

OFFICE OF THE LIEUTENANT GOVERNOR
Ke Ke'ena O Ka Hope Kia'aina

TO: Chair Kyle Yamashita
Vice Chair Lisa Kitagawa
Members of the House Committee on Finance

FROM: Sylvia Luke, Lieutenant Governor

RE: Testimony for S.B. 1527 – Relating to Address Confidentiality

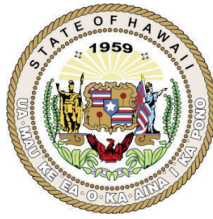
DATE: April 3, 2023

Thank you for the opportunity to provide testimony in **strong support of S.B. 1527** which changes the administration of the address confidentiality program from the Office of the Lieutenant Governor to the Department of Law Enforcement and appropriates funds for positions, operating costs, and equipment to support administering the address confidentiality program.

The Legislature passed Act 115, Session Laws of Hawaii 2018 and Act 274, Session Laws of Hawaii 2019 which protects the confidentiality of the actual address of survivors of domestic abuse, sexual offenses, or stalking from public record. Working together with domestic violence non-profit organizations, the State will assign a substitute address that receives first-class, certified, or registered mail and forward that mail to the survivor's actual address. While I fully support this important program, the open nature of my office and the State Capitol creates safety concerns, and it is more appropriate to house this program in the Department of Law Enforcement where abusers and stalkers would be deterred from visiting.

Thank you for the opportunity to provide testimony in strong support of S.B. 1527.

JOSH GREEN
GOVERNOR



JORDAN LOWE
DIRECTOR

MICHAEL S. VINCENT
Deputy Director
Administration

STATE OF HAWAII | KA MOKUPŪNAHOU
DEPARTMENT OF LAW ENFORCEMENT
Ka 'Oihana Ho'opalekana Lehulehu

1177 Alakea Street
Honolulu, Hawaii 96813
(808) 587-2562

Vacant
Deputy Director
Law Enforcement

No.

TESTIMONY ON SENATE BILL 1527, SD. 2
RELATING TO ADDRESS CONFIDENTIALITY

Before the House Committee on Finance

Monday, April 3, 2023; 2:30 p.m.

State Capitol Conference Room 308, Via Videoconference

Testifiers: Jordan Lowe or Michael Vincent

Chair Yamashita, Vice Chair Kitagawa, and members of the Committee:

The Department of Law Enforcement (DLE) supports Senate Bill 1527, SD. 2.

The purpose of this bill is to transfer the Address Confidentiality Program from the Lieutenant Governor to the DLE, authorizes the program to contract services of a third-party administrator that is strictly limited to the mail forwarding aspects of the program and acceptance of service of process like agents of any business. The bill also appropriates funds for positions and operation and the DLE understands that these numbers will most likely be addressed later in the session.

This program is essential for many survivors of domestic abuse, sexual assault, and stalking who are moving or relocating and need to keep the location of their physical address confidential to safely escape the violator and continue a path of healing, rebuilding, and commencing what should be a new lease on life. This bill is needed to authorize the DLE to administer the Address Confidentiality Program and help provide a measure of safety, security, and relief for many of these victims.

The DLE will include input from victim advocacy groups and victims as we identify the conditions, guidelines, policies, and rules of the program. Additionally, because the program will be subject to rules in its administration, significant input is expected from the public in the establishment of the Program.

Based on testimony regarding this and its companion bill (HB 1260), we are aware of a suggestion to amend the bill to require inclusion of a governance committee. However, there are several significant distinctions described below why DLE does not believe a governance committee is needed for the successful operation of the Address Confidentiality Program.

The proposal to include a governance committee is based on the idea that the Address Confidentiality Program should function like the Statewide Automated Victim Information and Notification (SAVIN) system administered by the Department of Public Safety which has a committee to provide governance over the Program. However, there are several important and significant distinctions described below why DLE does not believe a governance committee is needed to for the Address Confidentiality Program.

The SAVIN system is a complex integrated information system designed to provide the public and victims around-the-clock information and notification on custody, parole status, and other information of offenders subject to the jurisdiction of the Corrections Division of the Department of Public Safety. The system is complicated and involves several partners, facilities, and data information systems. The SAVIN system has 21 triggers that would cause a notification to be sent out including any release, escape or return from escape, unsupervised custody, return to custody, transfer, death, requested reduction of minimum sentence (including review and decision), stages of parole hearings (early, upcoming, decision, delay, or discharge), issuance of a warrant, and various types of parole status (return to custody, revocation, interstate compact, return from interstate compact) of offenders.

In contrast, the Address confidentiality program does not include the complicated network and information systems like the SAVIN system. Rather it is intended to protect survivors of domestic violence, sex assault and stalking from their abuser by assigning a substitute address to program participants, receive and forward mail at no cost to the

program participants, keep a log of all mail, and act as the agent of program participants for purposes of service of all legal process in the State.

Finally, an appropriation is needed for the DLE to properly fulfill its obligations under the Address Confidentiality Program. At this time, we believe the amount of \$280,000 should be sufficient for fiscal year 2023-2024 and 2024-2025 with two (2) full-time equivalent (2 FTE) positions. However, we recognize that the specific amount will be included at an appropriate time during the session.

Thank you for the opportunity to submit comments on this bill.



HAWAI'I STATE
COALITION AGAINST
DOMESTIC VIOLENCE

April 3, 2023

Members of the House Committee on Finance:

Chair Kyle T. Yamashita

Vice Chair Lisa Kitagawa

Rep. Micah P.K. Aiu

Rep. Cory M. Chun

Rep. Elle Cochran

Rep. Andrew Takuya Garrett

Rep. Kirstin Kahaloa

Rep. Darius K. Kila

Rep. Bertrand Kobayashi

Rep. Rachele F. Lamosao

Rep. Dee Morikawa

Rep. Scott Y. Nishimoto

Rep. Mahina Poepoe

Rep. Jenna Takenouchi

Rep. David Alcos III

Rep. Gene Ward

Re: SB1527 SD2 Relating to Address Confidentiality

Dear Chair Yamashita, Vice Chair Kitagawa, and Members of the House Committee on Finance:

The Hawai'i State Coalition Against Domestic Violence (HSCADV) addresses domestic violence's social, political, and economic impacts 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 SB1527 SD2**. This measure would change the governmental entity responsible for the administration of the Address Confidentiality Program from the Office of the Lieutenant Governor to the Department of Law Enforcement. It would also appropriate funds for full-time equivalent positions, operating costs, and equipment.

It is of the utmost importance to ensure the safety and security of survivors of domestic violence by protecting their physical locations. We support this measure and recognize the positive impact it could have on survivors' health, safety, and healing.

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

Sincerely,

Angelina Mercado, Executive Director