

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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OUR REFERENCE RB-VYH

February 16, 2010

The Honorable Jon Riki Karamatsu, Chair
and Members
Committee on Judiciary
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Karamatsu and Members:

Subject: House Bill No. 2796, Relating to Domestic Abuse Orders

I am Ron Bode, Captain of the Records and Identification Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD strongly supports the passage of House Bill No. 2796. The passing of this bill would close a loophole that currently exists when dealing with temporary restraining orders (TRO) and protective orders (PO).


If someone petitions a court for a TRO and it has been properly served, the order is generally valid for up to 90 days. If that person then petitions a court for a PO, the TRO is immediately rendered invalid. This becomes problematic if the respondent has not been properly served with a copy of the PO. As a result, the petitioner does not have the protection of either the TRO or the PO until the respondent is properly served, regardless of the expiration date of the TRO.

By passing this bill, the TRO will remain valid until the respondent is served with a PO or the expiration date of the TRO, whichever occurs first.


Thank you for the opportunity to testify.

APPROVED:

Sincerely,



LOUIS M. KEALOHA
Chief of Police


RON BODE, Captain
Records and Identification Division

Serving and Protecting With Aloha