STAND. COM. REP. NO. 2198

Honolulu, Hawaii

FEB 1 2 2008

RE: S.B. No. 2458

S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

## Madam:

Your Committee on Economic Development and Taxation, to which was referred S.B. No. 2458 entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL IMPERSONATION,"

begs leave to report as follows:

The purpose of this measure is to establish the offense of criminal impersonation, making it a petty misdemeanor to impersonate another person and place the person at risk of bodily injury.

Testimony in support of this measure was received from the Hawaii State Coalition Against Domestic Violence and Marvin S.C. Dang, LLLC.

In testimony before this Committee, members have heard that since April 2007, a number of Hawaii attorneys received thousands of e-mails from an anonymous sender. The e-mails contain false, derogatory, and defamatory messages about specific attorneys and law offices, as well as politicians, and others. These e-mails were also being sent to people outside the legal community and falsely identified as coming from a specific attorney.

Your Committee finds that this measure will help to deter the use of e-mails to defame, harass, and intimidate people, but that that the petty misdemeanor penalty may be too lenient. Your Committee further finds the classification of this offense as a class C felony is appropriate given that the actions of a perpetrator are so disruptive.

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Your Committee has amended this measure accordingly to make criminal impersonation a class C felony.

As affirmed by the record of votes of the members of your Committee on Economic Development and Taxation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2458, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2458, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on behalf of the members of the Committee on Economic Development and Taxation,

CAROL FUKUNAGA, Chair

## The Senate Twenty-Fourth Legislature State of Hawaii

## Record of Votes Committee on Economic Development and Taxation EDT

Bill / Resolution No.:*	Committee Referral:			Date:		
5B 2458	EDT, JDL				2/7	109
The committee is reconsidering its previous decision on this measure.						
If so, then the previous decision was to:						
The Recommendation is:						
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313						
Members		Aye	Aye (Wi	R)	Nay	Excused
FUKUNAGA, Carol (C)						
ESPERO, Will (VC)						
BAKER, Rosalyn H.						
ENGLISH, J. Kalani			2			
IGE, David Y.						
SLOM, Sam				700 (HTSP   100 (HS)		
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TOTAL		5				1
Recommendation:  Adopted 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