HAWAII
STATE
COMMISSION
ON THE
STATUS
OF
WOMEN

Chair
LESLIE WILKINS

COMMISSIONERS:

SHERRY CAMPAGNA
CYD HOFFELD
JUDY KERN
MARILYN LEE
AMY MONK
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Executive Director
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February 11, 2016

To: Representative Dee Morikawa, Chair
Representative Bertrand Kobayashi, Vice Chair
Members of the House Committee on Human Services

From: Cathy Betts
Executive Director, Hawaii State Commission on the Status of Women

Re: Testimony in Support, HB 1900, Relating to Address Confidentiality

Thank you for this opportunity to testify in strong support of HB 1900, which would establish an address confidentiality program for victims of domestic violence, sexual assault, and stalking. HB 1900 would assist victims by allowing them to use a substitute legal address to in place of their physical address. Additionally, HB 1900 would provide for a mail forwarding system for program participants, so that perpetrators of violence against women would not be able to seek out and find victims' physical addresses.

More than 30 other states in the nation have enacted and successfully implemented address confidentiality programs. The program originated in Washington in 1991. Lawmakers saw a need for victims to remain safe, yet still be accessible for service of process, child support enforcement, voting and drivers license registration, etc.

It has become increasingly simple for abusers to find their victims. Abusers often become quite capable of using public data to find information on their victims. In cases of domestic violence, sexual assault, and stalking, this entails the intensive use of people search engines, impersonation, stealth use of public resources, using social media profiles, etc. Finally, courts often request this information of victims in custody and protective order proceedings. If a victim is pro se, does not understand the court system, is intimated by the process or has limited english proficiency (LEP), it is increasingly difficult for a victim to protect her confidential location.

Other states that have successfully implemented address confidentiality programs see the programs as vital to protecting victims of violence. However, the programs are most successful when government agencies communicate and collaborate with victim service agencies to make victims' safety and privacy a priority. The Commission urges the passage of HB 1900 and would like to offer some proposed amendments developed by the Commission and other victim service providers in the community. I attach our proposed language revisions to this testimony and request your support of these amendments.

Thank you for this opportunity to testify.

REQUESTED CHANGES TO HB 1900

1. Page 2, after line 15, add definition of agency that includes city and county departments, boards, bureaus, commissions, court divisions, offices, counsels or agencies.

Reason: Driver's licenses and car registrations are handled by the counties and are two of the most public items that reveal a person's address. For program participants to have the protection they need, the city and counties agencies must be included.

Proposed language: "Agency" means any department, board, bureau, commission, court, division, office, council, or agency of the State, City, or County.

2. Page 3, lines 3-4, delete the department of accounting and general services as the department responsible for the address confidentiality program.

Reason: Other agencies are discussing the placement of the program and hopefully a decision will be made soon.

Proposed language: "Department means the department of _____"

3. Page 3, lines 10-15, delete definition of resident.

Reason: There does not appear to be a good reason to require a person to be a resident to apply to the program. This allows a former Hawaii resident who just moved or is about to move from the mainland to escape his or her abuser to be program participant. The requirement that the actual address be a Hawaii address (see section 3(b)(5)) will prohibit someone who does not live in Hawaii from using the program. A residency requirement may also have constitutional implications.

4. Page 4, line 6-8, delete definition of state agency.

Reason: City and county agencies must be part of the program for it to succeed and a definition of "agency" was added.

5. Page 5, line 3, delete the department of accounting and general services as the department responsible for the address confidentiality program.

Reason: Other agencies are discussing the placement of the program and hopefully a decision will be made soon.

Proposed language: "Department means the department of _____"..

6. Page 6, line 8, delete the word "hire" and substitute "designate"

Reason: The applicant assistants, by definition set forth in §-1, are employees of other organizations. Also to hire applicant assistants would increase the financial needs of the program.

Proposed language: (c) The program director shall designate applicant assistants to assist applicants . . . .

7. Page 6, line 18, delete the residency requirement for a minor

Reason: There does not appear to be a reason to require a minor to be a resident of Hawaii at the time of the application.

Proposed language: resident who resides with the parent or guardian; or

8. Page 12, lines 11-19, include language to make it clear that a secondary participant's participation in the program ends when the primary participant's participation in the program ends for any reason.

Reason: The secondary participant's enrollment in the program is solely to ensure the protection of the primary participant's safety. If the primary participant is no longer enrolled, there is no reason for the secondary participant to be in the program.

Proposed language: Upon the determination that an application has been properly completed, the program director may certify the secondary applicant as a secondary program participant and issue the secondary program participant an address confidentiality, program authorization card that shall include the program participant's substitute address and remain valid for the same period of time as the program participant's certification; provided that the certification may be cancelled pursuant to section -6 or if the program participant's is cancelled for any reason.

9. Page 14, line 5, as a housekeeping matter, adding that the failure by the secondary participant (in addition to the primary participant) to renew the application should also be a basis for cancellation of participation in the program

Reason: This creates consistency for primary and secondary participants.

Proposed language: A renewal application pursuant to section -3(d) or -4(d) is not received or approved by the program; or

10. Page 18, line16 to page 20, line 2, modifies § -10 to distinguish between the disclosure of public records pursuant to HRS chapter 92F and disclosure pursuant to a court order and also clarifies that penalty for knowingly disclosing an address applies to employees of the program as well as to any agency.

Reason: Disclosure pursuant to HRS ch. 92F is based on a member of the public asking the program to produce documents. The second standard is for situations such as in a child custody hearing when the court may ask the program participant to disclose his or her actual address to the other custodial parent. The second standard is so that the court in that situation will make a conscious effort to protect the safety needs of the program participant. The criminal penalty is necessary to deter employees who have access to the program participant's address from disclosing that address.

Proposed language: § -9 Disclosure of actual address prohibited; penalty. (a) Disclosure by the program of a program participant's actual address shall be prohibited unless required by chapter 92F. There shall be a presumption that the disclosure of any record of the program will constitute an unwarranted invasion of personal privacy and any applicant or program participant has a significant privacy interest in any information provided to the program.

(b) No court shall order the disclosure of a program participant's actual address unless:

(1) Provided by section 92F-15; or

(2) The court finds by clear and convincing evidence that:

(i) The disclosure of the actual address is necessary for a legitimate purpose;

(ii) The use of the substitute address would unduly frustrate the legitimate purpose; and

(iii) Taking into consideration the safety of the program participant, there is no reasonable alternative to disclosure of the actual address.

The court shall enter written findings and any conditions on the disclosure of the actual address that are necessary to reasonably protect the safety and privacy of the program participant.

(c) Any court order requiring the disclosure of a program participant's actual address shall be stayed for 10 days after written legal notice is provided to the program participant.

(d) No employee, volunteer, or any person with access to the records of the program or the records of any agency who has received a request from the program participant to use a substitute address, shall knowingly disclose any address or telephone number of a program participant other than the substitute address.

(e) Any person who violates section (d) shall be guilty of a misdemeanor.

11. Page 20, line 15 replaces comptroller with program director.

Reason: Agencies are discussing where the program should be placed.

Proposed language: § -13 Rulemaking authority. The program director shall adopt rules pursuant to chapter 91 as necessary to carry out the provisions of this chapter.

12. Page 21, line 4, deletes the department of accounting and general services as the department responsible for the address confidentiality program.

Reason: Other agencies are discussing the placement of the program and hopefully a decision will be made soon.

Proposed language: "Department means the department of _____"

DAVID Y. IGE
GOVERNOR

DOUGLAS MURDOCK
Comptroller

AUDREY HIDANO
Deputy Comptroller

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

WRITTEN TESTIMONY
OF
DOUGLAS MURDOCK, COMPTROLLER
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
TO THE
HOUSE COMMITTEE
ON
HUMAN SERVICES
ON
FEBRUARY 11, 2016

H.B. 1900

RELATING TO ADDRESS CONFIDENTIALITY

Chair Morikawa and members of the Committee, thank you for the opportunity to submit written testimony on H.B 1900. The Department of Accounting and General Services offers the following comments on H.B. 1900.

