



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:
S.B. NO. 1149, RELATING TO HATE CRIMES.

BEFORE THE:
SENATE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

DATE: Monday, February 3, 2025 **TIME:** 3:15 p.m.

LOCATION: State Capitol, Room 225 and Videoconference

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Mark S. Tom, Deputy Attorney General

Chair Elefante and Members of the Committee:

The Department of the Attorney General (Department) provides the following comments.

The purpose of this bill is to require reporting by the Department of all reported possible hate crimes to appropriate authorities. The bill defines a "reported hate crime" to mean "any reported incident, regardless of whether it results in criminal charges, where there is evidence or indication that bias or prejudice may have been a motivating factor." It also requires training of law enforcement officers and agencies that have primary investigative, action or program responsibility for adult or juvenile offenses to ensure the consistent documentation and analysis of the reported incidents by the Department.

The Department has been working to transition the statistical crime reporting in the State of Hawaii from the Federal Bureau of Investigation's (FBI) nationwide Uniform Crime Reporting (UCR) program's traditional Summary Reporting System, which allows the State to collect limited data, to the National Incident-Based Reporting System (NIBRS) program, which is a more robust system that includes hate crime data and has the ability to collect and provide circumstances and context for crimes, such as location, time of day, and whether the reported incident was attempted or completed. The Department is dedicated to expanding and improving the State's UCR program's capacity to collect and report NIBRS data. Much of the recent and planned work is

focused on additional development of the state NIBRS data repository and statistical dashboards, as well as assisting and certifying local reporting law enforcement agencies for NIBRS. NIBRS includes "reported incidents" for all offense codes captured under NIBRS.

While the Department supports the intent of the bill, with the current ongoing transition to NIBRS, the requested hate crime data collection in this bill may not be necessary, as it would duplicate procedures already in place. The Department administers the State UCR/NIBRS program, and all four county police departments have been reporting FBI-style hate crime data to the Department using the FBI's NIBRS format. Additionally, the Department is developing a user-friendly, public dashboard that should be completed by September 30, 2025, and will provide more transparency and accessibility to hate crimes data. NIBRS hate crime reporting is expected to eventually supersede Hawaii's current prosecutor-level reporting program and is evolving to provide the most accurate and accessible hate crime data. In short, the Department has been and continues to take proactive steps in reporting accurate and comprehensive hate crime data.

Lastly, the Department is concerned regarding the proposed addition of section 846-53(b), HRS, on page 4, line 13-16, which mandates training for all law enforcement officers. Currently, NIBRS training is provided by the FBI several times per year in two-day online courses and is coordinated and documented by state UCR program staff. The training is open to all police personnel with key responsibilities for crime reporting, including support staff such as the records and information technology personnel who generate, review, revise, verify, and report NIBRS data. The FBI also coordinates with the state UCR program to audit the police department's crime reporting data and procedures on a tri-annual basis. Beyond that, each police department has unique capabilities, resources, needs, policies and procedures to address hate crime training for all officers. The Department does not believe that this bill provides the specificity or the potential funding needed to accomplish its purpose, and believes that current policies and procedures regarding hate crime training are sufficient at this time.

Thank you for the opportunity to provide comments on the bill.

DEPARTMENT OF THE PROSECUTING ATTORNEY
KA 'OIHANA O KA LOIO HO'OPI'I
CITY AND COUNTY OF HONOLULU

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THE HONORABLE BRANDON J.C. ELEFANTE, CHAIR
SENATE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS
Thirty-Third State Legislature
Regular Session of 2025
State of Hawai'i

February 2, 2025

RE: S.B. 1149; RELATING TO HATE CRIMES.

Chair Elefante, Vice-Chair Wakai, and members of the Senate Committee on Public Safety and Military Affairs, the Department of the Prosecuting Attorney for the City and County of Honolulu submits the following testimony in support of S.B. 1149.

Hate crimes not only harm the victim, but also spread fear among everyone belonging to the targeted community. Hawai'i law currently provides extended sentencing for hate crime offenders.¹ This requires proof that the defendant intentionally selected the victim or property based on hostility towards particular protected characteristics, such as race, religion, or gender.² That often requires evidence of motive, which is not available in all cases. Thus, not all crimes motivated by bias can be prosecuted as hate crimes.

The Department supports efforts to obtain reliable data on the incidence of hate crimes in Hawai'i. We recommend adopting clear, consistent reporting standards to permit year-to-year comparisons and improve law enforcement strategies to combat hate crimes.

Thank you for the opportunity to testify.

¹ HRS § 706-662(6).

² *Id.* § 706-662(6)(b).



Advocating for the Hawai'i LGBTQIA+ Community

January 31, 2025

Senate's Committee on Public Safety and Military Affairs
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

Hearing: Monday, February 3, 2025 at 3:15 PM

RE: **STRONG SUPPORT for Senate Bill 1149 – Relating to Hate Crimes**

Aloha Chair Elefante, Vice-Chair Wakai and fellow committee members,

I am writing in strong support of Senate Bill 1149 on behalf of the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus. (LGBTQ+) Commission, which was established by the 2022 Hawai'i State Legislature with the following purpose:

“...to improve the State's interface with members of the lesbian, gay, bisexual, transgender, queer, plus community; identify the short- and long-range needs of its members; and ensure that there is an effective means of researching, planning, and advocating for the equity of this population in all aspects of state government.”

