



*The Judiciary, State of Hawai‘i*  
*Ka ‘Oihana Ho‘okolokolo, Moku‘āina ‘o Hawai‘i*

**Testimony to the Thirty-Third Legislature, 2026 Regular Session**

**Senate Committee on Judiciary**  
Senator Karl Rhoads, Chair  
Senator Mike Gabbard, Vice Chair

Friday, February 13, 2026 at 9:00 a.m.  
Hawai‘i State Capitol, Conference Room 016

by

Dyan M. Medeiros  
Senior Judge, Deputy Chief Judge  
Luna Kānāwai ‘Ohana Nui  
Family Court of the First Circuit  
‘Aha Ho‘okolokolo ‘Ohana o ke Ka‘apuni ‘Ekahi

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**Bill No. and Title:** Senate Bill No. 2566, Relating to Domestic Abuse Orders for Protection.

**Purpose:** Removes the requirement that requests to withhold from public inspection the petition record of a denied temporary restraining order or denied protective order be made orally.

**Judiciary's Position:**

The Judiciary strongly supports Senate Bill No. 2566 which is included in the Judiciary’s 2026 legislative package.

HRS Section, 586-4 was recently amended with the passage of 2020 Haw. Sess. Laws Act 18 to add subpart (g). As is noted in Act 18, the Legislature found that victims of domestic abuse who sought protection through the courts may face retaliatory acts from their abuser such as counter-petitions for the same relief. The Legislature further found that retaliatory counter-petitions can negatively impact domestic abuse victims’ employment and house prospects and hinder the victims’ efforts to gain physical and financial independence from their abusers.

Based on this potential for retaliatory counter-petitions, the newly added HRS Section 586-4(g) allows the court to issue an order that withholds a denied petition from public



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inspection. However, in order to issue such an order, under the current law the respondent must make an oral request at a court hearing. Given the fact that requests for temporary restraining orders are reviewed/submitted on an ex parte basis and generally without a hearing, there is no ability for respondents to make such oral requests in the ordinary course.

This measure addresses this issue by adding language to give respondents the option of making either oral or written requests to withhold denied petitions from public inspection. Similarly, this bill also amends the same change to HRS Section 586-5.5(c) relating to denied protective orders.

Thank you for the opportunity to provide testimony on this matter.

**SB-2566**

Submitted on: 2/12/2026 5:10:20 PM

Testimony for JDC on 2/13/2026 9:00:00 AM



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
HSDWC	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhodes, Vice Chair Gabbard and members,

We are in strong support of this measure to protect victims of Domestic Violence from perpetrators using the public request for a TRO to find and reabuse victims.

Please Pass,

Mahalo,

Ann S. Freed, Co-Chair, For HSDWC



**LATE**

February 13, 2026

Members of the Senate Committee on Judiciary:

Chair Karl Rhoads  
Vice Chair Mike Gabbard  
Rep. Stanley Chang  
Rep. Joy A. San Buenaventura  
Rep. Brenton Awa

Re: SB2566 Relating to Domestic Abuse Orders for Protection

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Committee on Judiciary:

The Hawai'i State Coalition Against Domestic Violence (HSCADV) mission is to unite Hawai'i to end all forms of domestic violence. We are a statewide partnership of domestic violence programs and shelters.

On behalf of HSCADV and our 20 member programs, I respectfully submit testimony in **strong support of SB2566**, which amends HRS §586-4(g) and HRS §586-5.5(c) to allow the courts to withhold from public view a petition for a protective order that has not been granted.

As HRS §586-4(g) is currently written, there is a procedural gap regarding requests to have domestic abuse petitions withheld from public inspection. Under existing law, a request to withhold a petition from public view must be made by oral request.

Petitions for a temporary restraining order under HRS §586-4 are filed *ex parte*, meaning they are reviewed by a judge without a hearing and without the respondent present. In cases where the court denies the petition at the *ex parte* stage, no hearing occurs, and the respondent has no opportunity to make an oral request to withhold the petition from public inspection. As a result, denied petitions may remain publicly accessible despite the absence of judicial findings or any opportunity for the respondent to be heard.

An order to show cause hearing under HRS §586-5.5 occurs after a temporary restraining order has been granted. At that stage, the respondent is required to appear and respond to allegations that have already resulted in the issuance of a TRO. The statutory mechanism for requesting that a petition be withheld from public inspection, therefore, applies only in cases where relief has already been granted, not in cases where a petition is denied.

Clarifying Chapter 586 to allow for written requests or automatic consideration of whether denied ex parte petitions should be withheld from public inspection would promote fairness, consistency, and due process, while preserving appropriate public access where warranted. Addressing this gap would better align the statute with the realities of ex parte proceedings and fundamental principles of procedural fairness.

Thank you for the opportunity to testify on this important matter.

Sincerely,  
Angelina Mercado, Executive Director

**SB-2566**

Submitted on: 2/11/2026 9:37:17 PM

Testimony for JDC on 2/13/2026 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Deanna Espinas	Individual	Support	Written Testimony Only

Comments:

Strong support of this measure. Thank you.

**SB-2566**

Submitted on: 2/12/2026 1:34:43 AM

Testimony for JDC on 2/13/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kiran Polk	Individual	Support	Written Testimony Only

Comments:

**RE: SB 2566 – Relating to Domestic Abuse Orders for Protection**

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

My name is Kiran Polk, and I am submitting testimony **as an individual and not behalf of any organization in strong support of SB 2566.**

SB 2566 allows a court to withhold from public inspection the petition record of a denied temporary restraining order or protective order, upon request, while ensuring that the record remains accessible to law enforcement. This balance preserves public safety while recognizing the sensitive and personal nature of domestic abuse proceedings.

Even when a temporary restraining order or protective order is denied, **the fear and risk do not disappear for the person who sought protection. Making these petition records publicly accessible can expose deeply personal information and increase the risk of retaliation, harassment, or further harm.** Allowing denied petitions to be withheld from public inspection—while still accessible to law enforcement—is a necessary and compassionate safeguard that prioritizes safety without compromising accountability.

Thank you for the opportunity to submit testimony.

Respectfully submitted,  
**Kiran Polk**