

**LATE**

DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

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**THE HONORABLE CLARENCE K. NISHIHARA, CHAIR  
SENATE COMMITTEE ON PUBLIC SAFETY,  
INTERGOVERNMENTAL, AND MILITARY AFFAIRS  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawai'i**

February 1, 2018

**RE: S.B. 2347; RELATING TO POLICE DEPARTMENTS.**

Chair Nishihara, Vice Chair Wakai and members of the Senate Committee on Public Safety, Intergovernmental, and Military Affairs, the Department of the Prosecuting Attorney of the City and County of Honolulu (Department) submits the following testimony for S.B. 2347 expressing concerns.

The purpose of S.B. 2347 is to create a mechanism in which a citizen may file a complaint against a police officer involved in a domestic violence situation that is not memorialized in writing or by a notarized statement. After speaking with various stakeholders, the Department believes that the intent of this bill is to address complaints that arise which are civil in nature. Although S.B. 2347 does not directly address criminal complaints, the proposed bill creates the unintended consequence of handicapping potential criminal prosecution.

The Department recognizes that S.B. 2347 has good intentions, however, in domestic violence cases; recantation is commonplace and presents great difficulty in effective prosecution. The Department can foresee a situation arising where a victim of domestic violence creates an anonymous citizens complaint pursuant to S.B. 2347, which upon investigation rises to the level of a formal criminal charges being pursued. In this situation, the lack of a sworn statement at the onset of the civil citizen's complaint leaves the prosecution little to no evidence of the abuse if the victim subsequently recants.

For the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu expresses concern over the passage of S.B. 2347. Thank you for the opportunity to testify on this matter.

**LATE**

**SB-2347**

Submitted on: 2/1/2018 2:10:45 PM

Testimony for PSM on 2/1/2018 1:35:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	OCC Legislative Priorities	Support	No

Comments:

# hscadv



HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE  
1164 Bishop Street, Suite 1609, Honolulu, HI 96813

**LATE**

DATE: JANUARY 31, 2018

TO: STATE OF HAWAII  
SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL  
AND MILITARY AFFAIRS  
SENATOR CLARENCE K. NISHIHARA, CHAIR  
SENATOR GLENN WAKAI, VICE CHAIR  
SENATOR ROSALYN H. BAKER  
SENATOR LAURA H. THIELEN  
SENATOR LES IHARA, JR.

FROM: STACEY MONIZ, EXECUTIVE DIRECTOR  
HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE

RE: TESTIMONY IN SUPPORT FOR SB2347  
RELATING TO POLICE DEPARTMENTS

Aloha:

On behalf of the Hawaii State Coalition Against Domestic Violence (HSCADV) and our 22 member organizations across the state, I am submitting testimony in SUPPORT of SB2347 which clarifies that citizen complaints against a police officer alleging the officer of domestic violence against a family or household member should not be required to be filed as a notarized or sworn written statement. If you can imagine, reporting any kind of incident against a law enforcement officer is difficult, but it is especially so for reporting domestic violence. We ask that there be no additional barriers to safety or to reporting domestic violence.

As stated above, HSCADV supports SB 2343.

Thank you for your consideration of our testimony. If you would like to discuss this or have any questions, I can be reached at 808.832.9613x4 or via email at [smoniz@hscadv.org](mailto:smoniz@hscadv.org).

~ Together we can do amazing things ~

**LATE**



TO: Chair Nishara  
Vice Chair Wakai  
Members of the Committee on Judiciary

FR: Nanci Kreidman, M.A.

RE: SB 2347 Support Relating to Police Departments

Aloha and thank you for considering the importance of strengthening our community's law enforcement response to domestic violence. This Bill is one measure that will help achieve that.

As public servants charged with the critical and life altering role of responding to domestic violence in our community's homes, it is essential that our law enforcement officers are accountable to those they serve in their professional capacity. Minimizing the seriousness of domestic violence committed by police is a serious and dangerous error.

Given the ongoing community discourse, and the efforts necessary to improve police response, we support the Bill to eliminate any barriers that may prevent partners of police officers who have suffered harm from abuse from reporting the abuse.

The danger inherent in the lack of knowledge by police about officer involved abuse and the risk to the partner victimized by the abuse is potentially fatal. We cannot allow officers who engage in the behavior themselves to respond to others in need of protection. The bias, potential for responding inappropriately, minimizing the danger present at a scene, or conveying an inappropriate message to those at the scene all have significant consequences.

Thank you for your favorable action on SB 2347.

**DOMESTIC VIOLENCE ACTION CENTER**

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