SB 1149, establishes the definition for "reported hate crime" and requires reporting of all possible reported hate crimes to appropriate authorities, including consistent documentation and analysis of such incidents. Requires law enforcement officers to receive annual training to identify, investigate, and document hate crimes and possible hate crimes. Requires the Attorney General to establish or update guidelines, protocols, and training materials for the reporting and investigation of hate crimes and possible hate crimes.

Hate crimes are not just attacks on individuals; they are deliberate attempts to intimidate and divide entire communities. They send a chilling message meant to instill fear, erode trust, and marginalize already vulnerable groups. In Hawai'i, where diversity and inclusion are core values, we must take decisive action to protect racial, religious, sexual orientation, gender, gender identity and/or expression, and other protected classes from bias-motivated violence. Ensuring safety and justice requires more than just condemning these acts—it demands real accountability, transparency, and proactive solutions.

The Urgent Need for Comprehensive Hate Crime Data

Currently, hate crimes remain vastly underreported and under-documented in Hawai'i. This is often due to a lack of clear reporting protocols, insufficient law enforcement training, and the fear of retaliation experienced by victims. Without accurate, standardized data collection, the full scope of hate-motivated violence remains obscured, preventing an effective response and eroding public trust in our justice system.

HI State LGBTQ+ Commission Testimony in Strong Support of SB 1149

SB 1149 directly addresses these gaps by requiring the comprehensive collection, documentation, and analysis of all reported hate crimes—even when they do not result in criminal charges. This distinction is critical, as many acts of hate—such as threats, harassment, and vandalism—may not always lead to prosecution but nonetheless inflict deep and lasting harm on the targeted communities. Without data on these incidents, we cannot fully grasp the prevalence of hate-based violence, let alone combat it effectively.

Building Public Trust Through Transparency and Accountability

Transparency is a cornerstone of public trust. By mandating that law enforcement agencies report hate crime data to the Attorney General's Office and requiring annual training for officers, SB 1149 ensures that these crimes are not only tracked but also taken seriously. A well-trained law enforcement workforce will be better equipped to recognize, investigate, and address bias-motivated violence, ensuring that victims receive the support and justice they deserve.

Additionally, the bill's directive for the Attorney General to establish uniform guidelines within 90 days of enactment will create much-needed consistency across all law enforcement agencies. A standardized approach to hate crime documentation will reduce discrepancies, improve accuracy, and allow for a more comprehensive understanding of hate crimes in our state.

A Commitment to Safety, Justice, and Inclusion

By passing SB 1149, Hawai'i will make a clear and powerful statement: Hate has no place in our communities. We will not allow fear and division to take root. We will protect our most vulnerable residents, demand accountability, and uphold the principles of justice and equality for all who call these islands home.

On behalf of the Hawai'i State LGBTQ+ Commission, I urge this committee to support this critical legislation. The safety, dignity, and fundamental rights of our communities depend on it.

Should you or any member of your staff have any questions regarding this testimony you can reach the Hawai'i State LGBTQ+ Commission at hawaiistatelgbtqpluscommission@gmail.com.

Mahalo for your time and consideration.

Respectfully,

Sandy Harjo Livingston, Ph.D. (he/him/they/them)
Commissioner – City and County of Honolulu
[Hawai'i State LGBTQ+ Commission](#)



Where LGBTQIA+ Rights Meet the Labor Movement
A constituency group of the Hawai'i State AFL-CIO

January 30, 2025

Senate's Committee on Public Safety and Military Affairs
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

Hearing: Monday, February 3, 2025 at 3:15 PM

RE: STRONG SUPPORT for Senate Bill 1149

Aloha Chair Elefante, Vice-Chair Wakai and fellow committee members,

Pride at Work – Hawai'i is an official chapter of [Pride at Work](#) which is a national nonprofit organization that represents LGBTQIA+ union members and their allies. We are an officially recognized constituency group of the AFL-CIO that organizes mutual support between the organized Labor Movement and the LGBTQIA+ Community to further social and economic justice.

On behalf of Pride at Work - Hawai'i, I write in strong support of Senate Bill 1149, which seeks to strengthen Hawai'i's Hate Crime statute by introducing the definition of a "reported hate crime" and implementing vital measures to ensure transparency, accountability, and training regarding hate crimes in our state.

As an organization dedicated to advocating for LGBTQIA+ workers and their families, we recognize the devastating impact that hate crimes have on marginalized communities. Hate-motivated violence and intimidation not only harm individual victims but also instill fear across entire communities.

Unfortunately, many hate crimes go unreported or they are not accurately documented due to inconsistencies in reporting mechanisms and the lack of comprehensive training for law enforcement officers.

Hawai'i's Hate Crime statute, which was signed into law in 2001 by then Lt. Governor Mazie Hirono, has it that a crime in Hawai'i is only reported as a hate crime when the perpetrator is caught, then the case goes to trial, and finally the enhanced sentencing provision is used. If the culprit is never caught or the case is pleaded out then it is not reported as a hate crime. SB 1149 is a crucial step toward addressing these shortcomings and fostering a safer, more inclusive Hawai'i.

