



# **HAWAI‘I CIVIL RIGHTS COMMISSION**

## **KOMIKINA PONO KIWILA 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

February 3, 2026

11:30 a.m.

Commissioners: Chair Alphonso Braggs, Jon Matsuoka, Raymond Nichols  
(Absent- Arsima Muller)

Staff: Executive Director Marcus L. Kawatachi, Deputy Executive Director Heather McVay, Administrative Assistant Sandy Yoshimura, Chief Counsel Constance Yonashiro, Staff Attorney Joey Badua

Public: Peter Fritz, Kristine Pagano, Maka Casson-Fisher

Chair Braggs called the meeting to order at 11:33 a.m. The posted agenda for the meeting was unanimously adopted.

### **Approval of Minutes**

The minutes of the January meeting were approved as circulated.

### **Chief Counsel’s Report**

Discussion on 2026 legislation relating to civil rights. Commissioners reviewed the 2.3.26 Board Packet for 2026 Bills with staff recommendations, and decided on the HCRC position for the following measures:

### **SB2727: Hawai‘i Civil Rights Commission; Anti-discrimination; Statute of Limitations:**

**Staff Recommendation/Discussion:** Support. Lengthens the statute of limitations to file a complaint of discrimination with the Hawai‘i Civil Rights Commission to one year. With uncertainty at the federal level, lengthening the HCRC’s statute of limitations to file complaints of discrimination will fill the gap previously covered by federal agencies that HCRC has partnerships with.

**Commission Position:** Commissioners voted unanimously to Support.

**SB2438: Hawai'i Civil Rights Protection Act; Constitutional Rights; Civil Remedies; Relief; AG; Counties;**

**Staff Recommendation/Discussion:** Support. Establishes a civil cause of action for interference with constitutional and statutory rights through threats, intimidation, or coercion. Authorizes private rights of action as well as the attorney general and county attorneys enforcement.

**Commission Position:** Commissioners voted unanimously to Support.

**SB2871: Anti-discrimination; Prohibitions; Certain Characteristics; Intersectionality:**

**Staff Recommendation/Discussion:** Support. Prohibits discrimination based on: (1) The perception that a person possesses certain characteristics; (2) The perception that a person is associated with a person who possesses, or is perceived to possess, certain characteristics; or (3) The intersection or combination of two or more specified characteristics in relation to a person.

**Commission Position:** Commissioners voted unanimously to Support.

**HB1878: Anti-discrimination; Prohibitions; Certain Characteristics; Intersectionality:**

**Staff Recommendation/Discussion:** Support. Likely will be identified as a companion to SB2871 (as discussed above)

**Commission Position:** Commissioners voted unanimously to Support.

**SB2852: Discrimination in Public Accommodations; Persons with Disabilities**

**Staff Recommendation/Discussion:** Support with comments. This bill would amend HRS § 489, prohibiting discrimination in public accommodations. Increasingly, many businesses open to the public use technology to communicate, make reservations, access information such as menus, etc. and this would ensure that these websites and applications are accessibility to those with disabilities for full & equal access. This is an updated version of SB1496 (2025), is a new bill, and appears to incorporate suggestions from public testimony. HCRC received public comment on this and previously had discussed whether HCRC rulemaking would be more appropriate.

**Public Testimony:**

- Peter Fritz recommended HCRC engage in rulemaking for public accommodations similar to DOJ's guidance rather than statute

**Commission Position:** Commissioners voted unanimously to Support Intent with comments.

**SB2998: Medical Cannabis; Discrimination; Employer; Employee; Licensing Boards;**

**Staff Recommendation/Discussion:** Staff recommended support. In 2025, HCRC amended its administrative rules to explicitly identify that a reasonable accommodation for an individual with a disability who uses cannabis because of a disability may include adjustment of employer policies after a failed drug test reveals cannabis metabolites, or knowledge of the use of medical cannabis.

**Commission Position:** Commissioners voted unanimously to Support intent with comments and recommendation.

**SB3024: Sex-Based Harassment; Sex Discrimination; Retaliation; Title IX; Protections:**

Staff Recommendation/Discussion: Support. This is the state's ancillary to Title IX protections, provides more specific clarification and seeks to reduce the inequality that occurs in places of learning based on gender identity or expression, sexual orientation, and pregnancy/pregnancy-related conditions.

Commission Position: Commissioners voted unanimously to Support.

**HB1894: DOE; Braille Instruction**

Staff Recommendation/Discussion: Support and/or monitor.

Commission Position: Commissioners voted unanimously to Support.

**HB2046: RELATING TO THE 'ŌLELO HAWAI'I COMMISSION**

Staff Recommendation/Discussion: Support. Establishes and appropriates funds for the 'Ōlelo Hawai'i Commission to coordinate and promote initiatives that support the use of 'Ōlelo Hawai'i.

**Public Testimony:**

- Maka Casson-Fisher, C&C of Honolulu liaison, testified in support of bill and highlighted its importance.

Commission Position: Commissioners voted unanimously to Support.

**SB2412: University of Hawai'i; ASL Interpreter Training Program; Appropriation**

Staff Recommendation/Discussion: Support. Hawai'i has a large Deaf community and a devastatingly low number of ASL interpreters. Appropriating funds to establish an ASL interpreter program at UH would fill this need.

Commission Position: Commissioners voted unanimously to Support.

**SB2846: HDOE; IDEA; IEP; Students with Disabilities; Emergency Situations; Evacuation Plans:**

Staff Recommendation/Discussion: Support.

Commission Position: Commissioners voted unanimously to Support.

**SB2849: Public Agencies; Meetings; Notices; Disabilities; Readability:**

Staff Recommendation/Discussion: Support. Requires certain information to appear at the beginning of notices for public meetings.

Commission Position: Commissioners voted unanimously to Support.

**SB2414: Relating to the Disability and Communication Access Board (DCAB):**

Staff Recommendation/Discussion: Support and/or monitor. We generally defer to DCAB on issues impacting their agency.

Commission Position: Commissioners voted unanimously to Support.

**SB2443: Disaster Services; Appropriation:**

**No Discussion, wrong bill linked in packet/wrong description. DISCUSSION DEFERRED TO 2.10.26 MEETING**

**HB1531: Emergency; Official Announcements; Broadcast Media; American Sign Language; Sign Language Interpreter**

Staff Recommendation/Discussion: Support. ASL is its own distinct language and closed captions and/or transcription programs may not accurately reflect information being relayed, and often contain fundamental errors. During emergency situations, access to information is critical for all individuals, regardless of ability.

Commission Position: Commissioners voted unanimously to Support.

**HB2405: DLIR; Hotelkeepers; Hospitality Workers; Safety; Panic Buttons; Rules:**

Staff Recommendation/Discussion: Support and/or monitor. While this is a new bill, the Commission supported a similar bill in 2025 that involved harassment and sexual harassment issues, however, this bill removes the language regarding harassment and sexual harassment.

Commission Position: Commissioners voted unanimously to Monitor.

**SB2968: DLIR; Hotelkeepers; Hospitality Workers; Safety; Panic Buttons; Rules:**

Staff Recommendation/Discussion: Support and/or monitor. Likely will be identified as a companion bill to HB2405.

Commission Position: Commissioners voted unanimously to Monitor.

**HB2045: State Holidays; La Hoihoi Ea; Statehood Day:**

Staff Recommendation/Discussion: Support. This serves as a symbol of Hawaiian ea and self-determination, and this bill recognizes the importance of this history.

Commission Position: Commissioners voted unanimously to Support.

**SB2959: Residential Landlord-Tenant Code; Application Screening; Comprehensive Reusable Tenant Screening Report; OCP; DCCA:**

Staff Recommendation/Discussion: Support and/or monitor.

Commission Position: Commissioners voted unanimously to Support.

**HB1864: Insurance; Mandatory Coverage; Standard Fertility Preservation Services; Iatrogenic Infertility; Medically Necessary Treatment:**

Staff Recommendation/Discussion: Support and/or Monitor.

Commission Position: Commissioners voted unanimously to Support.

Bills carried over from 2025 for which the Commission previously supported

**SB1209: Transportation Network Companies; Civil Rights Commission; Discrimination; Service Animals; Violations; Penalties; Fines:**

Staff Recommendation/Discussion: Support. ED discussed that there would be due process for jurisdictional complaints that come into the HCRC.

**Commission Position:** Commissioners voted unanimously to Support and monitor with comments.

**SB1010: RELATING TO SEX-BASED DISCRIMINATION.**

**Staff Recommendation/Discussion:** Support. Companion bill HB758 and compare to SB3024

**Commission Position:** Commissioners voted unanimously to Support.

**SB2776: Federal Law Enforcement; Generalized Policing; State Law Enforcement;**

**Staff Recommendation/Discussion:** Monitor

**Commission Position:**

**SB2874: Immigration; Law Enforcement Agencies; Access to Detained Individuals; Civil Immigration Interviews; Due Process; Public Forums:**

**Summary:** Requires state and county law enforcement agencies to notify an individual in the custody of a state or county law enforcement agency of their rights before any interview with the United States Immigration and Customs Enforcement pertaining to certain matters regarding civil immigration violations can commence. Designates all records relating to United States Immigration and Customs Enforcement access to detained individuals provided by a state or local law enforcement agency as public records. Requires state and county law enforcement agencies that have provided the United States Immigration and Customs Enforcement access to a detained individual within the previous year to hold two public forums per year.

**Staff Recommendation/Discussion:** Staff recommended to monitor. Commissioner Matsuoka had a question, what is the rationale behind not taking a position on this bill limiting ICE enforcement. CC stated that generally our state agency does not comment on actions taken by federal agencies, however, the Commission may do so. Chair Braggs noted that taking a position on this bill would align with other bills protecting the rights of individuals.

**Commission Position:** Commissioners voted unanimously to Support.

Bills Staff Recommends to monitor, no Commission action taken, bills read for the minutes:

SB2850: Disability Parking Pass; People with Disabilities; Eligibility; Deaf; Blind

HB1995: Disability Parking Pass; People with Disabilities; Eligibility; Deaf; Blind

SB2851: Deaf; Hearing Impaired; Disability; Motor Vehicle Registration; Law Enforcement

SB3013: Pet Animals; Commercial General Liability Insurance Policies

SB3011: HPHA; Pet Animals; Allowed

SB2449: Public Meetings; Business Days; Board Packets; Public Inspection

SB2776: Federal Law Enforcement; Generalized Policing; State Law Enforcement

**Announcements**

- a. Next Commission Meeting on February 10, 2026 at 11:30am

**Adjournment**

The meeting was adjourned at 12:41 p.m.

**Draft minutes circulated by Constance Yonashiro, Chief Counsel.**

**Approved by Commission, as circulated, on March 24, 2026** .