

STAND. COM. REP. NO.

1216

Honolulu, Hawaii

MAR 25 2021

RE: H.B. No. 566
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 566, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBERS,"

begs leave to report as follows:

The purpose and intent of this measure is to add coercive control between family or household members to the offense of abuse of family or household members as a petty misdemeanor.

Your Committee received testimony in support of this measure from Hawai'i State Coalition Against Domestic Violence, AAUW of Hawai'i, Domestic Violence Action Center, Planned Parenthood Votes Northwest and Hawai'i, Early Childhood Action Strategy, and three individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Office of the Public Defender, Prosecuting Attorney of the City and County of Honolulu, and one individual. Your Committee received comments on this measure from the Honolulu Police Department.

Your Committee finds that abuse between family or household members takes many forms and coercive control is often part of the cycle of domestic violence. Your Committee further finds that coercive control is defined under section 586-1, Hawaii Revised Statutes, in part as "a pattern of threatening, humiliating, or



intimidating actions, which may include assaults, or other abuse that is used to harm, punish, or frighten an individual." Your Committee additionally finds that coercive behaviors often carry a threat of violence or are direct precursors to violence.

Your Committee also finds that Act 19, Regular Session of 2020, established a five-year pilot program to strengthen state and county responses to domestic violence and increase offender accountability. Part of this pilot program was the establishment of a petty misdemeanor offense within abuse of a family or household member. Your Committee further finds that the addition of coercive control as a petty misdemeanor offense should be placed within the pilot program established by Act 19, Regular Session of 2020.

Accordingly, your Committee has amended this measure by:

- (1) Including coercive control as part of the petty misdemeanor offense of abuse of a family or household member to the pilot program established by Act 19, Regular Session of 2020; and
- (2) Making it effective upon its approval.

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. 566, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 566, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

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



KARL RHOADS, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:
HB 566 , HD1	JDC	3/19/2021

The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)				✓
ACASIO, Laura			✓	
GABBARD, Mike				✓
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt		✓		
TOTAL	3	1	1	2

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: *Karl Rhoads*

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*Only one measure per Record of Votes