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# **HAWAI‘I CIVIL RIGHTS COMMISSION**

# **KOMIKINA PONO KĪWILA O HAWAI‘I**

## **AGENDA**

May 26, 2026 at 12:00pm Meeting to be Held Remotely via Zoom.

Remote Meeting Link for May 26, 2026 Meeting at 12:00pm:

Join Zoom Meeting

<https://us02web.zoom.us/j/4349599058?pwd=VlpKZDVmZ3MzYit5cUJQTE1VekhOdz09&omn=88931748435>

Meeting ID: 434 959 9058

Passcode: dER5Xy

### **Physical Meeting Location:**

Princess Ruth Ke‘elikōlani Building

830 Punchbowl Street, Room 411

No board members will be present.

Upon request, a testifier can be made visible to Board members and other meeting participants using either the remote meeting link above or at the physical meeting location.

### **Instructions to attend State of Hawaii Virtual Board meetings via Zoom:**

<https://labor.hawaii.gov/wp-content/uploads/2025/01/State-of-Hawaii-Virtual-Board-Attendee-Instructions.pdf>

1. Call to Order
2. Approval of minutes of the April 28, 2026 Commission Meeting
3. Executive Director’s Report
  - a. Mediation: Hawai‘i Civil Rights Commission’s Mediation Program Year-to-

## Date Summary

- b. Data and Production regarding Hawai'i Civil Rights Commission's Caseload Data, Comparison by Year, Age of Filed Cases, Year-to-Date Data
  - c. Public responses, if any, to HCRC data and production report
4. Chief Counsel's Report
- a. Docketed Cases:
    - i. *MARCUS KAWATACHI, as Executive Director of the Hawai'i Civil Rights Commission, on behalf of the Complaint filed by SUSAN Y. MIURA v. HONG XI ZHANG and RUI YUN XIE*; Dkt. No. 26-002-H-DIS-RET
      - Docketed on May 15, 2026
      - Tentative hearing scheduled for November 3, 2026
      - Conflict check with Commissioners
    - ii. *Marcus L. Kawatachi, Executive Director, on behalf of the complaint filed by BRANDIE AND GREGORY PAYNE v. PEARY G. WAGNER*; Dkt. No. 25-001-H-F
      - Conflict check with Commissioners
      - Upon affirmative vote, executive meeting, HRS §§ 92-4 and 92-5, Attorney-client discussion on the April 24, 2026 Recommended Order by the Hearings Examiner, and review of the record of the contested case hearing, to consult with the board's attorney on questions and issues pertaining to the board's powers and duties
      - Vote in open session on Final Decision and Order in the above-mentioned case
  - b. Hawai'i Supreme Court Oral Argument:
    - i. *MARCUS L. KAWATACHI, in his official capacity as Executive Director of the Hawai'i Civil Rights Commission, ex relatione, ROBERT A. FAHN and BRENDA A. FAHN, Respondent/Plaintiff-Appellant, vs. THE PARRISH COLLECTION, LLC, THE PARRISH COLLECTION KAUAI, JONATHAN D. PARRISH, and SIMONE McCAFFREY, Petitioners/Defendants-Appellees, and LINDA EVANS, as Trustee of the LAURA P. EVANS REVOCABLE TRUST Dated May 8, 2002, Defendant-Appellee*
      - Oral Arguments May 26, 2026, question on certiorari is whether independent liability exists under HRS § 515-3(a)(9) for failure to engage in an interactive process.
5. 2026 Legislative Session Updates, 2026 Bills relating to civil rights (Senate Bills

(“SB”) and House Bills (“HB”) Senate Concurrent Resolution (“SCR”) Senate Resolution (“SR”) House Concurrent Resolution (“HCR”))

- a. **SCR 184**: Hawai‘i Civil Rights Commission; Civil Rights; Anti-Discrimination; Algorithmic Decision Making; Automated Decision Making; Report. Requesting the Hawai‘i Civil Rights Commission to examine the applicability of existing state anti-discrimination laws to algorithmic and automated decision systems.
  - b. **SB2727**: Hawai‘i Civil Rights Commission; Anti-discrimination; Statute of Limitations. Lengthens the statute of limitations to file a complaint of discrimination with the Hawai‘i Civil Rights Commission to one year.
  - c. **SB2852**: Discrimination in Public Accommodations; Persons with Disabilities; Discriminatory Practices; Places of Public Accommodation. Establishes it as an unlawful discriminatory practice for a place of public accommodation to deny a person with a disability full and equal enjoyment of information related to their services, facilities, privileges, advantages, or accommodations by requiring use of information and communication technology that is not accessible to the person.
6. Recruitment for Deputy Executive Director Position
    - a. Status of recruitment
    - b. Anticipated recruitment steps & selection process
    - c. Questions and staff answers about recruitment and selection
  7. Hawai‘i Civil Rights Commission (HCRC) General Discussion
    - a. Structure, Function, and Duties of HCRC
    - b. Frequently Asked Questions and Staff Responses
  8. Announcements
    - a. Next Commission Meeting Dates (June Meeting TBD)

If you need an auxiliary aid/service or other accommodation due to a disability, contact Constance Yonashiro at (808) 586-8642 or [constance.m.yonashiro@hawaii.gov](mailto:constance.m.yonashiro@hawaii.gov). Requests made as early as possible will allow more time to fulfill your request if possible.

Testimony can be submitted via e-mail to [DLIR.HCRC.INFOR@hawaii.gov](mailto:DLIR.HCRC.INFOR@hawaii.gov). TESTIMONY in the title, or mailed to Hawai‘i Civil Rights Commission, 830 Punchbowl Street, Room 411, Honolulu, HI 96813. Oral testimony will also be accepted.

Board packets, if prepared, will be available pursuant to H.R.S. § 92-7.5 and posted to the HCRC website under commission agendas.

If the remote connection (via Zoom) is lost, the meeting will be recessed for up to thirty (30) minutes to restore communication. If the connection is lost, we will attempt to restart the meeting again with the same link. If the Commission can reestablish audio communication only, the meeting will be reconvened and continue. If the Commission is unable to reconvene the meeting because neither audiovisual communication nor audio communication can be reestablished within thirty minutes, the meeting will be automatically terminated.

**If you have trouble entering the meeting, please contact Sandy at (808) 586-8659.**