

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 2638
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2638, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE,"

begs leave to report as follows:

The purpose and intent of this measure is to, for a period of five years:

- (1) Amend the offense of abuse of family or household members to provide for misdemeanor and petty misdemeanor penalties;
- (2) Allow a deferred acceptance of guilty or no contest plea to misdemeanor and petty misdemeanor offenses of abuse of a family or household member under certain circumstances; and
- (3) Require the Judiciary to submit annual reports to the Legislature on the number and outcome of abuse of family or household members cases.

Your Committee received testimony in support of this measure from the Judiciary, Hawai'i State Commission on the Status of Women, Domestic Violence Action Center, American Association of University Women of Hawaii, Planned Parenthood Votes Northwest and Hawaii, Hawaii Women's Coalition, Save Medicaid Hawaii, and one



individual. Your Committee received comments on this measure from the Department of the Attorney General and City and County of Honolulu Department of the Prosecuting Attorney.

Your Committee finds that domestic violence intervention requires varied approaches to meet the broad spectrum of severity. Existing laws are not inclusive enough to encompass the entirety of the spectrum, given that some instances of low-level force are insufficient to meet the criteria of abuse of a family member. This measure establishes a five-year pilot project to strengthen state and county responses to domestic violence and increase offender accountability.

Your Committee has amended this measure by:

- (1) Requiring the Judiciary to submit its annual report, including information on certain abuse of household or family member cases filed with the Judiciary, to the Legislature forty days prior to the convening of the Regular Session;
- (2) Deleting language that would have required the Judiciary to include in its annual reports information from each county police department and county prosecutor's office; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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 S.B. No. 2638, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2638, S.D. 2.

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



KARL RHOADS, Chair



