STAND. COM. REP. NO. 963

Honolulu, Hawaii

## MAR 2 5 2009

RE: H.B. No. 615

H.D. 1 S.D. 1

Honorable Colleen Hanabusa President of the Senate Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Madam:

Your Committee on Economic Development and Technology, to which was referred H.B. No. 615, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HARASSMENT,"

begs leave to report as follows:

The purpose of this measure is to prevent individuals from being harassed by those using innovative forms of technology by extending the offense of harassment to include any form of digital communication.

Testimony in support of this measure was submitted by the Hawaii State Coalition Against Domestic Violence and Law Offices of Marvin S.C. Dang, LLLC. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that harassing or insulting electronic communications are a form of harassment that can be just as severe or punishing as other verbal communications or offensive contacts. Your Committee also finds that including nonconsensual or harassing electronic communications, including email communications, in the criminal offense of harassment by stalking will provide a means for those victims that are targeted to seek justice.

Your Committee has amended this measure by adding an amendment to section 711-1106.5(3), Hawaii Revised Statutes, to include the ability to make a nonconsensual contact through any

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form of electronic communication in the offense of harassment by stalking.

As affirmed by the record of votes of the members of your Committee on Economic Development and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 615, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 615, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

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

CAROL FUKUNAGA, Chair

## The Senate Twenty-Fifth Legislature State of Hawaii

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

Bill / Resolution No.:* HB 615, H01	Committee F		Da	te: 3 -16 -	09
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 (WR)	Nay	Excused
FUKUNAGA, Carol (C)					
BAKER, Rosalyn H. (VC)		- W			
HEE, Clayton		V	****		
IGE, David Y.		V			
SLOM, Sam	weeksaandood liikkid oo laa na ee an oo dig				· ·
TOTAL		_ Y	_	_	
Recommendation:  Adopted Not Adopted					
Chair's or Designee's Signature:  Assoly H Bal					
Distribution:         Original         Yellow         Pink         Goldenrod           File with Committee Report         Clerk's Office         Drafting Agency         Committee File Copy					

\*Only one measure per Record of Votes