We support the intent of H.B. 1900 provided there is no negative impact on the administration's executive supplemental budget and initiatives. While we recognize the value of this measure, this program is better suited to be managed in a department experienced in assisting victims of crime or providing social services. These are very specialized skill sets not resident in DAGS.

Thank you for the opportunity to submit written testimony on this matter.

DAVID Y. IGE
GOVERNOR

MARI McCAIG
Chair

MARTHA ROSS
Commissioner

ABELINA M. SHAW
Commissioner

PAMELA FERGUSON-BREY
Executive Director

STATE OF HAWAI`I
CRIME VICTIM COMPENSATION COMMISSION
1136 Union Mall, Suite 600
Honolulu, Hawai`i 96813
Telephone: 808 587-1143
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TESTIMONY ON HOUSE BILL 1900
RELATING TO ADDRESS CONFIDENTIALITY

by
Pamela Ferguson-Brey, Executive Director
Crime Victim Compensation Commission

House Committee on Human Services
Representative Dee Morikawa, Chair
Representative Bertrand Kobayashi, Vice Chair

Thursday, February 11, 2016; 9:30 AM
State Capitol, Conference Room 329

Good morning Chair Morikawa, Vice Chair Kobayashi and members of the House Committee on Human Services. Thank you for providing the Crime Victim Compensation Commission (the "Commission") with the opportunity to testify in strong support with the amendments suggested by the Women's Coalition of House Bill 1900 relating to address confidentiality.

The Commission was established in 1967 to mitigate the suffering and financial impact experienced by victims of violent crime by providing compensation to pay un-reimbursed crime-related expenses. Many victims of violent crime could not afford to pay their medical bills, receive needed mental health or rehabilitative services, or bury a loved one if compensation were not available from the Commission.

During the legislative recess, the Commission was part of a working group led by the Women's Coalition that collaboratively created a draft of an address confidentiality bill to address the concerns that were raised during the last legislative session. The Commission supports the creation of an address confidentiality program that would provide victims of domestic violence, sexual assault, and stalking with another safety planning tool. The working group is speaking with other agencies about the placement of the program and is hopeful to have an answer soon as to which department/agency will administer the program. Additionally, the working group is willing to continue working on the draft to address concerns or issues.

Thank you for providing the Commission with the opportunity to testify in strong support with amendments suggested by the Women's Coalition of House Bill 1900.

OFFICE OF INFORMATION PRACTICES

STATE OF HAWAII
NO. 1 CAPITOL DISTRICT BUILDING
250 SOUTH HOTEL STREET, SUITE 107
HONOLULU, HAWAII 96813
TELEPHONE: 808-586-1400 FAX: 808-586-1412
EMAIL: oip@hawaii.gov

To: House Committee on Human Services

From: Cheryl Kakazu Park, Director

Date: February 11, 2016, 9:30 a.m.
State Capitol, Conference Room 329

Re: Testimony on H.B. No. 1900
Relating to Address Confidentiality

Thank you for the opportunity to submit testimony on this bill. The Office of Information Practices ("OIP") takes no position on the substance of this bill, which would establish an address confidentiality program, but is testifying to **suggest clarification** of a provision relating to address disclosure under chapter 92F.

Proposed section ___-10(a), at bill page 18 line 16 to page 19 line 14, provides that disclosure of a participant's actual address is presumed to be an unwarranted invasion of personal privacy and the address shall not be disclosed "unless required under chapter 92F," and then goes on set standards for when a court may order the disclosure of an actual address. However, under the UIPA, a record requester has the alternative of going either to court or to OIP to seek a determination as to whether a record must be disclosed under the UIPA. This subsection addresses only standards for a court order and does not address the possibility that a requester might instead appeal to OIP.

Since it appears to be the intent of this provision that disputes over disclosure of an actual address will be resolved by a court, OIP

recommends that this Committee amend the provision to make that limitation explicit. Specifically, OIP recommends amending bill page 18 lines 20-21 to read, ". . . be prohibited from disclosing any actual address unless disclosure is required by a court order under chapter 92F; provided that no court . . ."

Thank you for considering OIP's proposed amendment.

