



**STATE OF HAWAII**  
STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES  
1010 RICHARDS STREET, Room 122  
HONOLULU, HAWAII 96813  
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543  
February 10, 2023

The Honorable Representative David A. Tarnas, Chair  
House Committee on Judiciary and Hawaiian Affairs  
The Thirty-Second Legislature  
State Capitol  
State of Hawai'i  
Honolulu, Hawai'i 96813

Dear Representative Tarnas and Committee Members:

SUBJECT: HB554 HD1 RELATING TO CAMPUS SAFETY.

The Hawaii State Council on Developmental Disabilities **SUPPORTS HB554 HD1**, which requires that University of Hawaii students and employees receive training on sexual misconduct awareness and trauma informed responses, sexual harassment, sexual assault, domestic violence, dating violence, and stalking. Requires that the University of Hawaii ensure that any individual who participates in implementing the university's disciplinary process has training or experience in handling sexual misconduct complaints and the university's disciplinary process. Requires that the university provide mandatory annual trauma informed, gender inclusive, LGBTQ+ inclusive sexual misconduct primary prevention and awareness programming for students and employees of the university. Prohibits the university from taking disciplinary action against individuals reporting sexual misconduct unless certain exceptions apply.

Individuals with Intellectual/Developmental Disabilities (I/DD) are overwhelmingly likely to be victims of sexual violence. 83% of women with disabilities will be sexually assaulted in their lives, but just 3% of sexual abuses involving people with developmental disabilities will be reported.

I/DD Students on UH campuses deserve to have a system that will make sure they are safe and supported. Ensuring that sexual misconduct on UH campuses can be reported to individuals that are well informed of how to properly support victims is essential to making sure victims of sexual misconduct in our community are kept as safe as possible and further violence is minimized.

Thank you for the opportunity to submit testimony in **support of HB554 HD1**.

Sincerely,

A handwritten signature in blue ink that reads "Daintry Bartoldus".

Daintry Bartoldus  
Executive Administrator



## ‘ŌNAEHANA KULANUI O HAWAI‘I

### Legislative Testimony

Hō‘ike Mana‘o I Mua O Ka ‘Aha‘ōlelo

Testimony Presented Before the  
House Committee on Judiciary & Hawaiian Affairs  
February 10, 2023 at 2:00 p.m.

By  
Jan Gouveia  
Vice President for Administration  
University of Hawai‘i

#### HB 554 HD1 – RELATING TO CAMPUS SAFETY

Chair Tarnas, Vice Chair Takayama, and Members of the Committee:

Thank you for the opportunity to present testimony on HB 554 HD1 – Relating to Campus Safety. The University of Hawai‘i (“University”) supports the intent of this bill with comments. Given the breadth and extent of the proposed requirements that impact 50,000+ students and 10,000+ employees across all ten campuses will require a minimum of four FTE positions, estimated at \$1,000,000.00, on an ongoing basis.

HB 554 HD1 expands sexual misconduct and domestic violence training requirements for University students and employees and encourages reporting of sexual misconduct. Specifically, the bill: 1) requires University students and employees to receive training on sexual misconduct awareness and trauma-informed responses; 2) requires the University to ensure that disciplinary process implementers have training or experience in handling sexual misconduct complaints and the University’s disciplinary process in a trauma-informed and inclusive manner; 3) requires the University to provide mandatory, trauma-informed gender- and LGBTQ+-inclusive sexual misconduct primary prevention and awareness programming for all students and employees; 4) prohibits the University from taking disciplinary action against individuals reporting sexual misconduct unless certain restrictions apply; and 5) appropriates an undetermined amount for the 2023-2024 fiscal year for four FTE positions.

The University is committed to improving institutional responses to allegations of sexual misconduct and other forms of gender violence. To that end, it strives to adhere to national standards and best practices in the higher education context to support survivors, minimize retraumatization and further harm, and increase safety and well-being. A critical component of such support is comprehensive training for employees whose role and function require them to assist students and/or employees who may have experienced sexual misconduct or some form of gender violence in seeking options, resources and support.

Developed in 2015-2016, a comprehensive plan to effectuate these goals included, but was not limited to: conducting an inaugural campus climate survey on gender violence, outsourcing advocacy services via contracts with community agencies, developing in-house capacity to provide confidential advocacy and process advising, and creating and implementing an extensive training program, which included both out-sourced training and certification by national experts as well as home-grown training conducted live for policy implementers, responsible employees, security officers, advocates, academic advisors, first responders, and executives.

The passage of Act 208, Session Laws of Hawai'i 2016, created training mandates requiring biannual training for students and employees on sexual harassment and gender violence, Title IX, VAWA and University policies related to sex discrimination. However, the Act 208 legislation was not prescriptive in detailing the curricular requirements, allowing the University flexibility to determine specific content following best practices, determined by national experts and subject matter experts working on the ground locally.

Further mandates through a Voluntary Resolution Agreement with the USDOE Office for Civil Rights established additional standards for the University's Mānoa campus. As an example, the University requires biannual training of all employees and annual training of investigators, decision makers, Title IX Coordinators and related staff, security personnel and advocates on how to address allegations of sexual harassment and misconduct and how to conduct investigations.

In accordance with these requirements, The University currently provides online training programs for all students during each semester: <https://www.hawaii.edu/titleix/training/title-ix-training-students/> as well as online training for all employees: <https://www.hawaii.edu/titleix/training/online-training-employees/>.

Consistent with mandates of Act 208, and the recommendations of the Act 222 Task Force Report (Session Laws of Hawai'i 2015) by community stakeholders and subject matter experts, the University has provided both online and in-person Title IX training to all students and staff year-round with recurring reminders of resources and training availability since Fall 2015. Continuous improvements to Title IX training have been made since the Legislature's establishment of the (former) Office of Institutional Equity in 2015, when consistent, systemwide in-person and online Title IX training became a core responsibility of the System.

The University also provides trauma-informed training to employees who are tasked with overseeing or implementing disciplinary processes. The training conducted for investigators and other UH employees involved in addressing sex or gender-based allegations of misconduct is supplemented by contractual partnerships with experts in the fields of Title IX and gender violence in higher education, such as the Association of Title IX Administrators ("ATIXA"). The University currently reviews such training to ensure that it is consistent with the August 2020 Title IX regulations which set forth additional Title IX rules, including specific training requirements.

