

STAND. COM. REP. NO.

844

Honolulu, Hawaii

MAR 23 2011

RE: H.B. No. 238
H.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 238, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS,"

begs leave to report as follows:

The purpose and intent of this measure is to provide additional penalties for the first conviction for a violation of a temporary restraining order, if the person has a prior conviction of certain specified offenses against a family or household member.

Your Committee received testimony in support of this measure from the Department of the Attorney General, City and County of Honolulu Department of the Prosecuting Attorney, Hawaii State Coalition Against Domestic Violence, and two individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender and one individual.

Under current law, a first-time violator of a temporary restraining order is subject to a mandatory minimum jail sentence of forty-eight hours. This measure increases that mandatory minimum term to fifteen days for persons convicted of specified prior offenses indicating acts of abuse, violence, or depravity against family or household members.

The intent of your Committee is to enhance the protection of victims of domestic violence by increasing penalties for persons who violate temporary restraining orders by sending a clear



warning to these individuals that any violation of a temporary restraining order will not be tolerated with leniency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 238, H.D. 2, and recommends that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,

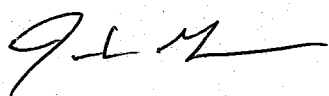
Suzanne Chun Oakland

SUZANNE CHUN OAKLAND, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 230, HD 2	HMS, JDL	3/18/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
IHARA, Jr., Les (VC)	✓			
GREEN, M.D., Josh	✓			
SLOM, Sam				✓
TOTAL	3	0	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes