University of Hawai'i Confidential Advocates is to open doors and clarify options for students in the process of navigating college after experiencing sexual violence. However, a Confidential Advocate without victim-counselor privilege is misleading to students and poses serious risks for survivors disclosing sensitive information. Please pass HB580 to ensure students can access truly confidential resources on campus.

Mahalo for your dedication to equity in education and the health of our campus communities in Hawai'i.

**Sincerely,
Sarah Armstrong**

HB-580-HD-1

Submitted on: 3/28/2023 7:01:51 PM

Testimony for JDC on 3/30/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Ioanna Gotschall	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Ioanna Gotschall and I am a student at the University of Hawai‘i campus. I appreciate the opportunity to testify in SUPPORT of HB580 Relating to Victim-Counselor Privilege to include University of Hawai‘i Confidential Advocates in having legal victim-counselor privilege as well as equal training requirements to other victims’ advocates in Hawai‘i. As a survivor of sexual assault, I can testify that confidential resources are essential to coping with the trauma.

The purpose of the University of Hawai‘i Confidential Advocates to open doors and clarify options for students in the process of navigating college after experiencing sexual violence. However, a Confidential Advocate without victim-counselor privilege is misleading to students and poses serious risks for survivors disclosing sensitive information. Please pass SB236 to ensure students can access truly confidential resources on campus.

Mahalo for your dedication to equity in education and the health of our campus communities in Hawai‘i.

Signed,

Ioanna Gotschall.

HB-580-HD-1

Submitted on: 3/28/2023 4:12:14 PM

Testimony for JDC on 3/30/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Olivia Jarvis	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Olivia Jarvis and I am a student at the University of Hawai'i at Hilo. I appreciate the opportunity to testify in SUPPORT of HB580 Relating to Victim-Counselor Privilege to include University of Hawai'i Confidential Advocates in having legal victim-counselor privilege as well as equal training requirements to other victims' advocates in Hawai'i.

The purpose of the University of Hawai'i Confidential Advocates is to open doors and clarify options for students in the process of navigating college after experiencing sexual violence. However, a Confidential Advocate without victim-counselor privilege is misleading to students and poses serious risks for survivors disclosing sensitive information. Please pass HB580 to ensure students can access truly confidential resources on campus.

Mahalo for your dedication to equity in education and the health of our campus communities in Hawai'i.

Signed,

Olivia Jarvis



March 16, 2023

Dear Chair Rhoads and Vice Chair Gabbard and honorable members of the Senate Committee on Judiciary,

My name is Gwynne Long and I am a student at the University of Hawai'i Hilo. I appreciate the opportunity to testify in SUPPORT of HB580 HD1 Relating to Victim-Counselor Privilege to include University of Hawai'i Confidential Advocates in having legal victim-counselor privilege as well as equal training requirements to other victims' advocates in Hawai'i.

Students who have been assaulted have been physically or emotionally exposed to somebody without their consent, why should they be exposed again by somebody they confide in? Knowing that you have a trained professional to lean on, without the potential risk of them going to court to testify is a small ask for somebody who has gone through a great deal of emotional turmoil. Providing confidential advocates on campus will allow survivors to have a safe space where they can begin or continue their healing process. Too many survivors refuse to seek help, because they are fearful that their own words and expression of feelings will then be used against them in court. We now have the opportunity to change that by giving survivors a safe space where they can freely express their trauma in a comfortable, secure, and confidential environment. This is a resource that can be utilized to protect survivors and keep them safe, because harboring their trauma can only lead to greater risk, including but not limited to detrimental impacts to their mental health.

The purpose of the University of Hawai'i Confidential Advocates is to open doors and clarify options for students in the process of navigating college after experiencing sexual violence. However, a Confidential Advocate without victim-counselor privilege is misleading to students and poses serious risks for survivors disclosing sensitive information. Please pass HB580 HD1 to ensure students can access truly confidential resources on campus.

Mahalo for your dedication to equity in education and the health of our campus communities in Hawai'i.

Signed,
Gwynne Long

HB-580-HD-1

Submitted on: 3/29/2023 8:48:11 AM

Testimony for JDC on 3/30/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Tanya Philip	Individual	Support	Written Testimony Only

Comments:

I respectfully submit testimony in **strong support of HB580 HD1**. This bill expands the victim-counselor privilege under Rule 505.5 of the Hawai'i Rules of Evidence to include confidential advocates employed by the University of Hawai'i, and increases the training requirements for domestic violence advocates from 25 hours to 35 hours.

Survivors within the University of Hawai'i system, whether they are students or employees, should be afforded the same confidentiality protections as they would receive from community advocates and other service providers. This measure would enable more students and employees to be willing to disclose their victimization and in doing so, the opportunity to receive critical services such as safety planning. Currently, there are gaps in confidentiality and for many survivors in higher education, it can dissuade them from seeking the appropriate assistance, access to justice and resources to heal from their trauma.

Increasing the minimum number of hours of training a domestic violence advocate from 25 to 35 would better prepare them to work with survivors of domestic violence in a trauma-informed and survivor-centered manner. This requirement is overdue for an update - Hawai'i has one of the lowest training requirements in the nation, with most states requiring an average of 35 hours.

HB-580-HD-1

Submitted on: 3/29/2023 8:55:42 AM

Testimony for JDC on 3/30/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Emma Stierhoff	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and members of the committee,

My name is Emma Stierhoff, and I am a graduate student at the University of Hawai'i in Hilo. I am writing to express my SUPPORT for HB580 HD1, which will include UH Confidential Advocates in having legal victim-counselor privilege and require equal training for other victims' advocates in Hawai'i. This will protect students by ensuring that "confidential resources" are truly confidential.

When working through the trauma of sexual assault, it is crucial that survivors are protected and given the resources necessary to heal. I have seen friends who are survivors of assault not receive the confidential resources that were due to them, and witnessed the severe negative impact this had on their mental health as they no longer felt safe on campus. One friend in particular was verbally harassed by her assaulter and his friends after reporting an assault. This bill would enhance the resources available, and clarify the options available to students who have experienced sexual violence, while also protecting students when they need to disclose sensitive information.

Hence, I urge you to pass HB580 to ensure that survivors of sexual assault can receive the necessary confidential resources that will help them heal. Mahalo for the opportunity to testify, and for your dedication to the health and safety of our campus communities in Hawai'i.

Sincerely,

Emma Stierhoff

HB-580-HD-1

Submitted on: 3/29/2023 8:59:29 AM

Testimony for JDC on 3/30/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Dr. Faith Joyner	Individual	Support	Written Testimony Only

Comments:

I respectfully submit testimony in strong support of HB580 HD1. This bill expands the victim-counselor privilege under Rule 505.5 of the Hawai'i Rules of Evidence to include confidential advocates employed by the University of Hawai'i, and increases the training requirements for domestic violence advocates from 25 hours to 35 hours.

Survivors within the University of Hawai'i system, whether they are students or employees, should be afforded the same confidentiality protections as they would receive from community advocates and other service providers. This measure would enable more students and employees to be willing to disclose their victimization and in doing so, the opportunity to receive critical services such as safety planning. Currently, there are gaps in confidentiality and for many survivors in higher education, it can dissuade them from seeking the appropriate assistance, access to justice and resources to heal from their trauma.

Increasing the minimum number of hours of training a domestic violence advocate from 25 to 35 would better prepare them to work with survivors of domestic violence in a trauma-informed and survivor-centered manner. This requirement is overdue for an update - Hawai'i has one of the lowest training requirements in the nation, with most states requiring an average of 35 hours.

HB-580-HD-1

Submitted on: 3/29/2023 9:21:39 AM

Testimony for JDC on 3/30/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Lorraine Waianuhea	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Lorraine Waianuhea and I am a PhD student at the University of Hawai‘i at Mānoa. I appreciate the opportunity to testify in SUPPORT of HB580 Relating to Victim-Counselor Privilege to include University of Hawai‘i Confidential Advocates in having legal victim-counselor privilege as well as equal training requirements to other victims’ advocates in Hawai‘i.

The purpose of the University of Hawai‘i Confidential Advocates is to open doors and clarify options for students in the process of navigating college after experiencing sexual violence. However, a Confidential Advocate without victim-counselor privilege is misleading to students and poses serious risks for survivors disclosing sensitive information. Please pass HB580 to ensure students can access truly confidential resources on campus.

Mahalo for your dedication to equity in education and the health of our campus communities in Hawai‘i.

Signed,

Lorraine Waianuhea

HB-580-HD-1

Submitted on: 3/29/2023 10:50:04 AM

Testimony for JDC on 3/30/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Clemens Mayer	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Clemens Mayer and I am a PhD Student at the University of Hawai‘i Mānoa. I appreciate the opportunity to testify in SUPPORT of HB580 Relating to Victim-Counselor Privilege to include University of Hawai‘i Confidential Advocates in having legal victim-counselor privilege as well as equal training requirements to other victims’ advocates in Hawai‘i.

The purpose of the University of Hawai‘i Confidential Advocates is to open doors and clarify options for students in the process of navigating college after experiencing sexual violence. However, a Confidential Advocate without victim-counselor privilege is misleading to students and poses serious risks for survivors disclosing sensitive information. Please pass HB580 to ensure students can access truly confidential resources on campus.

Mahalo for your dedication to equity in education and the health of our campus communities in Hawai‘i.

Signed,

Clemens Mayer

HB-580-HD-1

Submitted on: 3/29/2023 6:30:46 PM

Testimony for JDC on 3/30/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Deanna Espinas	Individual	Support	Written Testimony Only

Comments:

Please support this bill.