HB 554 HD1 would require the development of culturally competent (culturally accessible) training content that is trauma-informed, and inclusive of underserved and vulnerable populations. The University recognizes the critical importance of providing training that increases inclusivity with an emphasis on the needs of vulnerable populations, and is already engaged in implementing many of these initiatives.

As an example, in 2022, the University piloted a curriculum on gender violence in the queer community, with a particular focus on foundational considerations and best practices for queer allies and University System Advocates working with queer survivors. This curriculum development took an entire year to build and pilot, even with a dedicated advocate with professional and personal expertise as the originator. The training includes well-researched principles of trauma-informed practices, gender-inclusivity and queer-centeredness, and cultural humility.

The University also collaborates and consults with community partners in providing trainings, workshops, and educational events, such as the most recent Domestic Violence Awareness Month (DVAM) systemwide event (<http://uhcc.hawaii.edu/dvam/>) and the annual Sexual Assault Awareness Month (SAAM) systemwide event (<https://uhcc.hawaii.edu/saam/>), with programming that addresses the intersection between disability and sex discrimination, cultural awareness and wellness, survivor rights and resources, queer identity and allyship.

The University appreciates the intent of HB 554 HD1 in addressing the need to foster a community where diversity, equity, and inclusion is a foundation. However, the training requirements as described in Section (a)(10)(A-E) limits the University ability to design the training programs that supplement and build from the foundation and curricular content that the University has already developed, or adjust to changing needs of the University's population.

While collaboration with advocates, community experts, and external stakeholders in the justice system is an ongoing practice, the University is also concerned that the annual mandatory training and primary prevention awareness programming for students under HB 554 HD1 conditions would be difficult to implement. Specifically, the proposed mandatory training content requires additional guidance and feedback from the University's Office of Institutional Equity (now known as "Office of Equity Assurance"), campus Title IX teams, local law enforcement, advocates, and relevant community agencies and stakeholders. The University is also aware of emerging trauma-informed practices in discussion as facilitated by a statewide task force which led to the appointment of a Director of Wellness and Trauma informed-care by the Governor.

The University respectfully suggests that more time is needed to properly coordinate involvement between all of these groups, as gathering guidance and feedback from a sizable group of internal and external stakeholders is a large undertaking for the University to facilitate. After meeting and discussing this issue further with all relevant University and community stakeholders, a better recommendation regarding the

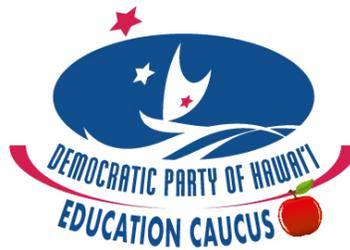
anticipated resources required to effectuate the new mandates under this bill can be more thoughtfully procured.

The University supports the intent of this bill to make individuals feel more comfortable reporting sexual misconduct. However, the University also seeks clarification and is concerned that the definition provided for “sexual misconduct” is broad as it includes all forms of sex discrimination. Additionally, the language in the immunity clause referring to “other violations” may create unintended consequences. As an example, if a faculty member alleges pay discrimination on the basis of sex, the immunity clause in HB 554 HD1 protects the faculty member from discipline for any violation of any policy, however unrelated to the “sexual misconduct,” unless the University “determines that the report of sexual misconduct was not made in good faith or the violation was not egregious.” Further, “egregious” violations are not defined in the bill. Finally, the immunity clause applies only to reporting parties; respondents should also be included out of fairness.

While the University continually seeks to improve and enhance current training programs and is committed to following best practices and national standards, the prescriptive nature of the measure imposes more costly requirements without additional support. Currently, the newly-formed Office of Equity Assurance is understaffed in the programming and prevention unit, with only two FTE, non-senior positions to support system wide training programs and primary prevention initiatives. The Office of Equity Assurance does not have the resources required in order to develop and properly implement all of the requirements under this bill. Thus, the University requests \$1,000,000.000, which includes four FTE positions to provide the University the ability to effectuate the requirements of this bill by hiring additional leaders and subject-matter experts to appropriately implement the HB 554 HD1 mandates. Additionally, the requested funds will support the extensive programmatic and curricular development, change management skills and knowledge base, and any other contractual and technological needs that implementation will require.

The University appreciates the amendment in HB 554 HD1 to make a one-time appropriation of funds for the 2023-2024 fiscal year with four FTE positions. However, during our previous testimony, the University clarified that it would require an ongoing appropriation of \$1,000,000.00 to support the four FTE positions and to fund the requirements under this bill that impose significant training, prevention, and programmatic requirements on an ongoing basis. This would allow the University to not only hire people with the skills and subject-matter expertise to research, develop, and pilot the training, but also provide necessary funding to implement, administer and continue to improve and update the training programs in the future, as norms, best practices, and campus climate change.

Thank you for the opportunity to testify on HB 554 HD1.



## **HOUSE BILL 554, HD1, RELATING TO CAMPUS SAFETY**

FEBRUARY 10, 2023 · HOUSE JUDICIARY AND  
HAWAIIAN AFFAIRS COMMITTEE · CHAIR REP.  
DAVID A. TARNAS

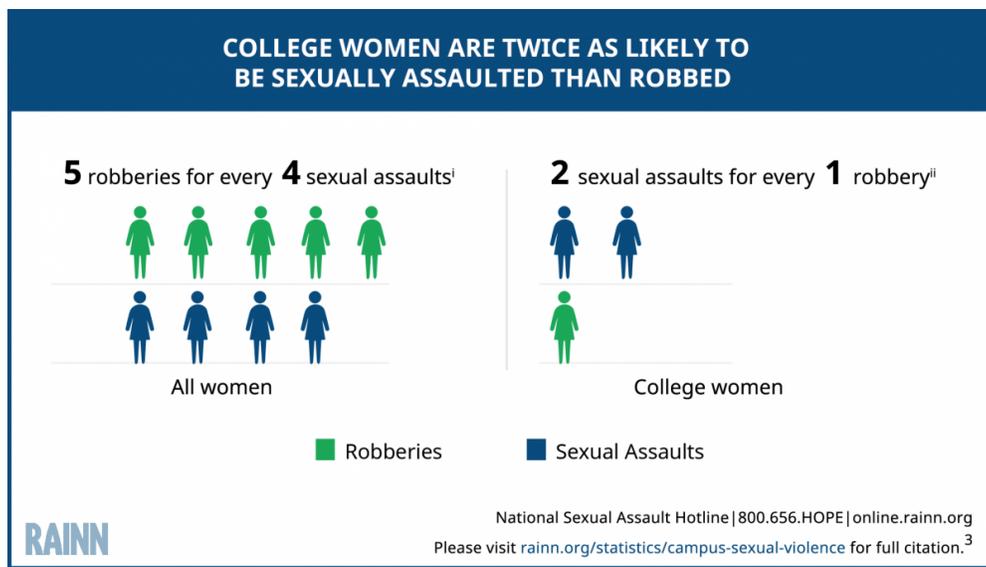
**POSITION:** Support.