DOMESTIC VIOLENCE ACTION CENTER

COMMUNITY SAFETY & SUPPORT ~ SINCE 1990

25 Years

To: Chair
Members of the Committee

From: Nanci Kreidman, M.A.
Chief Executive Officer

Re: H.B. 1900 Address Confidentiality

Thank you for the opportunity to provide testimony in support of this Bill establishing an Address Confidentiality Program ("ACP") in Hawaii. The ACP creates a mechanism to assist survivors of domestic violence, sexual assault, and stalking relocate and keep their addresses confidential.

Since 1991, thirty-six states enacted legislation and launched ACP's. The legislative intent of every program is to protect the location of a survivor's actual address and reduce the risk of future harm. Women in Hawaii who are fleeing domestic abuse must leave their home and relocate to a safe place. However, each woman is only safe so long as her abuser does not track her down. Advancing Internet technologies, the release of personal information by state agencies, and Court-ordered disclosures in family court proceedings make it easier than ever for abusers to locate survivors. The risks may also prove deadly for the woman who underestimates the lengths to which her abuser will go to continue the abuse. Further, the fear of having identifying information disclosed has actually deterred survivors from filing restraining orders, and divorce complaints.

There are countless women whose lives may be saved as a result of this legislation. These are not perceived or imagined threats to survivor's safety. Last year, a survivor of sexual assault was terrorized in her home by her abuser two and a half years after she relocated. We are aware of an instance where a woman with a young child reported her abuser found her months after she relocated. He sat outside her home in his car. After enduring years of domestic abuse, his presence alone was a threat. There is no question an ACP is necessary in the State of Hawaii.

P. O. Box 3198 Honolulu, HI 96801-3198
O'ahu Helpline: 808 531-3771 | Toll-free: 800 690-6200 | Administration: 808 534-0040 | Fax 808 531-7228
dvac@stoptheviolence.org | www.domesticviolenceactioncenter |
facebook.com/domesticviolenceactioncenterhawaii

United Way
Aloha United Way
Partner Agency

This testimony is provided to your committee to respectfully request the passage of Senate Bill 1900, which reflects a significant legislative concern for survivors of domestic violence, and a desire to facilitate their efforts to start a new life free from abuse.

We shall look forward to favorable action on this Bill.

P. O. Box 3198 Honolulu, HI 96801-3198
O'ahu Helpline: 808 531-3771 | Toll-free: 800 690-6200 | Administration: 808 534-0040 | Fax 808 531-7228
dvac@stoptheviolence.org | www.domesticviolenceactioncenter |
facebook.com/domesticviolenceactioncenterhawaii

Edward Thompson, III

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 09, 2016 9:50 AM
To: HUStestimony
Cc: laurie.field@ppvnh.org
Subject: *Submitted testimony for HB1900 on Feb 11, 2016 09:30AM*

HB1900
Submitted on: 2/9/2016
Testimony for HUS on Feb 11, 2016 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Field	Planned Parenthood Votes Northwest and Hawaii	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

AAUW of Hawaii

February 10, 2016

To:	Hawaii State House Committee on Human Services
Hearing Date/Time:	Tuesday, February 11, 2016 (9:30 a.m.)
Place:	Hawaii State Capitol, Rm. 329
Re:	Testimony of American Association of University Women – Hawaii in **support of H.B. 1900**, relating to address confidentiality

Dear Representative Dee Morikawa (Chair), and Representative Bertrand Kobayashi (Vice Chair), and Members of the Committee,

I am grateful for this opportunity to testify in **strong support of H.B. 1900**, providing for address confidentiality of gender violence survivors (specifically of domestic violence, sexual assault, and stalking, each of them, serious crimes). The ability to use a substitute legal address is key to the safety of survivors.

My testimony is on behalf of the approximately 400 members of the American Association of University Women (AAUW) in Hawaii, who list gender-based violence as an important current concern.

