

STATE OF HAWAI‘I
OFFICE OF THE PUBLIC DEFENDER

**Testimony of the Office of the Public Defender,
State of Hawai‘i to the Senate Committee on Judiciary**

March 11, 2020

S.B. No. 2612, S.D.1: RELATING TO SPORTS OFFICIALS.

Chair Lee, Vice Chair San Buenaventura and Members of the Committee:

The Office of the Public Defender offers the following comments on S.B. No. 2612, S.D.1 in its current form. We appreciate the changes in the S.D.1 but suggest one additional amendment.

S.D.1 of this bill provides a definition of “sports official” and proposes a new sentencing provision that would allow a judge to sentence a person convicted of Assault in the First, Second, or Third Degree, or of Terroristic Threatening in the First or Second Degree – against a sports official – to “be enjoined from attending any sports event of the type at which the offense occurred for a period of up to 12 months from the date of sentencing”. (Emphasis added).

Essentially, we believe the punishment should fit the crime. In that vein, we would suggest that rather than a ban from “any sports event of the type” at which the offense occurred, it would make more sense to ban the defendant from the specific type of event at which the event occurred. If it was an AYSO event, ban the defendant from AYSO events; if a high school (football, basketball, baseball, soccer, etc.) game, ban the defendant from high school games in that specific sport, likewise, college sports, little league, etc.

The Office of the Public Defender understands that protecting sports officials from assaultive conduct or threats is very important. We think the consequence proposed in S.D. 1, with some tweaking, is a good step in accomplishing that protection.

Thank you for the opportunity to comment on this bill.



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 03/11/2020
Time: 02:00 PM
Location: 325
Committee: House Judiciary

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: SB 2612, SD1 RELATING TO SPORTS OFFICIALS.

Purpose of Bill: Allows the court to enjoin a defendant from attending any sports event of the type at which the offense occurred for up to twelve months when convicted of certain assault or terroristic threatening and the victim of the offense is a sports official engaged in the lawful discharge of the sports officials' duties. (SD1)

Department's Position:

The Department of Education (Department) fully supports SB 2612, SD1. The Department recognizes and appreciates the sports officials who are dedicated to providing student-athletes with a fulfilling high school athletic experience.

There is a nationwide crisis concerning a shortage of high school officials. Hawaii is not immune to this crisis. Although there are several factors responsible for this shortage, unruly spectators and fans are a major factor for the shortage especially when there are threats made to cause bodily harm and assaults on officials. This bill will afford protection within the justice system for threats and bodily harm to officials when spectators and fans are uncontrollable.

The Department is committed to affording student-athletes with a positive and safe high school athletic experience and without officials for the contests, the opportunities would not be possible. We hope that this legislation will deter negative behavior from spectators and fans to allow the athletic experiences for our student-athletes to continue.

Thank you for the opportunity to provide testimony on SB 2612, SD1.

The Hawai'i State Department of Education is committed to delivering on our promises to students, providing an equitable, excellent, and innovative learning environment in every school to engage and elevate our communities. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.

HAWAII SCHOLASTIC SOCCER FEDERATION

P.O. Box 102, Pearl City, HI 96782

Testimony by Danny Casey in support of SB2612, SD1

March 11, 2020

To: House Committee on Judiciary
Representative Chris Lee, Chair
Representative Joy A. San Buenaventura, Vice-Chair

From: Danny Casey
Vice- President, Hawaii Scholastic Soccer Federation
(Dannyc808@gmail.com)



Dear Chair Lee, Vice-Chair San Buenaventura and members of the committee,

My name is Danny Casey and I am testifying on behalf of the Hawaii Scholastic Soccer Federation to express our support for SB2612, SD1 but we would request that the Bill be amended to reinstate the language from the original Bill that would include sports officials along with teachers, first responders, medical professionals, and others identified in HRS 707-711, subsection 1.

The Hawaii Scholastic Soccer Federation is comprised of the soccer referees who officiate all of the high school soccer games on Oahu. Several years ago, there were over 100 active high school soccer referees on Oahu. We just recently completed the 2019-20 high school soccer season with less than 70 referees. The number one reason referees decide to not return is referee abuse.

Again this year, our referees have been inappropriately approached in parking lots after games or were subject to inappropriate comments from the stands. We also had several situations where the only thing separating our referees from verbally abusive fans threatening physical harm was an 8-foot chained linked fence!

SB2612, SD1 is a step in the right direction to help reverse the troubling loss of high school sports officials due to the inappropriate behavior of fans towards officials. Unless this trend of referees leaving the game changes there will not be enough referees and if there are no referees there are no games!