



Domestic Violence Action Center

Formerly the *Domestic Violence Clearinghouse and Legal Hotline*

PO Box 3198 ● Honolulu, Hawaii 96801 ● Ph:808/534-0040 ● Fax:808/531-7228

TO: Chair John Mizuno
Vice Chair Tom Brower
Members of the Committee

FR: Nanci Kreidman, M.A.
Chief Executive Officer

LATE
Testimony

RE: H.B. 812

Aloha. Please accept this testimony in support of H.B. 812.

Victims are faced with multiple, competing and life threatening challenges. Escape, economic viability, appearances in court, and single parenting are unavoidable for a victim of abuse, when they are seeking alternatives to living with an abuser.

It would be very helpful for a victim to exercise the right to terminate a lease, if separation from an abusive partner or escape from violence is warranted. May we respectfully suggest that sixty days may be too long in advance of the need to depart the premises when a victim is escaping violence. Recognizing that landlords do need notice, would it be possible to allow for shorter notice (30 days) and payment for the sixty day time period if a new tenant is not found?

An additional factor to consider is the absence of a police report or a restraining order. Perhaps a victim is simply planning a quiet escape. An affidavit from the victim, or perhaps a correspondence from a domestic violence program the victim is working with could serve as a substitute.

Thank you very much.

George J. Zweibel, Esq.
President, Board of Directors

M. Nalani Fujimori, Esq.
Interim Executive Director

LATE
testimony

TESTIMONY IN SUPPORT OF HB812 -
Relating to Domestic Violence

February 9, 2009 at 8:15 a.m.

The Legal Aid Society of Hawai'i ("Legal Aid") hereby provides testimony to the Committee on Human Services **in support of** HB812, relating to Domestic Violence which allows victims of domestic violence to terminate his or her rental agreement.

Legal Aid is the largest non-profit, private legal services organization in the State. We provide legal services for domestic violence victims and is one of the only legal service organizations to have a unit dedicated housing.

We are in support of this bill as it is critical for victims of domestic violence to be in a secure and safe home after an incident of domestic violence, sexual assault and/or harassment by stalking. Victims of these abuses should have the ability to terminate a lease without penalty in order to seek a safer housing situation.

Thank you for this opportunity to testify.

Sincerely,

Jennifer La'a
Fair Housing Program Manager
Domestic Violence Project Manager

brower2-Jenna

From: Dara Carlin, M.A. [breaking-the-silence@hotmail.com]
Sent: Sunday, February 08, 2009 4:15 PM
To: HUSTestimony
Subject: HB812 to be heard Monday, February 9th at 8:15am by the House Committee on Human Services

Categories: Yellow Category

TO: Representative John Mizuno, Chair
Representative Tom Brower, Vice Chair
Members of the Committee on Human Services

**LATE
Testimony**

FROM: Dara Carlin, M.A.
Oahu VOICES
716 Umi Street, Suite 210
Honolulu, HI 96819
(808) 832-9316 X106

DATE: February 9, 2009

RE: Support for HB812

If you have not had the experience of being stalked, harassed, confronted or surprised by the unexpected presence of someone whose hurt or terrorized you before, I hope you'll be able to just trust me when I say that it is not an experience you easily get over or recover from, especially if the incident has occurred in or near your home - a place you believed to be a refuge, safe. If your attacker or stalker shows up even once in, on or near your place of residence, chances are that you will not feel reassured of your safety from that person no matter how much safety planning, preventive/precautionary measures you take or court orders you have. The instinct to flee the situation or environment is overwhelming and is by nature a survival instinct, but it's also natural for us to want to stay in and protect our homes.

Victims of domestic violence typically do not have the luxury of a planned escape; more frequently they've got to leave on a moment's notice and leave everything behind them (which in turn gets held hostage by the abuser and is used as bargaining chips to get her back or punish her for her defiance/abandonment). For victims of sexual assault, having to live "at the scene of the crime" does not assist in their recovery from it. In these extreme positions, being released as a tenant from the lease/rental agreement would help the survivor of these events tremendously.

Please understand that victim-survivors will not see this as "a golden opportunity" to willfully break a binding contract (so many victims do not leave their abusers because of marriage - another binding contract) but as an avenue to escape the grasp of someone they've known to cause them harm.

Thank you for your time and consideration.

Respectfully,

Dara Carlin, M.A.
Oahu VOICES Representative

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Windows Live™: E-mail. Chat. Share. Get more ways to connect. [See how it works.](#)

hscadv **HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE**

Hearing date and time: February 9, 2009 at 8:15p.m., Committees on Human

RE: H.B. 812, RELATING TO DOMESTIC VIOLENCE

TO: Chair Mizuno, Vice Chair Brower and members of the Committee on Human Services

FROM: Carol Lee (clee@hscadv.org), Hawaii State Coalition Against Domestic Violence

Aloha, my name is Carol Lee. The Hawaii State Coalition Against Domestic Violence (HSCADV). HSCADV is a private non-profit agency which serves as a touchstone agency for the majority of domestic violence programs throughout the state. For many years HSCADV has worked with the Hawaii Legislature by serving as an educational resource and representing the many voices of domestic violence programs and survivors of domestic violence.

HSCADV strongly supports HB812.

In a 1998 study, 22 percent of 777 individuals surveyed stated that they had fled their home because of domestic violence¹. It is imperative that victims of domestic violence be able to exercise many different options for their safety and the safety of their children. This may include changing the locks on their current home or breaking a lease to flee for safety.

Often victims of domestic violence flee with little or money. If she seeks emergency shelter and fails to pay her rent and/or breaks her lease - it can destroy her rental and credit history. Studies have shown that victims and survivors of domestic violence have trouble finding apartments because they may have poor credit, rental, and employment histories as a result of their abuse². By allowing women to end their leases early if needed they can locate another place to live away from their batterer.

Hawaii continues to work to bring about many solutions to the issues impacting victims of domestic violence. HB812 is an important part of the puzzle that will assist victims in their journey to safety.

Thank you for the opportunity to testify.

LATE
Testimony

¹ *Ten Cities 1997-1998: A Snapshot of Family Homelessness Across America*. Homes for the Homeless. Retrieved January

² Susan A. Reif and Lisa J. Krisher. 2000. "Subsidized Housing and the Unique Needs of Domestic Violence Victim." *Clearing House Review*. National Center on Poverty Law. Chicago, IL.