**RATIONALE:** The Democratic Party of Hawai'i Education Caucus supports HB 554, HD1, relating to campus safety, which requires that University of Hawai'i students and employees receive training on sexual misconduct awareness and trauma informed responses, sexual harassment, sexual assault, domestic violence, dating violence, and stalking; requires that the University of Hawai'i ensure that any individual who participates in implementing the university's disciplinary process has training or experience in handling sexual misconduct complaints and the university's disciplinary process; requires that the university provide mandatory annual trauma informed, gender inclusive, LGBTQ+ inclusive sexual misconduct primary prevention and awareness programming for students and employees of the university; and prohibits the university from taking disciplinary action against individuals reporting sexual misconduct.

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.



**Kris Coffield · Chairperson, DPH Education Caucus · (808) 679-7454 · [kriscoffield@gmail.com](mailto:kriscoffield@gmail.com)**



## SB 554, HD1, RELATING TO CAMPUS SAFETY

FEBRUARY 10, 2023 · HOUSE JUDICIARY AND  
HAWAIIAN AFFAIRS COMMITTEE · CHAIR REP.  
DAVID A. TARNAS

**POSITION:** Support.

**RATIONALE:** Imua Alliance **strongly supports** HB 554, HD1, relating to campus safety, which requires that University of Hawai'i students and employees receive training on sexual misconduct awareness and trauma informed responses, sexual harassment, sexual assault, domestic violence, dating violence, and stalking; requires that the University of Hawai'i ensure that any individual who participates in implementing the university's disciplinary process has training or experience in handling sexual misconduct complaints and the university's disciplinary process; requires that the university provide mandatory annual trauma informed, gender inclusive, LGBTQ+ inclusive sexual misconduct primary prevention and awareness programming for students and employees of the university; and prohibits the university from taking disciplinary action against individuals reporting sexual misconduct unless certain exceptions apply.

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.

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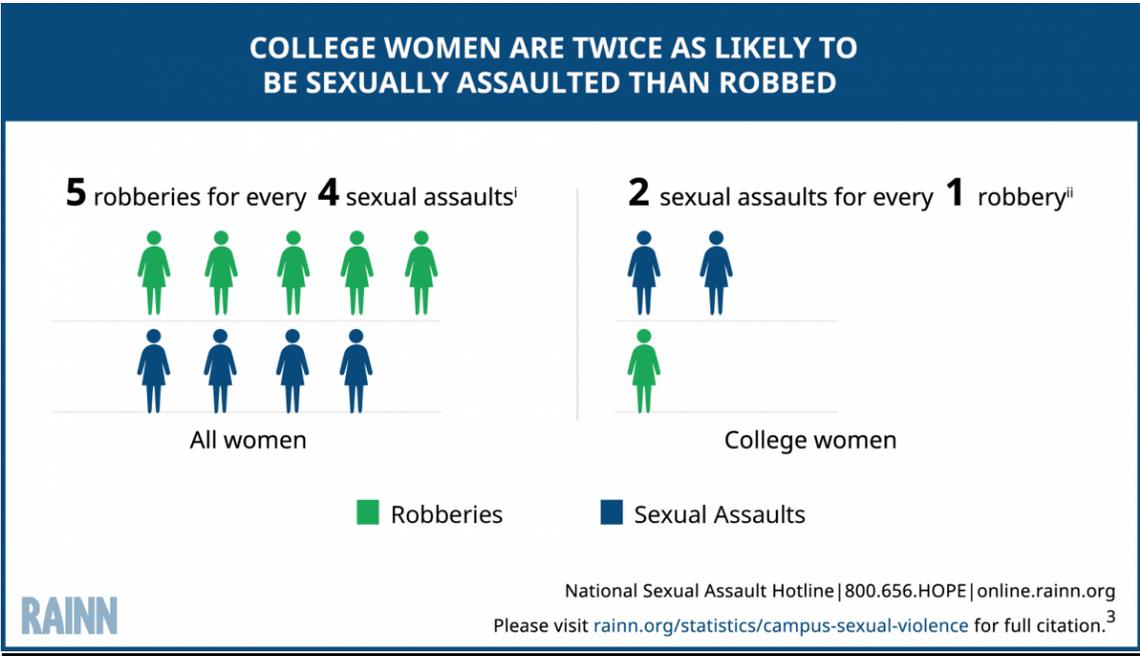
- Approximately 35 percent of students at the University of Hawai'i feel that the issues of sexual assault and sexual harassment are extremely, very, or somewhat problematic.
- 9.2 percent of students at the University of Hawai'i experienced sexual harassment while at the university according to the 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 enduring negative consequences from the incidents, the most common of which were emotional trauma, social consequences, and adverse academic impacts.

Imua Alliance is a service providers for survivors of sex trafficking. Over the past 10 years, we have provided comprehensive direct intervention (victim rescue) services to 160 victims, successfully emancipating them from slavery and assisting in their restoration, while providing a range of targeted services to over 1,000 victims and individuals at risk of sexual exploitation. Each of the victims we have assisted has suffered from complex and overlapping trauma, including post-traumatic stress disorder, depression and anxiety, dissociation, parasuicidal behavior, and substance abuse. Trafficking-related trauma can lead to a complete loss of identity. A victim we cared for in 2016, for example, had become so heavily trauma bonded to her pimp that while under his grasp, she couldn't remember her own name.

