



House Committee on Judiciary & Hawaiian Affairs  
Honorable David A. Tarnas, Chair  
Honorable Mahina Poepoe, Vice Chair

**RE: Testimony in Support of H.B. 131, Relating to Research**  
Hearing: January 28, 2025 at 2:00 p.m.

Dear Chair and Members of the Committee:

My name is Ben Creps. I am a staff attorney at the Public First Law Center, a nonprofit organization that promotes government transparency.

Thank you for the opportunity to submit testimony **in strong support** of H.B. 131. This measure amends chapter 92F to clarify the Office of Information Practices' (OIP) authority to create rules for disclosure of records for research purposes.

The Legislature recognized in 1989 that disclosing government records for research purposes serves an important public purpose, and delegated rule making authority to OIP for such disclosures. *E.g.*, H. Stand. Comm. Rep. No. 1288 (bill "instructs [OIP] to adopt rules pertaining to the disclosure of records for research purposes."); Test. of the State Attorney General on S.B. 1799 (Feb. 21, 1989) at 7 ("the bill adds specific authority for [OIP] to adopt rules setting forth uniform standards for disclosure of records for research purposes in order that legitimate research is not jeopardized by the new laws."); Sess. Laws of Haw. Act 192 (1989) at 370 (authorizing OIP to adopt rules governing the disclosure of records for research purposes); *accord* HRS § 92F-42(15) (same).

OIP, however, has not adopted rules governing disclosure of records for research purposes. Our understanding is that OIP views the language of section 92F-42(15) as insufficient to authorize it to create rules for disclosure of records to researchers beyond the level of access available to the general public. That limited access denies the public benefit the Legislature intended to create decades ago by affording researchers *greater* access to government records than the general public.

Government agencies often have massive amounts of data but do not always have sufficient expertise or resources to use that data. Researchers in the public and private sector often have the expertise or resources, but lack sufficient access to the government's data to draw meaningful conclusions.



House Committee on Judiciary & Hawaiian Affairs  
January 28, 2025  
Page 2

This bill seeks to bridge that gap and clarifies the original intent of section 92F-42(15). It is the first step in a long road toward allowing for more consistent access to government data for researchers. This, in turn, will promote government improvement through data-driven decision-making.

Thank you again for the opportunity to testify in support of H.B. 131.