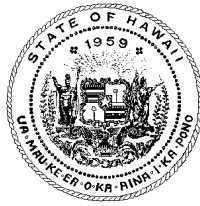


JOSH B. GREEN, M.D.  
GOVERNOR



STATE OF HAWAII – KA MOKU'ĀINA 'O HAWAII

**CRIME VICTIM COMPENSATION  
COMMISSION**

**Ke Komikina Uku Luaahi Kalaima**

1164 Bishop Street, Suite 1530  
Honolulu, Hawai'i 96813  
Telephone: 808 587-1143  
Fax: 808 587-1146

**MARI McCAIG BELLINGER**  
Chair

**CLIFTON Y.S. CHOY**  
Commissioner

**JO KAMAE BYRNE**  
Commissioner

**PAMELA FERGUSON-BREY**  
Executive Director

TESTIMONY ON SENATE BILL 1527  
RELATING TO ADDRESS CONFIDENTIALITY  
by

Pamela Ferguson-Brey, Executive Director  
Crime Victim Compensation Commission

Senate Committee on Judiciary  
Senator Karl Rhoads, Chair  
Senator Mike Gabbard, Vice Chair

Senate Committee on Public Safety and Intergovernmental and Military Affairs  
Senator Glenn Wakai, Chair  
Senator Brandon J.C. Elefante, Vice Chair

Tuesday, February 14, 2023; 9:30 AM  
State Capitol, Conference Room 016 & Videoconference

Good morning Chairs Rhoads and Wakai, Vice Chairs Gabbard and Elefante, and Members of the Senate Committee on Judiciary and Senate Committee on Public Safety and Intergovernmental and Military Affairs. Thank you for providing the Crime Victim Compensation Commission (Commission) with the opportunity to testify before you today. The Commission strongly supports Senate Bill 1527 with the proposed amendments offered by the Hawai'i State Coalition on Domestic Violence.

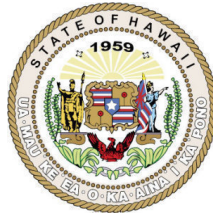
The Commission provides compensation for violent crime victims to pay un-reimbursed expenses for crime-related losses due to physical or mental injury or death. Many victims of violent crime could not afford to pay their medical bills, receive needed mental health or rehabilitative services, or bury a loved one if compensation were not available from the Commission. In addition, the Commission serves on and currently chairs the Statewide Automated Victim Information and Notification System (SAVIN) Governance Committee, which guides the SAVIN Program in Hawai'i. The role of the Governance Committee is to ensure that the SAVIN Program is victim centered.

The Commission strongly supports the Address Confidentiality Program which provides eligible victims with a confidential mailing address for all public records to shield their actual location from their abuser/stalker.

The Commission urges the joint committee to adopt the proposed recommendations made by the Hawai'i State Coalition on Domestic Violence, particularly the recommendation to eliminate the proposal to outsource the services to a third party and the proposal to create an Advisory Committee to ensure that implementation of the program is victim centered.

Thank you for providing the Commission with the opportunity to testify in strong support of Senate Bill 1527 with the proposed amendments offered by the Hawai'i State Coalition on Domestic Violence.

JOSH GREEN  
GOVERNOR



JORDAN LOWE  
DIRECTOR

MICHAEL S. VINCENT  
Deputy Director  
Administration

STATE OF HAWAII | KA MOKU'ĀINA O HAWAI'I  
**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  
RELATING TO ADDRESS CONFIDENTIALITY  
Before the Senate Committees on Judiciary and  
Public Safety and Intergovernmental and Military Affairs  
Tuesday, February 14, 2023; 9:30 a.m.  
State Capitol Conference Room 016, Via Videoconference  
Testifiers: Jordan Lowe or Michael Vincent

Chairs Rhoads and Wakai, Vice Chairs Gabbard and Elefante, and members of the Committee:

The Department of Law Enforcement (DLE) strongly supports Senate Bill 1527 and would like to suggest a clarifying amendment.

This bill transfers the Address Confidentiality Program from the Lieutenant Governor to the DLE, authorizes the program to contract services of a third-party administrator, and appropriates funds for positions and operation.

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.

This bill also authorizes the DLE to contract with a third-party administrator to administer the program which includes assigning a substitute address for those participating in the program, receiving certain mail for the participants, and acting as an agent for service of process for the participants. While the DLE will have law

enforcement officers, including investigators, who will address any law enforcement issues relating to those trying to locate the participants, it is foreseeable that the day-to-day administration of the mail and service aspects of the program may be something appropriate for a third-party if not performed by staff. However, to clarify that a third party may not administer the program, the DLE. Suggests that the following language replace the language found in Section 1, lines 4 through 7 of the bill:

"§801G-           **Contract for administrative services.** The department may contract the services of a third party to provide for the services provided in section 801G-2(a)(2) and 801G-2(a)(3)."

Finally, the 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.

Thank you for the opportunity to testify in strong support on this bill.