**Many of the victims with whom we work were first exploited while enrolled at of Hawai'i colleges or after experiencing sexual violence during their college years.** These institutions provided little information about how to receive help and failed to deliver trauma-informed care,

leaving our survivors to fend for themselves after being victimized. While the University of Hawai'i has taken small steps to improve its response to sexual violence in the last few years, its services remain inadequate, information sharing remains spotty (most students do not receive a copy of the Title IX handbook published by the university, for example), and personnel tasked with managing its sexual misconduct protocols remain badly in need of training in trauma-informed care, something that should be required for all staff tasked with handling cases of campus violence. Students at other universities, including Chaminade, BYU-Hawai'i, and Hawai'i Pacific University, deserve the same protections and reporting opportunities (including anonymous campus safety surveys regarding sexual violence), which this measure's revisions to HRS §305J-8 would require to the greatest extent possible.

**COLLEGE WOMEN MORE LIKELY TO BE SEXUALLY ASSAULTED THAN ROBBED**



Finally, on a personal note I, Kris Coffield, Executive Director of Imua Alliance, am heavily invested in this measure's success. When I was a student at the University of Hawai'i, in early 2008, I was violently, penetratively raped by a professor and three graduate students. It happened during a late-night study session to which I was invited by someone who, at the time, I believed to be an academic mentor. I may have been drugged, given that I couldn't move as it happened, though I also could have experienced involuntary paralysis, my body reeling from the shock of the assault.

During the attack, I was beaten with a belt, held down forcefully by the men involved, called an assortment of vulgar names (the *least* offensive of which were “f\*\*\* whore,” “sex slave,” and “rape slut”), and deliberately misgendered—I was referred to as female throughout the assault in an attempt to further degrade me—as they took turns orally and anally raping me.

I attempted to report the assault to a UH administrator. I was informed at the time, however, that the university wasn't prepared to take action on my case. When I asked why, I was told, "You're a political science major. You should understand that some people have more power than others." Since then, I've struggled with a persistent feeling of powerlessness. I've fought for years to overcome lingering depression and anxiety, along with the fear that my assailants will, at some point, come back to harm me.

To be clear, I don't blame the current UHM administration for what happened to me. In fact, I applaud the university's leadership for taking steps to address sexual assault and sexual harassment on campus, following an audit by the U.S. Department of Education that revealed serious gaps in the school's compliance with Title IX's requirements for handling reports of sexual violence. Additionally, I'm not seeking anything, monetary or otherwise, from UH the university, or anyone involved in the incident.

I simply can no longer be silent. My justice must be obtained by sharing my story, so that other victims may feel less alone. I can be a lamppost in a dark and thorny forest, shining a light that makes trauma a little more bearable and hope a little easier to find for those who, like me, have suffered the pain of sexual violence. But I am no longer a rape victim. **I am a survivor.** I, and my organization, humbly ask you to validate the experiences of survivors by passing this measure and working to end the rape culture that continues to infect our state's college campuses.

**Kris Coffield · Executive Director, Imua Alliance · (808) 679-7454 · [kris@imuaalliance.org](mailto:kris@imuaalliance.org)**

**HB-554-HD-1**

Submitted on: 2/9/2023 12:00:25 AM

Testimony for JHA on 2/10/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael Golojuch Jr	Stonewall Caucus of the Democratic Party of Hawaii	Support	Remotely Via Zoom

Comments:

Aloha Representatives,

The Stonewall Caucus of the Democratic Party of Hawai‘i; Hawai‘i’s oldest and largest policy and political LGBTQIA+ focused organization fully supports HB 554 HD 1.

We hope you all will support this important piece of legislation.

Mahalo nui loa,

Michael Golojuch, Jr.  
Chair and SCC Representative  
Stonewall Caucus for the DPH



## HAWAI`I YOUTH SERVICES NETWORK

677 Ala Moana Blvd., Suite 904

Honolulu, Hawai`i 96813

Phone: (808) 489-9549

Web site: <http://www.hysn.org> E-mail: [info@hysn.org](mailto:info@hysn.org)

Vonnell Ramos, President  
Cyd Hoffeld, Vice President  
Sione Ford Naeata, Treasurer  
Jefferson Gourley, Secretary

Judith F. Clark, Executive  
Director

### Network Membership

*Bay Clinic*  
*Big Brothers Big Sisters Hawai`i*  
*Big Island Substance Abuse*  
*Council*  
*Bobby Benson Center*  
*Child and Family Service*  
*Coalition for a Drug-Free Hawai`i*  
*Collins Consulting, LLC*  
*Domestic Violence Action Center*  
*EPIC `Ohana, Inc.*  
*Family Programs Hawai`i*  
*Family Support Hawai`i*  
*Friends of the Children's Justice*  
*Center of Maui*  
*Get Ready Hawai`i*  
*Hale Kipa, Inc.*  
*Hale `Opio Kaua`i, Inc.*  
*Hawai`i Children's Action*  
*Network*  
*Hawai`i Health & Harm*  
*Reduction Center*  
*Ho`ola Na Pua*  
*Ho`okele Coalition of Kaua`i*  
*Ka Hale Pomaika`i*  
*Kahi Mohala*  
*Kokua Kalihi Valley*  
*Kaua`i Planning and Action*  
*Alliance*  
*Maui Youth and Family Services*  
*Na Pu`uwai Molokai Native*  
*Hawaiian Health Care*  
*Systems*  
*P.A.R.E.N.T.S., Inc.*  
*Parents and Children Together*  
*PHOCUSED*  
*PFLAG – Kona, Big Island*  
*Planned Parenthood of the*  
*Great Northwest, Hawaii*  
*Alaska, Kentucky, Indiana*  
*Residential Youth Services*  
*& Empowerment (RYSE)*  
*Salvation Army Family*  
*Intervention Services*  
*Sex Abuse Treatment Center*  
*Susannah Wesley Community*  
*Center*  
*The Catalyst Group*

February 9, 2023

To: Representative David Tarnas, Chair,  
And members of the Committee on Judiciary and Hawaiian Affairs

### TESTIMONY IN SUPPORT OF HB 554 RELATING TO CAMPUS SAFETY

Hawaii Youth Services Network supports HB 554 Relating to Campus Safety

All students deserve to be protected from sexual abuse, harassment, domestic violence, dating violence, and stalking. If these abuses do occur, it is critical that responders understand and apply trauma-informed approaches and provide services that do not further traumatize the survivor.

Thank you for this opportunity to testify.

Sincerely,

Judith F. Clark, MPH  
Executive Director



To: House Committee on Judiciary and Hawaiian Affairs  
Hearing Date/Time: February 10, 2023 at 2:00PM  
Place: Hawai'i State Capitol, Room 325  
Re: Testimony in STRONG SUPPORT of HB554

Dear Chair Tarnas, Vice Chair Takayama, and Members of the Committee,

Members of AAUW of Hawai'i thank you for this opportunity to testify in strong support of HB554 which would ensure that the University of Hawai'i provides annual sexual assault prevention & awareness training to faculty and students, amnesty for reporting parties as well as trauma-informed response training for staff responsible for responding to incidents of sexual violence. These actions are needed to empower campus communities across Hawai'i to stop sexual violence in its tracks as well as to guarantee that survivors do not face retaliation nor retraumatization for reporting gender-based violence.

Though both men and women are targets of violence on campus, sexual assault disproportionately affects women, transgender and gender non-binary students and impedes survivors' ability to participate fully in their education. Statistics from the 2021 Campus Climate Survey from the University of Hawai'i showed that 1 in 6 female students experience sexual violence and harassment during their time at UH while 1 in 3 transgender or non-binary students at UH experience sexual violence and harassment and students with disabilities are two or more times more likely to experience sexual violence and harassment. Additionally, Native Hawaiian UH students experience higher rates of intimate partner violence than their peers.

The repercussions of campus violence are serious: 46% of University of Hawai'i students in 2021 reported negative academic or professional consequences after experiencing gender violence, a significant increase in percentage from 2019. Yet alarmingly, five out of six UH students reported not accessing university resources after experiencing sexual violence. Amnesty policies for reporting parties as well as ensuring that survivors are met with a trauma-informed response are necessary to bridge this reporting gap and ensure community trust in the University of Hawai'i's response to disclosures.

Evidence-based training on sexual assault prevention and response empowers all members of the community to take action to stop sexual violence. While the current statute mandates trainings on Title IX, VAWA as well as university policies on sexual harassment, sexual assault, domestic violence, dating violence, and stalking, HB554 adds the necessary training piece of sexual assault prevention and awareness. As the only upstream solution, prevention and awareness training must



be added to the statute to ensure perpetuity of access to these trainings. By offering both preventative as well as supportive solutions to make campuses safer, HB554 will help students remain in school after experiencing gender violence so they can achieve their educational goals and contribute to Hawai'i's future.

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@aauw.net



February 10, 2023

Members of the House Committee on Judiciary & Hawaiian Affairs

Chair David A. Tarnas

Vice Chair Gregg Takayama

Rep. Sonny Ganaden

Rep. Troy N. Hashimoto

Rep. Daniel Holt

Rep. Linda Ichiyama

Rep. Greggor Ilagan

Rep. Sam Satoru Kong

Rep. John M. Mizuno

Rep. Kanani Souza

Re: HB554 Relating to Campus Safety

Dear Chair Tarnas, Vice Chair Takayama, and Members of the House Committee on Judiciary & Hawaiian Affairs:

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 **support of HB554**, which would help protect students from sexual abuse, dating and domestic violence through training of students and staff, and trauma-informed response efforts.

Dating and domestic violence in addition to sexual abuse or assault have been proven to be very prevalent on college campuses, including the University of Hawai'i. While there are currently great efforts made to prevent these acts and provide treatment and services to survivors, there is still more that can be done to protect students from abuse and trauma. These proposed amendments would raise awareness of such issues to the student body, those employed at UH and also those who implement disciplinary procedures while also educating them more on how to help individuals with trauma.

Certain populations are at an increased risk of experiencing domestic violence (i.e. the LGBTQ+ community, women, Native Hawaiian individuals, etc.). These groups can experience unique



HAWAI'I STATE  
COALITION AGAINST  
DOMESTIC VIOLENCE

forms of domestic violence that require a unique form of treatment by those knowledgeable in serving a specific population. Therefore, we support the addition of gender inclusive, LGBTQ+ training on trauma, with the hope that all students may feel heard, understood, and able to heal from trauma and abuse.

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

Sincerely,

Angelina Mercado, Executive Director



February 10, 2023

Dear Chair Nakashima, Vice-Chair Matayoshi, and honorable members of the House Judiciary & Hawaiian Affairs Committee,

As State Director of the Every Voice Coalition Hawai‘i, I am very thankful to have the opportunity to submit testimony in **support of the totality of HB554 HD1: Relating to Campus Safety**. This bill establishes necessary resources and supports for survivors: providing trauma-informed training for involved staff, offering annual access to prevention & awareness programming, and amnesty for reporting parties.

Campus safety is an equity issue because all Hawai‘i students have the right to access education & live in a campus community free from sexual violence but right now, at the University of Hawai‘i, that is not the case. The 2021 UH Campus Climate Survey reported to the legislature that 1 in 6 female and 1 in 3 transgender or non-binary students are experiencing sexual violence at UH. Students with disabilities are two or more times more likely to experience sexual violence and harassment. Female graduate students - my personal cohort - reported twice the rate of sexual harassment from faculty (50% of female graduate students) as compared to undergraduate women (30% of female undergraduate students). The inequity of campus sexual violence is urgent and as students we believe no use of time or resources is inefficient in improving equal access to education for all UH students.

The trauma of sexual violence and the subsequent lack of support and resources for student survivors often manifest as devastating long-term impacts including educational and economic outcomes, long-term career trajectory, and emotional and physical health. Alarming, in 2021, 5 in 6 students who experienced gender violence did not access UH resources and over 80% of students reported negative consequences after experiencing sexual violence at UH.

HB554 represents innovative change because this measure works to fill in gaps to prevent campus violence from occurring in the first place and also to ensure all students are met with supportive options and resources after experiencing gender-based violence. Annual prevention and awareness programming is required to ensure all students know what consent looks like, how they can be active bystanders and how they can access supportive resources. At the University of Hawai‘i, 67% of students do not recall attending any training or information session on sexual violence or gender-based violence. However, 61% of students who recalled attending a training or information session indicated that it was extremely or very useful. Without annual prevention and awareness programming in the statute, access to the only proven preventative measure for sexual assault is not mandatory and can easily be removed from students.

