

Honolulu, Hawaii

FEB 19 2015

RE: S.B. No. 226

S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and  
Military Affairs, to which was referred S.B. No. 226 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Provide protection to family or household members from abuse by specifying that the period of separation that a police officer can order under suspicion of physical abuse or harm is two business days from the day the order is issued; and
- (2) Define "business day" as any calendar day, except Saturday, Sunday, or any state holiday.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, Department of the Prosecuting Attorney of the County of Kauai, Honolulu Police Department; and one individual.

Your Committee finds that the intent of the forty-eight hour period of separation in cases of actual or probable family or household abuse is to keep the abuser or potential abuser away from the victim and give the victim time to get a restraining order and find a safe shelter. However, under existing law, when

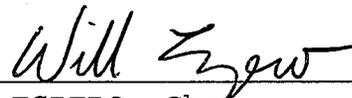


the abuse occurs at certain times or on certain days, the victim does not receive the benefit of the forty-eight hour separation period or does not have sufficient time to obtain a restraining order or shelter because government agencies and many private organizations are closed on weekends and holidays. This measure will give abuse victims additional time to get help and legal protection by extending the period of separation that a law enforcement officer shall order under specified circumstances.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 226, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 226, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,  
Intergovernmental and Military  
Affairs,



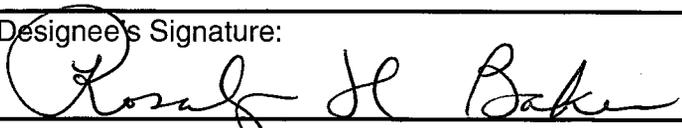
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WILL ESPERO, Chair



The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Public Safety, Intergovernmental and Military Affairs**  
**PSM**

Bill / Resolution No.:* <b>SB 226</b>	Committee Referral: <b>PSM, JDL</b>	Date: <b>2-12-15</b>		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood				✓
KEITH-AGARAN, Gilbert S.C.	✓			
SLOM, Sam				✓
<b>TOTAL</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:             Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes