

STAND. COM. REP. NO.

754

Honolulu, Hawaii

MAR 04 , 2021

RE: H.B. No. 1107  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1107 entitled:

"A BILL FOR AN ACT RELATING TO COMPUTER CRIME,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Add aggravated harassment by stalking to the list of offenses upon which the offense of use of a computer in the commission of a separate crime may be based; and
- (2) Specify that property used in computer crimes shall be forfeited even when the perpetrator was a person under the age of eighteen who did not have ownership of the property.

Your Committee received testimony in support of this measure from the Honolulu Police Department and LGBT Caucus of the Democratic Party of Hawaii. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of Education.

2021-2264 HB1107 HD1 HSCR HMSO



Your Committee finds that bullying, cyberbullying, and harassment are serious issues that hinder student well-being and achievement, especially when the targets are vulnerable youth. Your Committee further finds that the transition to online classroom environments as a result of the COVID-19 pandemic has exacerbated the problems of bullying, cyberbullying, and harassment of vulnerable youth. This measure will provide further incentive to parents and guardians to better ensure that their minor children refrain from using electronic devices to perpetrate bullying, cyberbullying, and harassment.

Your Committee has amended this measure by providing the court with the discretion to require the forfeiture of property used in computer crimes if the perpetrator was a minor, regardless of whether the person owned the property.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1107, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1107, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



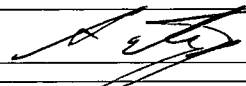
MARK M. NAKASHIMA, Chair



State of Hawaii  
House of Representatives  
The Thirty-first Legislature

H SCR 754

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: <b>HB 1107</b>	Committee Referral: <b>JHA</b>	Date: <b>3-2-21</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
<b>JHA Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.	✓			
5. LoPRESTI, Matthew S.		✓		
6. LOWEN, Nicole E.				✓
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.	✓			
10. TODD, Chris				✓
11. TOKIOKA, James Kunane	✓			
12. WARD, Gene	✓			
<b>TOTAL (12)</b>	<b>9</b>	<b>1</b>	<b>0</b>	<b>2</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				