Amnesty protections are required for reporting parties to ensure no student gets in trouble for a minor school-rule violation that may have occurred at the time of an incident. For example, at UH Hilo most of our dorms are “dry” dorms meaning there is no alcohol use allowed. Fear of punishment for breaking this rule could unfortunately deter a survivor or bystander from



accessing University resources if alcohol was involved in a sexual violence incident. HB554 puts student safety first, ensuring students feel safe to come forward and receive the resources that they need after experiencing traumatic events.

HB554 is crucially important to define “trauma-informed.” The University of Hawai‘i does not have a definition of “trauma-informed.” Robust trauma-informed response training for staff and faculty who are responsible for supporting students who have experienced trauma is the only way to guarantee that survivors are not further retraumatized when reporting to their school. In 2021, over 50% of UH student victims did not report due to emotional concerns including feeling embarrassed, ashamed or that the process would be too emotionally difficult as well as fear of negative social consequences. According to Rape, Abuse, Incest National Network, 94% of women who are raped experience symptoms of post-traumatic stress disorder (PTSD) during the two weeks following the rape and 30% of women report symptoms of PTSD 9 months after the rape. Employees and officials responding to a disclosure of traumatic events like sexual violence must have the skills and tools to respond in a trauma-informed manner.

On behalf of students in Hawai‘i and advocates against gender-based violence, we ask that you support legislation to strengthen anti-violence protections at the University of Hawai‘i by supporting HB554: Relating to Campus Safety. Campus sexual violence should not be a part of the college experience but as a current college student, I see that it is painfully woven into many of our lives. Thankfully, there are proven measures in HB554 to reduce sexual violence rates and support survivors in healing.

May you act with the same urgency to codify greater access to resources available regardless of what waivers every four to eight years at the federal level. Students need access to the resources not currently provided at institutions, and with current Title IX rollbacks that are an unknown amount of time away from any change, Hawai‘i students need these supports now. How many survivors are supposed to suffer while we wait for new federal regulation? At the current rates, about 4,668 more women will experience gender-based violence during their time at the University of Hawai‘i if we do not act now.

Thank you for the opportunity to submit testimony in support of HB554 and mahalo for all you do to support Hawai‘i students in their educational journeys.

Sincerely,

A handwritten signature in black ink that reads 'Anna Nalani Ezzy'.

Anna Nalani Ezzy  
co-State Director  
Every Voice Coalition Hawai‘i



February 10, 2023

Dear Chair Tarnas, Vice-Chair Matayoshi, and honorable members of the House Judiciary & Hawaiian Affairs Committee,

I am a student at UH and I appreciate the opportunity to submit testimony in **support of the totality of HB554: Relating to Campus Safety**. Campuses are place to learn and build futures, however furthering your education can put you at a higher risk of sexual assault. Data shows that one in ten people attending college will be victims of sexual assault by the time they graduate, demonstrating that students are at an alarmingly high risk. The goal of the Campus Safety Bill is to protect these students who will inevitably become victims by providing them resources and trained personnel to help them overcome the trauma as well as working on campus education to help prevent these crimes from happening so frequently.

It's important for students to feel safe on campus, especially when it's the place they are living and have nowhere else to go, often far away from family members and previous support systems. College is when you start on your own in the world. We want to make sure victims of sexual assault feel like they have a support system they can trust and feel comfortable with. However, this cannot be done without amnesty for the victims. If someone is subjected to something as traumatic as sexual assault, they shouldn't have to worry about getting in trouble for the circumstances it happened under, nor should these circumstances take away from the seriousness of these situations. For example, if someone drinking underaged is sexually assaulted and goes to report this, they could get in trouble for the underaged drinking although it pales in comparison to the gravity of a sexual assault. This just causes further trauma and distracts from the violent crime that was committed and should be being addressed. This is why amnesty for victims is so important and one of multiple reasons why this bill is vital. Victims need amnesty if they are going to use university resources. In 2021 surveys showed that 5 in 6 students that experienced sexual assault didn't access UH resources, and with amnesty these numbers could be a lot lower, providing a safe and protected space for victims. I'm grateful for the opportunity to speak on HB554.

Mahalo for your time,

Jessie Gunderman



February 10th, 2023

Aloha Chair Tarnas, Vice-Chair Takayama, and honorable members of the House Judiciary & Hawaiian Affairs Committee,

My name is Lily Bohem James, I am a 2021 college graduate and serve as co-Executive Director of The Every Voice Coalition, and **I am testifying in support of HB554.**

As you may know, The Every Voice Coalition is a student, young alum and survivor-led organization that has fought tirelessly on behalf of survivor and student rights in Hawai'i to bring HB554 before you today. These students have researched, met with stakeholders, drafted, re-drafted, met with more stakeholders and shared their work with legislators- including many of you in this room today- all with the goal of passing their student-written bill, HB554, into law in Hawai'i to make Hawai'i the 7th state in the nation to have passed an Every Voice, student-written law to address the epidemic of campus sexual violence we face on our campuses every day.

**There is an epidemic of sexual violence on our college campuses.** To put some context into what students are experiencing every day on campuses: estimates show that 1 in 10 students will experience sexual violence during their time in college which means some 6,000 *currently enrolled* Hawai'i students have experienced or will experience sexual violence. **This is an outrage, but our society has grown numb to the realities that students face in their communities.** Beyond just the numbers, I ask you to think about what happens in the aftermath of these traumatic incidents- Where do these students go? Who do they talk to? What resources do they have to help them heal physically, emotionally, and mentally?

**Right now, student survivors are not receiving the support they need following an experience of sexual violence.** Indeed, statistics from a 2021 survey of University of Hawai'i students showed that **5 out of 6 students who experienced gender based violence do not access UH resources.** It's subsequently unsurprising that **82.4% of UH students reported negative consequences after experiencing sexual violence at UH.** Many student survivors will take leaves of absence or drop out of college altogether and many of these students will experience PTSD, depression, and/or misuse alcohol or drugs, often as a means of self-medication. Further, estimates show that the lifetime cost of rape- often including student loan debt as a result of adverse impacts on a survivor's educational trajectory- to be over \$122,000 per survivor.

