STAND. COM. REP. NO. 66 -08

Honolulu, Hawaii

Fe415, 2008

RE: H.B. No. 2766

H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2766, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING,"

begs leave to report as follows:

The purpose of this bill is to protect victims of domestic violence from their abusers by allowing the courts to:

- (1) Prohibit contact with the victim by establishing courtdefined geographic exclusion zones; and
- (2) Require the defendant to wear a global positioning satellite tracking device.

This bill also appropriates funds to cover costs associated with the electronic devices for defendants who are unable to pay.

The Domestic Violence Action Center, Hawaii State Coalition Against Domestic Violence, and VOICES testified in support of this bill. The Office of the Public Defender opposed this measure.

Your Committee has some concerns about the necessity of this measure because section 706-624(2)(p) and (q), Hawaii Revised Statutes, already provides for electronic monitoring. Your Committee also notes some concerns that were raised regarding the details of this program including costs, vendor-associated details, and other implementation issues.

HB2766 HD1 HSCR JUD HMS 2008-2241



As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2766, H.D. 1, and recommends that it be referred to the Committee on Finance.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

TOMMY WATERS, Chair

State of Hawaii House of Representatives The Twenty-fourth Legislature



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB2766, HD1 (HSCR 56-08)	Committee Referral:		Date: 2-14-08		
HB2766, HD1 (HSCR56-08) HSH, JUD, FIN 2-14-08 The committee is reconsidering its previous decision on the measure.					
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)					
JUD Members	Ayes	Ayes (WR)	Nays	Excused	
1. WATERS, Tommy (C)			The state of the s		
2. OSHIRO, Blake K. (VC)					
3. EVANS, Cindy		2000 O O O O O O O O O O O O O O O O O O			
4. GREEN, Josh, M.D.					
5. ITO, Ken		10 mg/m			
6. LUKE, Sylvia					
7. McKELVEY, Angus L.K.					
8. MORITA, Hermina M.	✓				
9. SONSON, Alex M.					
10. SOUKI, Joseph M.					
11. TSUJI, Clift					
12. YAMANE, Ryan I.					
13. YAMASHITA, Kyle T.		100000000000000000000000000000000000000			
14. MARUMOTO, Barbara C.					
15. PINE, Kymberly Marcos			uiffluxies Line		
16. THIELEN, Cynthia					
TOTAL (16)	12	3		l l	
The recommendation is: ✓ Adopted If joint referral, did not support recommendation. committee acronym(s)					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office					