This submission is informed by many years of work in the field of domestic violence, and research conducted with survivors of intimate partner violence. In addition, when I lived in New Zealand, I managed a 24-hour, 7-days/week domestic violence hotline, and trained Advocates for Women to respond skillfully and empathetically to survivors of violence. At many times, we worked with police, courts, and other service agencies on behalf of survivors. At that time, New Zealand had address confidentiality, and it was an essential strand of police and court policy for maintaining survivors' safety. Providing this service for victims of violence is important since the ultimate penalty for survivors who are located by violent perpetrators is death or serious injury.

It should also be noted that in the USA, many other states (currently 30+) have enacted similar types of programs since the early 1990s. Given that we now have 25 years of data indicated the success of these laws for diminishing violence towards adults and children, the time seems ripe for moving H.B. 1900 into Hawaiian law. The success of the law is best ensured by including the amendments suggested by the Hawaii State Commission on the Status of Women. Plus, the application form should be of a straightforward nature, so that an individual may apply for this service on her own, without requiring a lawyer.

In conclusion, passage of H.B. 1900 is an important step in improving justice for women.

Thank you for the opportunity to testify.

Sincerely
Susan J. Wurtzburg, Ph.D.
Policy Chair

February 11, 2016

Testimony in Support of HB1900, Relating to Address Confidentiality

To: Representative Dee Morikawa, Chair
Representative Bertrand Kobayashi, Vice Chair
Members of the House Committee on Human Services

From: Fawn Jade Koopman, Esq.

Re: Testimony in Support of HB1900, Relating to Address Confidentiality

I would like to thank this committee for the opportunity to provide testimony in strong support of HB1900 establishing an Address Confidentiality Program ("ACP"). This measure enables survivors of domestic violence, sexual assault, and stalking to relocate and maintain a confidential physical address by assigning victims a substitute address, forwarding participants mail, and acting as an agent for purposes of service of legal process.

It is easier than ever for offenders to locate victims. The combination of advancing Internet technologies and court-ordered address disclosures make it more and more challenging for victims to keep their physical addresses confidential from their offenders. In some circumstances, victims are deterred from filing restraining orders, divorce complaints, custody motions, and child support enforcement agency requests if they have relocated and fear their safety will be compromised. The intent of an ACP is to protect a survivor and to reduce the risk of future harm. An ACP will also ensure survivors may obtain full access to our courts and public agencies without fear of exposure.

These are not perceived or imagined threats to victims' safety. In 2014, a woman was sexually assaulted in her home after her offender located her as a result of an order requiring the disclosure of her address for service of process. In early 2015, a woman reported her abuser found her months after she relocated using a free online search for utility bills and the City and County of Honolulu Real Property Division website. He sat outside her home in his car. After enduring years of domestic abuse, his presence alone was a threat. A couple months ago, a woman reported her offender was able to locate her three years after she moved to a secure and confidential location. She moved again, but was afraid to register to vote, to buy a home, or to obtain a cable bill in her name. These women are among many who would benefit from an ACP in Hawaii.

Since 1991, thirty-six states enacted and successfully implemented similar legislation and launched ACP's. At the end of last year's legislative session a working group was formed to research ACP's across the nation and to collaboratively draft and tailor legislation to the needs of our community. This testimony is provided to your committee to request the passage of House Bill 1900, with the revisions and suggested language outlined below and as recommended by the Hawaii State Commission on the Status of Women.

The proposed changes are respectfully recommended as follows:

1) Page 2, after ¶ 15: *Proposed language:* "Agency" means any department, board, bureau, commission, court, division, office, council, or agency of the State, City, or County.
   Reason: Driver's licenses and car registrations are handled by the counties and are two of the most public items that reveal a person's address. In order for program participants to have the protection they need the city and counties agencies must be included.

2) Page 3, ¶ 3-4: *Proposed language:* "Department" means the department of _____
   Reason: Other agencies are discussing the placement of the program and hopefully a decision will be made soon.

3) Page 3, ¶10-15: Remove the definition of "resident."
   Reason: This Hawaii residency requirement conflicts with Section 3(b)(5) on page 8 ¶11-16 and will exclude individuals who are moving to our State or relocating outside our State. Expanding access to the program will also ensure survivors' movement within or outside our State is not restricted due to lack of protection within the program.

4) Page 4, ¶6-8: Remove the definition of "state agency"
   Reason: City and county agencies should be included in the program.

5) Page 5, ¶3: *Proposed language:* "Department" means the department of _____.
   Reason: Other agencies are discussing the placement of the program and hopefully a decision will be made soon.

6) Page 6, ¶8: *Proposed language:* (c) The program director shall hire **designate** applicant assistants to assist applicants with the application process and assist in the certification of the applicant; provided that any assistance provided shall not be construed as legal advice.
   Reason: Applicant assistants by definition set forth in §-1 are employees of other organizations and a provision to *hire* applicant assistants, rather than designate them, would increase the financial needs of the program.

7) Page 6, ¶18: Remove the word "resident."
   Reason: A residency requirement for a minor conflicts with Section 3(b)(5) on page 8 ¶11-16 and will exclude minors who are moving to our State or relocating outside our State. Expanding access to the program will also ensure survivors' movement within or outside our State is not restricted due to lack of protection within the program.

8) Page 12, ¶11-19. *Proposed language:* Upon the determination that an application has been properly completed, the program director may certify the secondary applicant as a secondary program participant and issue the secondary program participant an address confidentiality, program authorization card that shall include the program participant's substitute address and remain valid for the same period of time as the program participant's certification; provided that the certification may be cancelled pursuant to section -6 **or if the program participant's is cancelled for any reason.**

Reason: The purpose of the secondary participant's enrollment in the program is to ensure the protection of the primary participant's safety. If the primary participant is no longer enrolled, there is no reason for the secondary participant to remain in the program.

9) Page 14, ¶5: *Proposed language:* (5) A renewal application pursuant to section -3(d) **or -4(d)** is not received or approved by the program; or
Reason: This will create consistent provisions for both primary and secondary participants.

10) Page 18, ¶16 through page 20 ¶2: *Proposed language*:
§ -9 Disclosure of actual address prohibited; penalty. (a) Disclosure by the program of a program participant's actual address shall be prohibited unless required by chapter 92F. There shall be a presumption that the disclosure of any record of the program will constitute an unwarranted invasion of personal privacy and any applicant or program participant has a significant privacy interest in any information provided to the program.

(b) No court shall order the disclosure of a program participant's actual address unless:

(1) Provided by section 92F-15; or

(2) The court finds by clear and convincing evidence that:

(i) The disclosure of the actual address is necessary for a legitimate purpose;

(ii) The use of the substitute address would unduly frustrate the legitimate purpose; and

(iii) Taking into consideration the safety of the program participant, there is no reasonable alternative to disclosure of the actual address.

The court shall enter written findings and any conditions on the disclosure of the actual address that are necessary to reasonably protect the safety and privacy of the program participant.

(c) Any court order requiring the disclosure of a program participant's actual address shall be stayed for 10 days after written legal notice is provided to the program participant.

(d) No employee, volunteer, or any person with access to the records of the program or the records of any agency who has received a request from the program participant to use a substitute address, shall knowingly disclose any address or telephone number of a program participant other than the substitute address.

(e) Any person who violates section (d) shall be guilty of a misdemeanor.

Reason: Disclosure pursuant to Chapter 92F includes a request for the program to produce documents. However, another form common disclosure is within a family court order in a situation where a victim and an offender have custody orders regarding minor children. In this case, the presumption should be in favor of protecting the program participant's physical address from unnecessary disclosure. A misdemeanor criminal penalty is a necessary deterrent from disclosing a participant's address.

Thank you for this opportunity to testify.

LATE

DEPARTMENT OF THE PROSECUTING ATTORNEY

CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 547-7400 • FAX: (808) 547-7515

KEITH M. KANESHIRO
PROSECUTING ATTORNEY

ARMINA A. CHING
FIRST DEPUTY PROSECUTING ATTORNEY

THE HONORABLE DEE MORIKAWA, CHAIR
HOUSE COMMITTEE ON HUMAN SERVICES
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawai`i

February 11, 2016

RE: H.B. 1900; RELATING TO ADDRESS CONFIDENTIALITY.

Chair Morikawa, Vice-Chair Kobayashi, members of the House Committee on Human Services, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in support of H.B. 1900, with amendments.