Specifically, SB 1149:

- Establishes a clear definition for "reported hate crime," ensuring that incidents perceived as motivated by bias are properly recognized and investigated.
- Requires law enforcement agencies to document and report all possible hate crimes to appropriate authorities for further analysis.
- Implements mandatory annual training for law enforcement officers to improve their ability to identify, investigate, and document hate crimes effectively.
- Directs the Attorney General to develop or update guidelines, protocols, and training materials to standardize hate crime reporting and investigation practices statewide.

These measures will provide a more accurate and comprehensive understanding of hate crimes in Hawai'i, allowing policymakers and community organizations to implement targeted interventions and resources for affected communities. Additionally, ensuring that law enforcement personnel are adequately

Pride at Work – Hawai'i's Testimony is Strong Support of Senate Bill 1149

trained will promote greater trust between officers and the communities they serve, leading to increased reporting and better outcomes for victims.

Hate and discrimination have no place in Hawai'i, and we must take proactive steps to ensure that those targeted for their race, religion, sexual orientation, gender identity, or other protected characteristics receive the justice and protection they deserve. SB 1149 is a necessary and timely effort to uphold these principles.

According to [Department of Justice's own website](#):

“Reporting suspected hate crimes is vital to support victims and send a clear message that such actions are unacceptable. Law enforcement can also use this information to prevent future incidents.

For these reasons, Pride at Work - Hawai'i urges the committee to pass SB 1149. Mahalo for your time and consideration of this important measure.

In solidarity,

Michael Golojuch, Jr. (he/him)
President
[Pride at Work – Hawai'i](#)



TESTIMONY FROM THE STONEWALL CAUCUS OF THE DEMOCRATIC PARTY OF HAWAI'I

SENATE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

January 31, 2025

Testimony in Support of Senate Bill [1149] Relating to Hate Crimes

Aloha Chair, Vice Chair, and esteemed Members of the Committee:

My name is Abby Simmons, Chair of the Stonewall Caucus of the Democratic Party of Hawai'i, and I am submitting testimony on behalf of our Caucus in strong support of SB1149, which strengthens Hawaii's hate crime laws by improving data collection, mandating law enforcement training, and ensuring accountability in reporting.

Hate crimes are not just offenses against individuals; they are attacks on entire communities, instilling fear and division. Unfortunately, these crimes are often underreported or misclassified, making it difficult to understand the full scope of the problem and take effective action. SB1149 is a critical step toward addressing these issues by ensuring accurate reporting and accountability.

Why This Bill Is Necessary

1. Better Data for Stronger Protections

- Hate crimes are vastly underreported, and without proper data, we cannot effectively allocate resources or develop targeted policies.
- By requiring the reporting of all possible hate crimes—even when no charges are filed—this bill ensures transparency and prevents bias from being overlooked in investigations.

2. Annual Training for Law Enforcement

- Law enforcement officers play a crucial role in identifying and addressing hate crimes.

- This bill mandates annual training to help officers recognize bias indicators and interact appropriately with impacted communities, fostering better relationships and trust.

3. Accountability and Compliance

- SB1149 ensures all law enforcement agencies follow standardized reporting procedures.
- Agencies that fail to comply may face administrative penalties, reinforcing the importance of accurate and consistent hate crime reporting.

How This Bill Helps Protect Hawaii's Communities

This legislation does not create new crimes or penalties; rather, it ensures that existing hate crimes are properly documented and addressed. In doing so, it provides:

- A clearer picture of hate crimes in Hawai'i, helping policymakers respond effectively.
- More support for victims and communities affected by hate crimes by ensuring their experiences are not dismissed or ignored.
- Stronger public trust in law enforcement, as clear procedures and oversight improve response to bias-motivated crimes.

Hawai'i prides itself on being a diverse and inclusive state. By passing SB1149, we take an important step toward protecting all residents from bias-motivated violence and ensuring justice is served.

I respectfully urge this committee to pass SB1149 and strengthen Hawaii's commitment to equality, safety, and justice.

Mahalo for your time and consideration.

Respectfully submitted,

Abby Simmons (she/her)
Chair & SCC Representative
Stonewall Caucus
Democratic Party of Hawai'i
<https://linktr.ee/stonewalldph>



TESTIMONY IN STRONG SUPPORT OF SB1149, RELATING TO HATE CRIMES

SENATE COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS
February 3, 2025

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Senate Committee on Public Safety & Military Affairs:

The Democratic Party of Hawai'i **STRONGLY SUPPORTS** SB1149, RELATING TO HATE CRIMES. Pursuant to the Platform of the Democratic Party of Hawai'i, the Party believes that all humans have inherent rights to freedom, justice, dignity, and peace. The Democratic Party of Hawai'i supports the preservation of equal civil rights and liberties for all people.

This bill seeks to strengthen the reporting and documentation of hate crimes in Hawai'i and is an essential step in ensuring transparency, accountability, and the protection of our communities against bias-motivated violence.

Hate crimes not only harm individual victims but also instill fear and insecurity within entire communities. Unfortunately, due to underreporting and inconsistent data collection, the true extent of hate crimes are unknown, making it difficult for policymakers and law enforcement to address these incidents effectively. By mandating the consistent collection and reporting of all possible hate crimes, this bill ensures that every incident is documented, providing critical data for analysis and intervention.