I know that the picture I have just painted is a stark one, and is one that may feel overwhelming or insurmountable. But, the good news is that **HB544 aims to address the issues and gaps at the core of this issue on campuses. Each word in each section is crucial- and implementable.** So, while this is a devastating and serious issue, it is not insurmountable.

It is tempting to think of sexual violence as solely an individual issue centered on a "bad person who does bad things" and, while of course those individuals must be held accountable for their actions, we must also look at the *systems* in which they are committing violence and examine these systems. This is where HB554 comes in: **this bill is about creating a community and culture of respect, of accountability and of community response that centers the needs of those who have been harmed.**

The community-wide training requirements not only requires a higher bar of inclusive, best practice content but also increases training to be annual which will ensure all community members know how to make their communities safe ones. Additionally, the trauma-informed training component takes further steps to ensure that students who've experienced sexual trauma and seek support from campus administrators are met with a response centered in compassion, awareness and with an understanding of the deep impacts of trauma. Lastly, the amnesty from discipline component of this bill breaks down a massive barrier for students seeking support following an experience of sexual violence. No student should have to worry they may face disciplinary actions for drinking under-age at the time they were sexually violated.

These three components take common sense steps to ensure that students are able to receive the support they need in order to first and foremost, heal from trauma, and simultaneously pursue their education. **And, these components have been implemented in other states before: Massachusetts, New Hampshire, Nevada, Illinois, Connecticut and Maine have already passed sister bills to this one. Hawai'i has the opportunity to be the 7th state to take action to prioritize their students' safety and stand up and make this critical change.** It is something that we can and will solve together. But it is something that we can not keep waiting to address because, **every year that we wait, we are putting thousands of students at risk when we could have done more.**

**Thank you so much for listening to the voices of students, young alums and survivors here with me today. I urge the committee to vote HB554 favorable out of committee.**

With urgency,

Lily Bohem James  
*Co- Executive Director, The Every Voice Coalition*



February 10th, 2023

Aloha Chair Tarnas and Vice Chair Takayama and honorable members of the House Committee on Judiciary and Hawaiian Affairs,

My name is Gwynne Long, I am a student at The University of Hawai'i at Hilo, and I am in SUPPORT of HB554 to codify annual prevention and awareness programming around sexual assault on University of Hawai'i campuses as well as establish crucial supports for student survivors such as an amnesty policy and a guaranteed trauma-informed response from school staff.

During my first weeks of the Fall 2022 semester, I received an email from the school with the subject "Fall 2022 University of Hawaii Online Title IX Training for Students". The training contains videos and literature designed to help students gain knowledge on how to prevent sexual assault/violence. Though administered in September, the training is open until August of 2023, allowing students to finish the school year having never completed the training. On top of that, the training is not enforced. Students can simply disregard the email and go about their school year having no knowledge or training on the subject. The only other outreach the school offers where students are directly communicated anything regarding Title IX or sexual assault resources, is syllabus week. Most professors will include in their syllabus where the Title IX office is located, what it's there for, and how to utilize it. From my experience, this section is quickly brushed over and copied and pasted the exact same on all syllabi.

Though I personally have not experienced sexual violence while attending the university, I know plenty of professors and school employees who have made myself and other students uncomfortable with their remarks and insinuations during class time. One professor in particular has made countless remarks to my female peer regarding her ability to do things almost in a discriminatory tone. In my experience, he had announced to the class that he believed I had romantic feelings for another classmate, which was completely uncalled for, unprofessional, and untrue. It's extremely important for all student professors to undergo mandatory training on ways to avoid acting in such a way that can make others uncomfortable or do something they do not consent to. Annual sexual assault prevention and awareness programming must be mandatory to ensure everyone in the campus community is on the same page about consent, bystander intervention, and preventative measures.

Campus sexual violence is an equity issue, with marginalized groups reporting higher rates of violence in 2021 while attending the University of Hawai'i than their peers. With 5 out of 6 UH student survivors reporting not accessing university resources in 2021, change is urgently required to help students connect with the help they need to continue their education.

Mahalo for your dedication to the health and wellbeing of all UH students across Hawai'i, please pass HB554.

Signed,  
Gwynne Long



February 10th, 2023

Aloha Chair Tarnas, Vice-Chair Takayama, and honorable members of the House Committee on Judiciary and Hawaiian Affairs,

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 HB554 to codify annual prevention and awareness programming around sexual assault on University of Hawai'i campuses as well as establish crucial supports for student survivors such as an amnesty policy and a guaranteed trauma-informed response from school staff.

From my personal experience as a student at UH Hilo, I strongly believe that more needs to be done to provide students with a comprehensive annual sexual assault prevention & awareness training. The University's current strategy for educating students on these topics is done through an email chain. An email is sent out to every student that includes a link to a module with information explaining Title IX and the universities policies. Based on the severity and impact of Sexual Assault and its long lasting effects on its victims, I strongly believe that much more should be done by the university and cemented in law to prevent assault before it occurs. To be specific, a more aggressive strategy for educating students that correctly displays the severity of Sexual Assault needs to be implemented. This aggressive strategy includes, setting a definitive definition of consent that is used to educate students, focusing on the role drugs and alcohol play when dealing with consent, and access to supportive measures for reporting Sexual Assault. All in all, I believe that the University is not doing enough to educate its students on topics that are proven to decrease rates of sexual violence, and that HB554 legislation simply fills the gaps when it comes to educating students which are left by the current practices.

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

Signed,  
Ryan Coughlin



February 10, 2023

Dear Chair Tarnas, Vice-Chair Takayama, and honorable members of the House Judiciary & Hawaiian Affairs Committee,

As a member of Every Voice Coalition, and a student at University of Hawaii at Hilo I am honored to have the opportunity to submit testimony in **support** of the totality of HB554 Relating to Campus Safety.

According to the 2021 climate survey results at the University of Hawai'i, 67% of students did not recall attending a gender violence prevention training program provided by the university. The same survey also reported that almost 20% of students are experiencing dating and domestic violence during their time at UH. Additionally, reported rates of intimate partner violence were significantly higher for Native Hawaiian students than their peers. National statistics show us that 90% of survivors do not come forward to report, and 5 out of 6 UH students reported not accessing University of Hawai'i resources - leaving many survivors without the vital options and resources they deserve.

