

OFFICE OF INFORMATION PRACTICES

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To: Senate Committee on Judiciary and Labor

From: Cheryl Kakazu Park, Director

Date: March 16, 2015, at 9:30 a.m.
State Capitol, Conference Room 016

Re: Testimony on H.B. No. 287, H.D. 1
Relating to the Uniform Information Practices Act

Thank you for the opportunity to submit testimony on this bill. The Office of Information Practices (“OIP”) supports the H.D. 1 version of this bill, which would add information “whose disclosure would create a substantial and demonstrable risk of physical harm to an individual” to the statutory list of examples of information that carries a significant privacy interest in the Uniform Information Practices Act (“UIPA”), chapter 92F, HRS.

While the original version of this bill was overbroad and OIP opposed it on that basis, the H.D. 1 version has been narrowed significantly. H.D. 1 makes clear that when the disclosure of particular information in government records would create a substantial and demonstrable risk of physical harm to an individual, that information may be withheld in response to a record request unless there is a public interest in the information that outweighs the significant privacy interest of the individual concerned. OIP believes that the UIPA’s privacy exception as it is does generally cover information whose disclosure would create a substantial and demonstrable risk of physical harm to an individual, and has no objection to making that explicit. OIP therefore supports the H.D. 1 version of this bill.