Key provisions of the bill, such as the expanded definition of "reported hate crime," enhanced responsibilities for law enforcement agencies, and mandatory annual training for officers, will significantly improve how our state identifies, investigates, and prevents hate crimes. Additionally, the bill's requirement for standardized reporting procedures and potential administrative penalties for noncompliance underscores the importance of accountability in addressing these crimes.

Hawai'i is known for its rich cultural diversity and spirit of aloha. By passing this bill, we reaffirm our commitment to protecting all residents from acts of hate and discrimination. We respectfully urge the committee to advance this legislation and support its passage. We appreciate your leadership in ensuring the safety and dignity of all people in Hawai'i.

Mahalo nui loa for the opportunity to testify in strong support of SB1149, RELATING TO HATE CRIMES. Should you have any questions or require further information, please contact the Democratic Party of Hawai'i at legislation@hawaiidemocrats.org.

SB-1149

Submitted on: 2/1/2025 4:25:01 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Carolyn Martinez-Golojuch	Testifying for Rainbow Family 808	Support	Remotely Via Zoom

Comments:

Chairperson Elefante and, Members of the Committee,

My name is Carolyn Martinez-Golojuch, and I am honored to be here today to express my unwavering support for Senate Bill 1149. As a mother and a long-time advocate for justice and equality, I have spent decades fighting for protections that ensure every member of our community can live without fear. In 2001, I proudly stood alongside other advocates to help pass our state's original Hate Crimes law, and today, I am here to urge you to strengthen those protections by supporting SB 1149.

This legislation is vital in ensuring that all reported hate crimes and possible hate crimes are properly documented, investigated, and addressed. Hate crimes are not just attacks on individuals; they are attacks on entire communities. When these crimes go unreported or are inconsistently documented, we fail not only the victims but also our broader commitment to justice and public safety.

Senate Bill 1149 mandates the reporting of all possible hate crimes to the appropriate authorities, ensuring that incidents do not go unnoticed or unaddressed. It further requires law enforcement officers to receive annual training to properly identify, investigate, and document hate crimes. This is essential in combating bias, improving response efforts, and building trust between communities and law enforcement.

Additionally, SB 1149 ensures that the Attorney General establishes and maintains clear guidelines, protocols, and training materials for the effective reporting and investigation of hate crimes. Without consistent standards, we risk underreporting and misclassifying these incidents, ultimately failing those who need our protection the most.

As a mother and advocate, I know the deep desire to protect our children from harm. I want my children—and all children—to grow up in a world where hate and violence are not tolerated, where every individual is valued and protected under the law. The passage of this bill is not just a legal necessity; it is a moral imperative.

By supporting SB 1149, you are taking a stand against hate, ensuring transparency in our justice system, and reaffirming that we do not turn a blind eye to injustice. I urge you to vote in favor of this crucial legislation and continue the progress we began in 2001.

Mahalo for your time and hopefully your YES vote.

Sincerely,

Carolyn Martinez-Golojuch, MSW
President and Founder
Rainbow Family 808



SENATE BILL 1149, RELATING TO HATE CRIMES

FEBRUARY 3, 2025 · PSM HEARING

POSITION: Support.

RATIONALE: The Democratic Party of Hawai'i Education Caucus **supports** 1149, relating to hate crimes, which defines "reported hate crime"; requires reporting of all possible reported hate crimes to appropriate authorities, including consistent documentation and analysis of such incidents; requires law enforcement officers to receive annual training to identify, investigate, and document hate crimes and possible hate crimes; requires the Attorney General to establish or update guidelines, protocols, and training materials for the reporting and investigation of hate crimes and possible hate crimes.

According to a 2018 report published by the data clearinghouse Statista, 64 percent of teenagers in the U.S. have encountered hate speech on social media. At the same time, incidents of political violence have been escalating. The Washington Post reported in 2021 that right-wing extremists have been involved in 267 plots or attacks in the U.S. since 2015, resulting in 91 fatalities.

Furthermore, over half of the deaths caused by right-wing confrontations were committed by people who voiced support for white supremacy. Many of those outbursts were organized virtually amidst the shadows of social media. Washington Post's investigation found that from 2015 to 2020, the use of websites and social media by right-wing extremists rose in five of the six years that the news outlet studied, leading Georgetown professor George Hoffman to call social media a "propellant" for the spread of violent extremism.