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.

Not every student will experience sexual assault, but for those who do, the violation is life-altering. The truth is, for some survivors, the very essence and passion that drove them to pursue a degree crumbles before them. According to the recent University of Hawai'i survey, 100% of students who experienced sexual harassment, 72% who experienced stalking, 80% of those who experienced domestic and dating violence, and 67% of those who experienced nonconsensual sexual contact reported enduring serious consequences from the incidents. Survey participants reporting negative impacts showed statistically significant increases from 2019 to 2021 of up to 10 points. The most common consequences were noted as emotional trauma, social consequences, and adverse academic impacts. This bill helps survivors access resources by guaranteeing amnesty when coming forward to report as well as by ensuring that the school faculty in charge of handling traumatic incidents are equipped with data-driven, trauma-informed training.



I, on behalf of students in Hawai'i, ask for the favorable passage of this legislation through committee: It would mean fewer students will be forced to navigate the silencing, blaming, and traumatizing experience of campus sexual violence that overshadows and sometimes de-rails their time in college.

Thank you for the opportunity to submit testimony in support of HB554 relating to campus safety and for supporting the health and safety of Hawai'i students.

Sincerely,

Kealani Berg  
Steering Committee Member of Every Voice Coalition Hawai'i

**HB-554-HD-1**

Submitted on: 2/8/2023 3:14:38 PM

Testimony for JHA on 2/10/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
cheryl Burghardt	Individual	Support	Written Testimony Only

Comments:

I SUPPORT this bill which *requires that University of Hawaii students and employees receive training on sexual misconduct awareness and trauma informed responses, sexual harassment, sexual assault, domestic violence, dating violence, and stalking. Requires that the University of Hawaii ensure that any individual who participates in implementing the university's disciplinary process has training or experience in handling sexual misconduct complaints and the university's disciplinary process. Requires that the university provide mandatory annual trauma informed, gender inclusive, LGBTQ+ inclusive sexual misconduct primary prevention and awareness programming for students and employees of the university. Prohibits the university from taking disciplinary action against individuals reporting sexual misconduct unless certain exceptions apply. Establishes positions and appropriates funds. Effective 6/30/3000. (HD1)*

THIS is a public safety issue and the government as a **non-religious** entity has the responsibility and duty to protect ALL citizens and insist that ALL citizens are treated with respect at all times. Hawai'i is a unique place with long-established traditions and paths in culture which must be honored for ALL citizens.

**HB-554-HD-1**

Submitted on: 2/8/2023 8:44:13 PM

Testimony for JHA on 2/10/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Will Caron	Individual	Support	Written Testimony Only

Comments:

College campuses should be safe from sexual and domestic violence. However, according to the Rape, Abuse & Incest National Network, the nation’s largest anti-sexual violence organization, 13% of all college students experience rape or sexual assault through physical force, violence, or incapacitation. Among undergraduate students, 26.4% of females and 6.8% of males experience rape or sexual assault through physical force, violence, or incapacitation.

Incidents of sexual and domestic violence are also pervasive on college campuses in Hawai'i. More than 19% of students who were in a partnered relationship while enrolled at the University of Hawai'i reported having experienced dating violence or domestic violence. In addition, about ten per cent said they had been sexually harassed or stalked, and 6.3% reported nonconsensual sexual contact, according to a survey of students released by the university in January 2018.

Strengthening campus safety protocols to ensure that students are adequately protected from escalating incidents of abuse is a matter of statewide concern. Please support HB554 HD1.

**HB-554-HD-1**

Submitted on: 2/9/2023 12:29:07 AM

Testimony for JHA on 2/10/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dana Keawe	Individual	Support	Written Testimony Only

Comments:

Strongly support HB554

**HB-554-HD-1**

Submitted on: 2/9/2023 11:35:12 AM

Testimony for JHA on 2/10/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jason Mark Alexander	Individual	Support	Written Testimony Only

Comments:

Aloha, my name is Jason Mark Alexander, and I am a Sociology PhD student at the University of Hawai‘i Mānoa and a representative of Academic Labor United, living in Mānoa. I appreciate the opportunity to testify in SUPPORT of HB554 to codify annual prevention and awareness programming around sexual assault on University of Hawai‘i campuses as well as establish crucial supports for student survivors such as an amnesty policy and a guaranteed trauma-informed response from school staff.

Campus sexual violence is an equity issue, with marginalized groups reporting higher rates of violence in 2021 while attending the University of Hawai‘i than their peers. With 5 out of 6 UH student survivors reporting not accessing university resources in 2021, change is urgently required to help students connect with the help they need to continue their education. Current grievance processes are insufficient and painful to go through, and reform for procedures is urgently needed so students can trust in the processes before they decide to start the ordeal.

Mahalo for your dedication to the health and wellbeing of all UH students across Hawai‘i, please pass HB554.

**HB-554-HD-1**

Submitted on: 2/9/2023 12:43:06 PM

Testimony for JHA on 2/10/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Avery Bryce	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Avery Bryce and I am a community member at the University of Hawai'i at Hilo, testifying on my own behalf. I appreciate the opportunity to testify in SUPPORT of HB554 to codify annual prevention and awareness programming around sexual assault on University of Hawai'i campuses as well as establish crucial supports for student survivors such as an amnesty policy and a guaranteed trauma-informed response from school staff.

My closest friends and family have been affected by gender violence on college campuses. Campus sexual violence is an equity issue, with marginalized groups reporting higher rates of violence in 2021 while attending the University of Hawai'i than their peers. With 5 out of 6 UH student survivors reporting not accessing university resources in 2021, change is urgently required to help students connect with the help they need to continue their education.

Mahalo for your dedication to the health and wellbeing of all UH students across Hawai'i, please pass HB554.

Signed,

Avery Bryce

**HB-554-HD-1**

Submitted on: 2/9/2023 7:01:54 PM

Testimony for JHA on 2/10/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
nancy sidun	Individual	Support	Written Testimony Only

Comments:

As a clinical psychologist I know how essential it is to have appropriate training to deal with such sensitive and tramatic experiences. I am full support for HB554.

Respectfully submitted,

Dr. Nancy Sidun