February 14, 2023

Members of the Senate Committee on Public Safety and Intergovernmental and Military Affairs:

Chair Glenn Wakai  
Vice Chair Brandon J.C. Elefante  
Sen. Carol Fukunaga  
Sen. Angus L.K. McKelvey  
Sen. Brenton Awa

Members of the Senate Committee on Judiciary:

Chair Karl Rhoads  
Vice Chair Mike Gabbard  
Sen. Brandon J.C. Elefante  
Sen. Joy A. San Buenaventura  
Sen. Brenton Awa

Re: SB1527 Relating to Address Confidentiality

Dear Chairs Wakai and Rhoads, Vice Chairs Elefante and Gabbard, and Members of the joint Senate Committee on Public Safety and Intergovernmental and Military Affairs and Judiciary:

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 submit testimony in **support of SB1527 and respectfully suggest three (3) amendments** to this measure. The amendments reflect the concerns of victim service providers on the time and resources necessary to successfully implement and administer the Address Confidentiality Program (the Program).

The purpose of the Program is to protect survivors of domestic violence, sexual assault, and stalking from their abusers by keeping their home addresses from public records. This would be achieved by assigning a substitute mailing address, forwarding first class, certified, or registered mail at no cost to the survivor, and acting as agent for purposes of the process of service of all



legal process in the State of Hawai'i. **This is not simply a mail forwarding program; survivors' lives are at stake through the administration of this Program.**

1. We recommend deleting lines 4-7 on page 1, Contract for administrative services.

The administration of this program should not be outsourced to a third party. Implementation and management of this Program are complex, regardless of the number of survivors enrolled in the program, with consequences affecting survivor safety. Implementation and administration must have a survivor-centered, trauma-informed approach in addition to certain technical expertise. This also requires buy-in, collaboration, and training of other state agencies including, but not limited to, the Office of Elections, Department of Human Services, Department of Education, and public utilities. **Programs in other states are successful when their staff and administrative rules have the full weight of a state agency behind them.**

2. We also recommend adding a section to HRS 801G creating an address confidentiality program governance committee, modeled after HRS 353-137 Automated victim information and notification system governance committee.

The address confidentiality program governance committee members should at a minimum include:

- a victim;
- one representative from a victim assistance program in each county
- one representative from each of the:
  - Hawai'i State Coalition Against Domestic Violence;
  - Sex Abuse Treatment Center;
  - Domestic Violence Action Center; and
  - Crime victim compensation commission.

with the purpose of advising the department of law enforcement on the :

- implementation and operation of the program;
- staffing requirements;
- policies and procedures governing the implementation and operation of the program, intended to safeguard the safety, confidentiality, and autonomy of victims.

**The establishment of the address confidentiality program governance committee will advise the department of law enforcement on the implementation of the program in a**



HAWAI'I STATE  
**COALITION AGAINST  
DOMESTIC VIOLENCE**

**survivor-centered, trauma-informed manner, including the best practices established by other programs across the nation.**

3. Finally, we recommend amending the effective date of Section 8 of this bill to January 1, 2024, to allow time for the formation of the governance committee, hiring, staffing, training, and collaboration across state agencies.

**It is imperative that this Program is well designed and implemented from the start, anything else would be an injustice to survivors.**

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

Sincerely,  
Angelina Mercado, Executive Director

**SB-1527**

Submitted on: 2/10/2023 9:30:17 PM

Testimony for PSM on 2/14/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alexandra Chou	Individual	Support	Written Testimony Only

Comments:

**I respectfully submit testimony in support of SB1527 and respectfully suggest three (3) amendments to this measure. The amendments reflect the concerns of victim service providers on the time and resources necessary to successfully implement and administer the Address Confidentiality Program (the Program).**

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with the purpose of advising the department of law enforcement on the :

- implementation and operation of the program;
- staffing requirements;
- policies and procedures governing the implementation and operation of the program, intended to safeguard the safety, confidentiality, and autonomy of victims.

The establishment of the address confidentiality program governance committee will advise the department of law enforcement on the implementation of the program in a survivor-centered, trauma informed manner, including the best practices established by other programs across the nation.

1. Finally, we recommend amending the effective date of Section 8 of this bill to January 1, 2024 to allow time for the formation of the governance committee, hiring, staffing, training and collaboration across state agencies.

It is imperative that this Program is well designed and implemented from the start, anything else would be an injustice to survivors.



**SB-1527**

Submitted on: 2/11/2023 3:36:06 PM

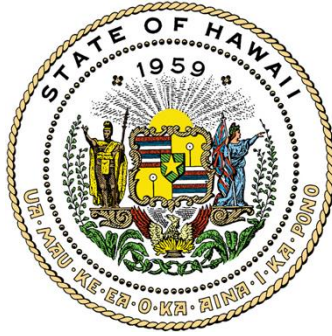
Testimony for PSM on 2/14/2023 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dara Carlin, M.A.	Individual	Support	Written Testimony Only

Comments:

Stand in Support

**LATE**



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

TO: Chair Karl Rhoads, Vice Chair Mike Gabbard  
Members of the Senate Committee on Judiciary  
  
Chair Glenn Wakai, Vice Chair Brandon Elefante  
Members of the Senate Committee on Public Safety and  
Intergovernmental and Military Affairs

FROM: Sylvia Luke, Lieutenant Governor

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

DATE: February 14, 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.