The purpose of H.B. 1900 is to establish an Address Confidentiality Program for victims of domestic violence and sexual. We strongly endorse such a program and see significant benefits for the victims in the cases that our Department prosecutes. We are familiar with and have cooperated with similar programs in other states and have had victims who participate in those programs tell us that this is the type of resource that Hawaii victims of domestic violence and sexual assault desperately need. However we join with other testifiers in requesting needed amendments to this measure so that it can effectively achieve the benefits that it is designed to create We defer to the working group members for the specifics of the amendments needed to make this measure effective.

For all of the reasons stated above, the Department of the Prosecuting Attorney of the City and County of Honolulu supports H.B. 1900, with amendments. Thank you for the opportunity to testify on this matter.

WOMEN'S CAUCUS
DEMOCRATIC PARTY OF HAWAI'I

February 11, 2016

LATE

To: Representative Dee Morikawa, Chair
Representative Bertrand Kobayashi, Vice Chair and
Members of the Committee on Human Services

From: Jeanne Y. Ohta, Co-Chair

RE: HB 1900 Relating to Address Confidentiality
Hearing: Thursday, February 11, 2015, 9:30 a.m., Room 329

POSITION: Strong Support

The Hawai'i State Democratic Women's Caucus writes in strong support of HB 190 Relating to Address Confidentiality which would establish an address confidentiality program for survivors of domestic violence, sexual assault, and staking. This measure would provide a life-saving tool by allowing survivors to use a substitute legal address in place of their physical address. Additionally, it would provide for a mail forwarding system so that their physical address would remain confidential.

Thirty-six other states in the nation have implemented address confidentiality programs. Violent partners are very resourceful and determined to harm their victims; the availability of search engines, social media, and other on-line resources have made it easier to discover personal information.

This confidentiality program will help to keep vulnerable women and children safe from their abusers. We urge the committee to pass this measure.

The Hawai'i State Democratic Women's Caucus is a catalyst for progressive, social, economic, and political change through action on critical issues facing Hawaii's women and girls. Thank you for the opportunity to provide testimony.

Hawai'i State Democratic Women's Caucus, 404 Ward Avenue Suite 200, Honolulu, HI 96814
hidemwomen@gmail.com

LATE

THE SEX ABUSE TREATMENT CENTER

A Program of Kapi'olani Medical Center for Women & Children

DATE: February 11, 2016

TO: The Honorable Dee Morikawa, Chair
The Honorable Bertrand Kobayashi, Vice Chair
House Committee on Human Services

FROM: The Sex Abuse Treatment Center
A Program of Kapi'olani Medical Center for Women and Children

RE: Testimony in Strong Support of H.B. 1900
Relating to Address Confidentiality

Good afternoon Chair Morikawa, Vice Chair Kobayashi, and members of the House Committee on Human Services.

The Sex Abuse Treatment Center (SATC) strongly supports H.B. 1900, which would establish an address confidentiality program to help survivors of domestic violence and sexual assault relocate and keep their addresses confidential, and appropriates funds for this purpose.

Most sexual assaults are not committed by strangers, but by intimate partners, family members and acquaintances. Moreover, sexual assault often does not occur in isolation, but can be one feature of a pattern of violence and intimidation between non-strangers that also includes physical abuse and stalking. In order to ensure their own safety and the safety of loved ones, survivors are sometimes forced to relocate in order to avoid further actual or threatened violence.

Unfortunately, modern search technologies and access to public records make it easy for perpetrators to find survivors' new addresses. This places survivors in harm's way and can complicate the difficult task of recovering from the trauma of sexual assault.

By providing survivors the means to shield their actual locations through the use of substitute addresses, and by penalizing authorized disclosures of actual address information, H.B. 1900 allows the State of Hawai'i to send a strong message reaffirming that survivors have a right to privacy and safety. In addition, H.B. 1900 represents an opportunity to place Hawai'i on equal footing with 36 other states that have already enacted address confidentiality programs.

The SATC also respectfully request that the Committee please adopt the suggested revisions recommended by the Hawai'i State Commission on the Status of Women.