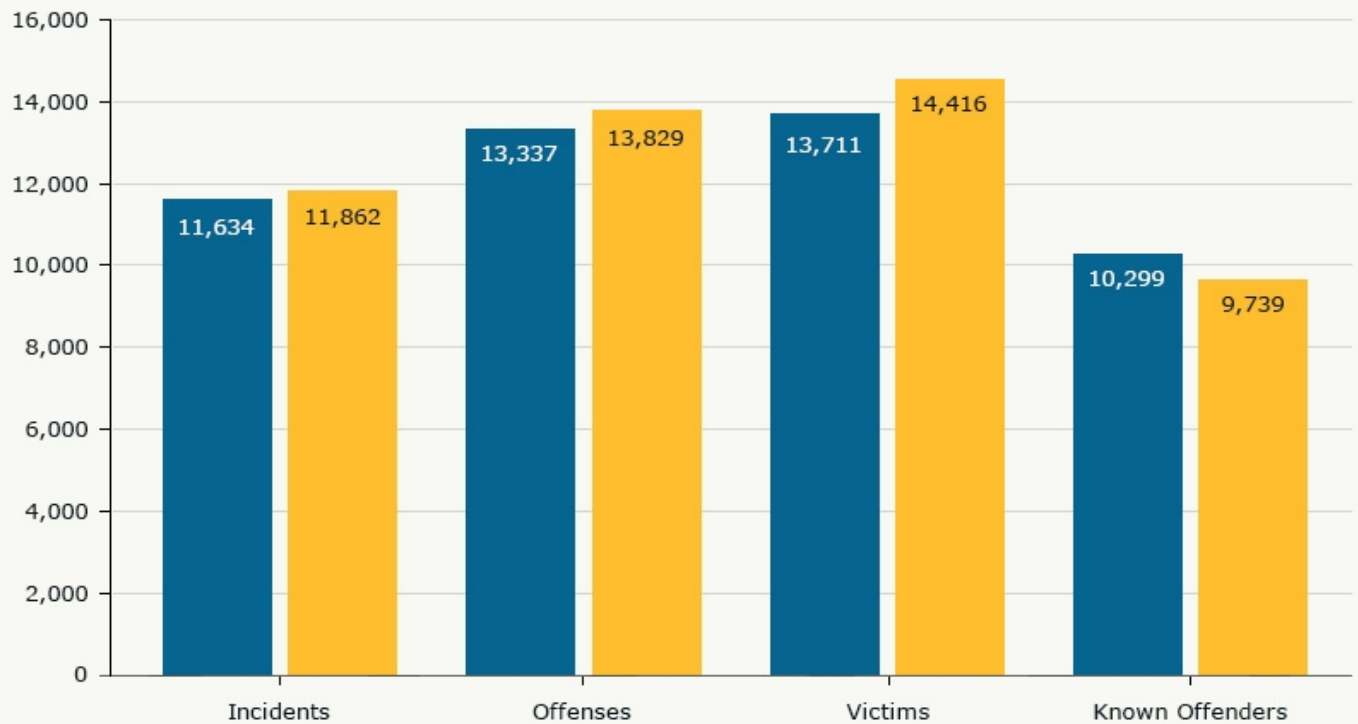
We have witnessed a resurgence in hate-related extremism in recent years, which has been spurred in part by the rise of Donald Trump to the presidency on a campaign of xenophobia, white supremacy, and fear. The Trump administration is currently attempting to roll back diversity, equity, and inclusion initiatives (DEI programs) across the country in an effort to undermine the advancement of racial justice in schools, colleges, businesses, and the public sector.

At the same time, Trump officials have issued multiple executive orders eliminating the rights of LGBTQ+ individuals, including orders banning transgender service members, moving transgender women back into men's prisons, denying passports with gender markers, defunding gender-affirming care for transgender youth, and blocking schools from requiring teachers and other school staff to use names and pronouns that align with transgender students' preferred gender identify rather than the sex they were assigned at birth.

Per data from the U.S. Department of Justice, hate crimes are rising throughout the nation. In 2023, the DOJ recorded 13,829 reported hate offenses involving 14,416 victims. Those numbers are up from 2022, which saw 13,337 reported incidents and 13,711 victims, an increase of roughly 500 offenses and 700 victims.

Reported Hate Crime, 2022 - 2023

KEY: 2022 2023



Hatred has no place in our society or on our shares. In an era in which extremism quickly goes viral, we must take steps to prevent hate crimes from spreading throughout our community.

Contact: educationcaucusdph@gmail.com

SB-1149

Submitted on: 2/2/2025 1:50:54 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
gary cordery	Testifying for Aloha Freedom Coalition	Oppose	Remotely Via Zoom

Comments:

As director of Aloha Freedom Coalition with 26k followers. We strongly OPPOSE the bill. The subjective definition and interpretation of this term has had profound implications on constitutionally protected free speech. No state court or AG has the authority to determine a hate crime. If there is a crime we have laws on the books to prosecute them.



TESTIMONY
SENATE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS
SB1149 RELATED TO HATE CRIMES
Monday, February 3, 2025, at 3:15 PM
State Capitol Conference Room 225 and Videoconference

Chair Elefante, Vice Chair Wakai, and Committee Members

Submitted in STRONG OPPOSITION by Jamie Detwiler, Hawaiian Islands Republican Women

SB1149 is a direct violation of Article 1, Section 4 of the Hawaii State Constitution.

SB1149 proposes that a "Reported hate crime" means any reported incident, regardless of whether it results in criminal charges, where there is evidence or indication that bias, or prejudice may have been a motivating factor.

Who is the adjudicator or arbiter of defining what a "hate crime" is? The Legislature? The Attorney General?

SB1149 proposes that "Hate crime data" means information, incident reports, records, and statistics relating to hate crimes and reported hate crimes, collected by the attorney general."

Why would we the people want to give an "unelected" bureaucrat the authority to collect information on alleged "hate crimes"?

