



HAWAI‘I CIVIL RIGHTS COMMISSION

KOMIKINA PONO KĪWILA O HAWAI‘I

830 PUNCHBOWL STREET, ROOM 411, HONOLULU, HI 96813 · PHONE: (808) 586-8636 · FAX: (808) 586-8655 · TDD: (808) 568-8692

MINUTES

Hawai‘i Civil Rights Commission Office
via Zoom

March 27, 2025

2:00 p.m.

Commissioners: Chair Dr. William Puette, Jon Matsuoka, Arsima Muller

Staff: Adjudication Administrative Assistant Sandy Yoshimura, Executive Director
Marcus Kawatachi

Li-Ann Yamashiro, Department of the Attorney General

Chair Puette called the meeting to order at 2:00 p.m.

Approval of Minutes

Minutes of the February 13, 2025, and February 20, 2025 meetings were approved.

Executive Director’s Report

Executive Director (ED) Marcus Kawatachi presented an FY 2025 HCRC Mediation Program year-to-date summary.

Summary of Mediation Program FY 2025 Year to Date (7/1/24 through 3/26/25)

Referrals:	23
Dispositions:	15
Settlements:	12
Non-agreements:	3
Settlement Rate:	80%

Dual-filed settlements:	10
State-only settlements:	2

Employment cases settled:	4
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Housing cases settled: 7
Public accommodations cases settled: 1

Dispositions by Center:	Settlements/Dispositions:	Settlement Rate:
Mediation Center of the Pacific	4/5	80%
Mediation Services of Maui		
Private Mediators		
Ku'ikahi Mediation Services (Hilo)	1/1	100%
West Hawaii Mediation Center		
Kauai Economic Opportunity, Inc.		
Hawaii Civil Rights Commission	7/9	77.8%
OVERALL	12/15	80%

ED Kawatachi also presented a data and production report showing caseload data through March 26, 2025.

As of March 26, 2025, the written report showed 386 open cases.

Of the 386 open investigation cases, 1 (0.3%) was filed in 2017, 2 (0.5%) in 2018, 9 (2.3%) in 2019, 14 (3.6%) in 2020, 32 (8.3%) in 2021, 53 (13.7%) in 2022, 93 (24.1%) in 2023, 134 (34.7%) in 2024, and 48 (12.4%) in 2025.

ED Kawatachi reported a breakdown of the status of the open cases by type of case and investigation stage.

	<i>Year of Case Filing</i>									
	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>Totals</u>
<u>Housing Cases:</u>	0	0	0	1	2	11	41	40	12	107
<u>Non-Housing Cases:</u>										
Response Monitoring	0	0	1	4	18	32	29	49	32	165
Mediation	0	0	3	5	9	4	11	18	4	54
Pending Assignment	0	0	4	3	2	4	5	16	0	34
Active Investigation	<u>1</u>	<u>2</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>2</u>	<u>7</u>	<u>11</u>	<u>0</u>	<u>26</u>
	1	2	9	14	32	53	93	134	48	386

The report indicated no new subpoena enforcement litigation.

Case Aging

34.7 % of all cases are 2 years or older.

11.4 % of all cases are over 18 months, but less than 2 years old.

14.8 % of all cases are over 12 months, but less than 18 months old.

16.3 % of all cases are over 6 months but less than 12 months.
22.8 % of all cases are 6 months or less.

The report also covered the year-to-date data for the past five fiscal years:

Category	7/1/20 – 3/26/21	7/1/21 – 3/26/22	7/1/22 – 3/26/23	7/1/23 – 3/26/24	7/1/24 – 3/26/25
PCQ Received	333	364	381	427	428
Intake Decision	293	352	378	459	393
Complaint Filed	151	143	135	157	132
Investigation Closed	163	192	151	171	126
Notice of Cause	7	14	10	3	9
Enforcement Closure	10	8	5	15	3

Chief Counsel's Report

Update on proposed amendments to Hawai'i Administrative Rules, Title 12, Subtitle 46, Chapters 1-318:

- a. HCRC staff made additional formatting edits to the proposed rule amendments and sent a final draft to the Director of the Department of Labor and Industrial Relations (DLIR) for review.
- b. The Director of the DLIR approved the final draft, which was then transmitted to the Governor for his review.

Discussion on Legislation

HCR100 – Requesting the State of Hawai'i to require that any individual or group that administers the mandatory harassment and discrimination training to employees demonstrate adequate competency in LGBTQ+ (lesbian, gay, bisexual, transgender, queer, and more identities) identity and culturally specific gender identity relevant to Hawai'i.

Staff Recommendation: Motion to support
Motion to support passed unanimously.

Executive Meeting, pursuant to HRS § 92-4

The agenda had listed an attorney-client discussion on the contested case hearing for *Marcus L. Kawatachi, as Executive Director of the Hawai'i Civil Rights Commission, on behalf of the complaint filed by Junko Knipe v. Gary Sommer, as Trustee of the Holualoa Residence Trust, Peter Pritchard, as Trustee of the Holualoa Residence Trust, and Gary Sommer, individually*; Dkt. No. 24-001-H-D-SH-RET. Commission decided to postpone this attorney-client discussion until the next scheduled meeting.

Next Meeting

Next meeting of the Commission was scheduled for April 15, 2025, at 2:00 p.m.

Adjournment

The meeting was adjourned at 2:45 p.m.

Draft minutes circulated by Marcus Kawatachi, Executive Director.

Approved by Commission, as circulated, on April 15, 2025.