55 Merchant Street, 22nd Floor • Honolulu, HI 96813 • Telephone: (808) 535-7600 • Fax: (808) 535-7630

24-Hour Hotline: (808) 524-7273 • Website: www.satchawaii.org

By ensuring that survivors of sexual assault who are forced to relocate to escape their attackers are able to enjoy the security and peace of mind that is due to them, your support of H.B. 1900 is a powerful reaffirmation of the State of Hawai‘i’s commitment to protect its citizens from offenders of violent crime.

hscadv

HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE

February 10, 2016

LATE

To: House Committee on Human Services
Representative Dee Morikawa, Chair
Representative Bertrand Kobayashi, Vice Chair

From: Michelle Rocca, Training and Technical Assistance Director
Hawaii State Coalition Against Domestic Violence

Re: Testimony in Support of HB 1900, Relating to Address Confidentiality

Good afternoon Chair Morikawa, Vice Chair Kobayashi, and members of the committee. On behalf of the Hawaii State Coalition Against Domestic Violence we thank you for the opportunity to share our testimony in **support of HB 1900** relating to address confidentiality. Address confidentiality for victims and survivors of domestic violence is a critical aspect of planning for long term safety. Protecting the location of a person who has left a violent relationship will promote long term safety and will likely reduce harassment, stalking attempts, and the day to day anxiety a person who has relocated experiences upon terminating the relationship. HB 1900 would make it possible for program participants to utilize a mail forwarding system that protects their physical address and prevents their perpetrators from having the ability to locate their current residence.

The safety of survivors in our community has always been an absolute priority for the Hawaii State Coalition Against Domestic Violence (HSCADV). Implementing a program that helps a victim's location remain unknown will support survivor safety and has been successfully executed in as many as 30 states across the nation. In recent years it has become increasingly simple for abusers to find their victims. Abusers often utilize data and information made available to them through the use of technology and public records as a means to locate their victims. The Address Confidentiality program would provide a necessary solution to what may be a very dangerous problem for many people in our state.

We support HB 1900 with the proposed amendments attached by the Hawaii State Commission on the Status of Women, and we thank you for your consideration of this important measure.

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kobayashi2-Jessi

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 10, 2016 4:24 PM
To: HUStestimony
Cc: amymonk99@hotmail.com
Subject: *Submitted testimony for HB1900 on Feb 11, 2016 09:30AM*

LATE

HB1900
Submitted on: 2/10/2016
Testimony for HUS on Feb 11, 2016 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Monk	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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PACT PARENTS AND CHILDREN TOGETHER
A FAMILY SERVICE AGENCY

TO: Chair Morikawa, Vice Chair Kobayashi, and Members of the House Committee on Human Services
FROM: Ryan Kusumoto, President & CEO of Parents And Children Together (PACT)
DATE/LOCATION: February 11, 2016; 9:30 a.m., Conference Room 329

RE: TESTIMONY IN STRONG SUPPORT OF HB 1900 – RELATING TO ADDRESS CONFIDENTIALITY

We urge you to support HB 1900 – Relating to Address Confidentiality. Every year in the United States, 12 million people (24 people per minute) become victims of rape, physical violence, or stalking by an intimate partner. 76% of the women who were killed by intimate partners and 85% of women who survive homicide attempts are stalked prior to the incident. Attempting to escape from an abusive relationship is one of the most dangerous periods the victim goes through as they put themselves and close ones at risk of encountering the perpetrator.

Establishing confidentiality of location is essential to ensure the safety of the survivor and those around them. The prepositions of this bill will provide victims and survivors protection from further harm of the perpetrator, and will act as support to their healing processes. Survivors have the right to protection in these dire situations and it is to the authority to make these services available to them.

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 18,000 people across the state annually, PACT helps families identify, address and successfully resolve challenges through its 16 programs. Among its services are: early education programs, domestic violence prevention and intervention programs, child abuse prevention and intervention programs, child and adolescent behavioral health programs, and community building programs.

Thank you for the opportunity to testify in **strong support of HB 1900**, please contact me at (808) 847-3285 or rkusumoto@pacthawaii.org if you have any questions.

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