May I respectfully remind you that Article I, Section 4 of the Hawaii State Constitution states:
FREEDOM OF RELIGION, SPEECH, PRESS, ASSEMBLY AND PETITION

NO law shall be enacted respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press or the right of the people peaceably to assemble and to petition the government for a redress of grievances. [Ren and am Const Con 1978 and election Nov 7, 1978]

Our own Queen Liliuokalani said, "You must remember never to cease to act because you fear you may fail."

And finally, John Adams said, "Posterity! You will never know how much it costs the present generation to preserve your freedom! I hope you will make good use of it."

May I respectfully remind you that our actions today will impact future generations to come. Please vote NO on SB1149.

Thank you for the opportunity to testify.

Respectfully submitted,

Jamie Detwiler, President
Hawaiian Islands Republican Women

SB-1149

Submitted on: 2/2/2025 1:36:48 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim Cordery	Individual	Oppose	In Person

Comments:

I Strongly appose this bill!

WHAT IS A HATE CRIME?

THIS TERM is SUBJECTIVE And

NON DEFINITITIVE! THERFORE It would be dependent on the person or Persons determining what a hate crime is..

Very Slppery Slope! I OPPOSE

Testimony of Commissioner Sandy Harjo Livingston, Ph.D.
Hawai'i State Commission on LGBTQ+ Affairs
In Support of S.B. 1149, Relating to Hate Crimes
Before the Senate Committee on Judiciary
Thirty-Third Legislature, 2025

Chair, Vice Chair, and Members of the Committee,

My name is Dr. Sandy Harjo Livingston, and I serve as a Commissioner on the Hawai'i State Commission on LGBTQ+ Affairs. I submit this testimony in strong support of S.B. 1149, which mandates the reporting and analysis of all possible hate crimes in Hawai'i. This bill represents a crucial step toward protecting vulnerable communities, increasing transparency, and ensuring that the public remains informed about the prevalence and nature of hate crimes in our state.

While hate crimes are often attacks on individuals, they are also attacks on entire communities with the intention of instilling fear and division amongst the people in our communities. In Hawai'i, where we pride ourselves on diversity and inclusion, it is essential that we take active steps to protect racial, religious, 2SLGBTQ+, and other minority groups from bias-motivated violence. Without comprehensive and transparent data collection, we neither can effectively combat these crimes nor can we reassure affected communities that their government takes their safety seriously.

Currently, hate crimes remain underreported and under-documented in our state; and this is often due to a lack of clear reporting protocols, insufficient training or fear of retaliation by victims. S.B. 1149 directly addresses this issue by requiring the collection, documentation and analysis of all reported hate crimes, even when they do not result in criminal charges. This is a necessary change because many incidents rooted in hate, like threats, harassment, and vandalism, may not always lead to prosecution but still have a profound impact on the communities that have been targeted.

Furthermore, transparency is key to fostering public trust and ensuring accountability. By requiring law enforcement agencies to report hate crime data to the Attorney General's Office and mandating annual law enforcement training, this bill ensures that incidents are consistently tracked and investigated and that officers are well-equipped to recognize and address bias-motivated violence. The public must have access to clear, reliable data on the frequency and nature of hate crimes in Hawai'i. This empowers advocacy groups, policymakers, and community organizations to respond with targeted solutions that include improved victim support services and community education initiatives.

Additionally, the bill's requirement that the Attorney General establish uniform guidelines and protocols within 90 days of enactment will help ensure that reporting remains consistent across all law enforcement agencies. A standardized approach to hate crime documentation will reduce discrepancies, improve accuracy, and allow for a more comprehensive understanding of hate crimes in Hawai'i.

By passing S.B. 1149, Hawai'i can send a powerful message: We will not allow hate to fester in our communities. We will protect our vulnerable populations. We will demand accountability and transparency in addressing these crimes.

I urge this committee to support this critical legislation and take a stand for the safety, dignity, and rights of all who call Hawai'i home.

Mahalo for your time and consideration.

SB-1149

Submitted on: 1/30/2025 2:18:01 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Golojuch, Sr.	Individual	Support	Written Testimony Only

Comments:

I strongly support SB1149. Hate crimes need to be reported & recorded. Please pass SB1149.

Mike Golojuch, Sr

Pride at Work Board Member

Rainbow Family 808 Board Member

SB-1149

Submitted on: 1/30/2025 7:37:13 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Thaddeus Pham	Individual	Support	Written Testimony Only

Comments:

Aloha PSM Chair, Vice Chair, and Committee Members,

As a local resident concerned with justice, I write in strong support of SB1149. Establishing local processes to deal with hate crimes will be important to protect local communities.

Mahalo,

Thaddeus Pham

Makiki, HI

SB-1149

Submitted on: 1/31/2025 3:39:10 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Zoe Brooks-Jeffiers	Individual	Support	Written Testimony Only

Comments:

I strongly support the passage of SB1149, which aims to define "reported hate crime" and mandates the reporting, documentation, and analysis of all possible hate crimes to appropriate authorities. This bill is crucial in ensuring that incidents of hate are not overlooked and that our law enforcement agencies are adequately prepared to address them.

By requiring annual training for law enforcement officers, we are equipping them with the tools necessary to identify, investigate, and document hate crimes effectively. This will lead to a more accurate understanding of the scope of hate crimes in our communities and ensure that all incidents are handled with the seriousness they deserve.

Moreover, the establishment or update of guidelines and protocols by the Attorney General will provide consistency and clarity in how these crimes are investigated and reported, ensuring that no case is left unaddressed.

This bill is a necessary step toward creating a safer, more inclusive community where hate and discrimination have no place and the true essence of aloha can be felt. I urge the committee to support and pass this important piece of legislation.

SB-1149

Submitted on: 1/31/2025 8:48:20 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard S Velasquez	Individual	Support	Written Testimony Only

Comments:

Please support this bill, In order to address this issue it is important to have accurate and carefully collected data.

SB-1149

Submitted on: 2/2/2025 11:24:54 AM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Philip Steinbacher	Individual	Support	Written Testimony Only

Comments:

As the Kaua'i representative to the Hawai'i LGBTQ+ Advisory Commission, I am writing in strong support of Senate Bill 1149. Hawai'i must make a clear and powerful statement that hate has no place in our communities and does not align with the principle of aloha. Our most vulnerable resource is our people – all our people – so we must demand accountability and uphold the principles of justice and equality. I urge this committee to support this critical legislation. The safety, dignity, and fundamental rights of our peoples depend on it.

SB-1149

Submitted on: 1/30/2025 6:38:33 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew Crossland	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY OPPOSE this Bill which uses a subjective and vague definition of 'hate crime' which can be selectively enforced and potentially weaponized against people with different views and opinions. I urge all members of the Committee to **VOTE NO** on this Bill.

SB-1149

Submitted on: 2/2/2025 10:02:21 AM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Rosemarie Vailisale	Individual	Oppose	Written Testimony Only

Comments:

As a citizen of the great United States of America and resident of Hawaii I exercise my rights to OPPOSE this bill.

SB-1149

Submitted on: 2/2/2025 10:08:13 AM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
J Pualani Vendiola	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

SB-1149

Submitted on: 2/2/2025 10:32:39 AM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Bradle Lindsey	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my opposition to Senate Bill 1149, which mandates annual training for law enforcement officers to investigate potential hate crimes. While the intent behind this bill is commendable, I believe it imposes unnecessary burdens on law enforcement agencies and may lead to unintended consequences.

Firstly, the requirement for annual training places additional strain on already limited resources. Law enforcement agencies are already stretched thin, and mandating additional training could divert attention and resources away from other critical areas of policing.

Secondly, the definition of "reported hate crime" in the bill is overly broad and may lead to the over-reporting of incidents that do not meet the threshold of a hate crime. This could result in a misallocation of resources and a potential increase in false accusations.

Lastly, the bill does not address the root causes of hate crimes. Instead of focusing solely on training law enforcement, we should invest in community-based programs and education to prevent hate crimes from occurring in the first place.

In conclusion, while the goal of addressing hate crimes is important, Senate Bill 1149 is not the most effective way to achieve this. I urge you to reconsider this legislation and explore alternative approaches that do not place undue burdens on law enforcement agencies.

Thank you for your time and consideration.

SB-1149

Submitted on: 2/2/2025 10:55:18 AM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Landford	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

SB-1149

Submitted on: 2/2/2025 10:58:22 AM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Shawna Landford	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB1149

SB-1149

Submitted on: 2/2/2025 11:02:32 AM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Lora Santiago	Individual	Oppose	Written Testimony Only

Comments:

I strongly OPPOSE SB1149.

SB-1149

Submitted on: 2/2/2025 11:27:38 AM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Katherine D Lobendahn	Individual	Oppose	Written Testimony Only

Comments:

This is a waste of taxpayer money when this should already be part of daily duties.

SB-1149

Submitted on: 2/2/2025 12:23:05 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Bart Burford	Individual	Oppose	Written Testimony Only

Comments:

All crimes should be considered hate crimes there shouldn't be a separate category I oppose

SB-1149

Submitted on: 2/2/2025 12:32:13 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Joelle Seashell	Individual	Oppose	Written Testimony Only

Comments:

Stop promoting this Marxist ideology. We have due process in this country.

SB-1149

Submitted on: 2/2/2025 2:21:00 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Dorinda Ohelo	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

LATE

SB-1149

Submitted on: 2/2/2025 3:12:55 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
David E Shormann	Individual	Oppose	Written Testimony Only

Comments:

No, this is vague. The life of the land is perpetuated in righteousness, show you believe it by giving police more freedom to arrest AND KEEP IN JAIL actual criminals. Stealing is a hate crime, so is murder, domestic violence, DUI, etc. enforce real hate crimes.

SB-1149

Submitted on: 2/2/2025 5:18:52 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Terry Murakami	Individual	Oppose	Written Testimony Only

Comments:

This is a very unnecessary expense in both time and money for law enforcement training. We already have laws forbidding people from doing acts of violence, etc. Also given how vague "hate crime" is, it can be twisted in all kinds of ways.

LATE

SB-1149

Submitted on: 2/2/2025 5:52:06 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Lesha Mathes	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. I'm sure police officers are quite capable of recognizing hate. They don't need yearly training on it. We don't want them focusing on just hate crimes. There are plenty of other crimes that occur more frequently that they need to be focusing on. We don't want our officers looking for hate crimes behind every bush.

LATE

SB-1149

Submitted on: 2/2/2025 6:31:17 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
james wallace	Individual	Oppose	In Person

Comments:

I oppose SB 1149. A crime is a crime. Hate is Hate. We shouldn't pick which crime is more worst because of Woke rules. I mean hawaii is aborting children like crazy and is protected. Murdering babies should be banned but we focus on Woke rules.....sad.

SB-1149

Submitted on: 2/2/2025 7:10:57 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Marlies Lee	Individual	Oppose	Written Testimony Only

Comments:

I oppose

Use common sense and stop wasting money

Marlies Lee

SB-1149

Submitted on: 2/2/2025 8:09:26 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Robin D. Ganitano	Individual	Oppose	Written Testimony Only

Comments:

I oppose requirement of law enforcement officers to receive annual training to identify, investigate, and document hate crimes and possible hate crimes, as required by the Attorney General. Unconstitutional.

LATE

SB-1149

Submitted on: 2/3/2025 8:12:13 AM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Deven English	Individual	Oppose	Written Testimony Only

Comments:

In strong opposition of this bill. Not necessary for LEO's to receive this type of training especially not knowing what the hawaii government will specify as a hate crime.

LATE

SB-1149

Submitted on: 2/3/2025 8:31:02 AM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Sally Lee	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. It is not in the best interest of the people of Hawaii.

LATE

SB-1149

Submitted on: 2/3/2025 9:57:58 AM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeffrey F Mizuno	Individual	Oppose	Written Testimony Only

Comments:

Text

LATE

SB-1149

Submitted on: 2/2/2025 11:40:10 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Emerson	Individual	Oppose	Written Testimony Only

Comments:

Theres a lot of bias that can occur despite training. Personal bias is a factor and can cause unnecessary issues and consequences. People who arent victims will claim to be victims. People who are defending themselves will be prosecuted. All lives matter if you want to go that far. No politicians

SB-1149

Submitted on: 2/3/2025 10:50:02 AM

Testimony for PSM on 2/3/2025 3:15:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Larry Duclayan	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair and Members of the Committee,

I am writing to express my strong opposition to Hawaii Senate Bill 1149 (SB1149). While the intent behind this bill is to address hate crimes and improve data collection and analysis, I have significant concerns about several aspects of the proposed legislation.

- 1. Overreach and Privacy Concerns:** SB1149 mandates the collection of extensive data on reported hate crimes, even in cases where there is no criminal charge. This raises significant privacy concerns, as individuals may be subject to scrutiny and data collection based solely on allegations or perceptions of bias without due process. The broad definition of "reported hate crime" could lead to overreach and unwarranted invasion of individuals' privacy.
- 2. Administrative Burden:** The bill places a substantial administrative burden on the Department of the Attorney General, law enforcement agencies, and other entities responsible for collecting, storing, and analyzing hate crime data. This could divert valuable resources and attention away from other critical public safety and law enforcement functions, potentially compromising overall effectiveness and efficiency.
- 3. Potential for Misuse and Misreporting:** Given the broad scope of what constitutes a "reported hate crime," there is a risk of misuse and misreporting of incidents. Individuals may falsely report hate crimes for various reasons, including personal vendettas or misunderstandings. This could result in skewed data, undermining the credibility and reliability of hate crime statistics.
- 4. Impact on Community Relations:** SB1149 may inadvertently strain relationships between law enforcement and the communities they serve. The increased focus on hate crime data collection and reporting could create an atmosphere of suspicion and distrust. It is essential to foster positive and cooperative relationships between law enforcement and communities to effectively address hate crimes and other public safety issues.
- 5. Ineffectiveness in Addressing Root Causes:** While data collection and reporting are essential components of addressing hate crimes, SB1149 does not address the root causes of hate and bias. Efforts should be directed towards comprehensive education, community outreach, and prevention programs that promote understanding, tolerance, and respect for diversity. Merely collecting data without addressing underlying issues will not lead to meaningful change.

In conclusion, while the goal of addressing hate crimes is laudable, I believe that SB1149 is not the right approach. The bill's overreach, administrative burden, potential for misuse, impact on community relations, and lack of focus on root causes make it an ineffective and potentially harmful piece of legislation. I urge you to consider alternative measures that more effectively address hate crimes without compromising privacy, resources, and community trust.

Thank you for your consideration.

Sincerely,

Larry Duclayan

SB-1149

Submitted on: 2/3/2025 12:57:01 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Laurie Langton	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. It is yet another attempt to protect the illegal immigrants at the expense of taxpayers.

Training for our police should be well covered in our surplus funds. Train them to hang on to their weapon maybe.

Do NOT pass this bill. Just know that the people are watching and you will all be removed as soon as possible if you continue to push these bills that are clearly not in the interest of the people of Hawai'i !

LATE

LATE

SB-1149

Submitted on: 2/3/2025 3:12:55 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Magoon Ohana	Individual	Oppose	Written Testimony Only

Comments:

Oppose- More tax dollars and red tape on items that are already a crime

SB-1149

Submitted on: 2/3/2025 3:46:41 PM

Testimony for PSM on 2/3/2025 3:15:00 PM

LATE

LATE

Submitted By	Organization	Testifier Position	Testify
TERI SAVAIINAEA	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Elefante and Committee Members of Public Safety & Military Affairs,

I oppose SB 1149.

Thank you,

Teri K. Savaiinaea

District 45, Wai'anae Resident