
A BILL FOR AN ACT

RELATING TO PROTECTIVE ORDERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. (a) There is established a protective order
2 card pilot program to be administered by the Honolulu family
3 justice center of the department of the prosecuting attorney of
4 the city and county of Honolulu. The purpose of the protective
5 order card pilot program shall be to issue protective order
6 cards to holders of a long-term protective order issued by the
7 courts of the first circuit of the State to allow law
8 enforcement to quickly verify the existence of the long-term
9 protective order and easily obtain information regarding the
10 long-term protective order.

11 (b) A protective order card issued under the protective
12 order card pilot program may be requested by any person who has
13 been granted a long-term protective order issued by any court of
14 the first circuit of the State by submitting an application to
15 the Honolulu family justice center in a form prescribed by the
16 Honolulu family justice center. Upon determining that the long-
17 term protective order is valid based on data provided by the
18 judiciary or the National Crime Information Center's protection



1 order file, the Honolulu family justice center shall issue the
2 applicant one or more cards as may be necessary for the
3 applicant to:

4 (1) Provide the protective order card to a school or
5 employer;

6 (2) Allow use of the protective order card by any child or
7 other individual covered by the long-term protective
8 order; or

9 (3) Provide the protective order card to the school, day
10 care program, or other similar entity for a child or
11 other individual covered by the long-term protective
12 order.

13 (c) A protective order card shall be a laminated card,
14 similar in size and shape to a credit card, and shall display a
15 color photograph of the person to be restrained by the long-term
16 protective order, if available, and contain essential
17 information about the long-term protective order, including:

18 (1) Identifying characteristics of the person to be
19 restrained, including name, date of birth, sex, race,
20 eye and hair color, height, weight, and any
21 distinguishing features such as scars or tattoos;



- 1 (2) The case number and the issuing court of the first
- 2 circuit of the State of the long-term protective
- 3 order;
- 4 (3) The issue and expiration date of the long-term
- 5 protective order;
- 6 (4) The terms of the long-term protective order;
- 7 (5) A website address and Hawaii telephone number by which
- 8 law enforcement personnel can access the protective
- 9 order card pilot program database to verify the
- 10 information on the protective order card;
- 11 (6) Identifying characteristics of the applicant,
- 12 including name, date of birth, sex, race, eye and hair
- 13 color, height, and weight; and
- 14 (7) The names and dates of birth of any children or other
- 15 individuals who are also protected by the long-term
- 16 protective order.
- 17 (d) The Honolulu family justice center may charge a fee
- 18 not to exceed \$20 per protective order card, after the first
- 19 card. All fees shall be deposited in the general fund of the
- 20 city and county of Honolulu.
- 21 (e) For the purposes of this section, "long-term
- 22 protective order" means an order granted under section 604-10.5,



1 Hawaii Revised Statutes, that is effective for a period
2 exceeding ninety days, or an order granted under chapter 586,
3 Hawaii Revised Statutes, that is effective for a period
4 exceeding one hundred eighty days.

5 (f) The Honolulu family justice center shall maintain a
6 database of all protective order cards issued by the protective
7 order card pilot program and their related long-term protective
8 orders. The records may be incorporated as part of the current
9 Hawaii criminal justice center protective order databases,
10 records, or both. Law enforcement personnel may access the
11 database or the National Crime Information Center's protection
12 order file database to verify the existence and scope of a long-
13 term protective order.

14 (g) The Honolulu family justice center may work with
15 outside agencies and local, state, and federal governments and
16 accept gifts, donations, and grants from public agencies and
17 private persons to support the protective order card pilot
18 program.

19 (h) The department of the prosecuting attorney of the city
20 and county of Honolulu shall submit a report to the legislature,
21 no later than twenty days prior to the convening of the regular
22 sessions of 2016, 2017, and 2018, which shall describe and



1 evaluate the activities and status of the protective order card
2 pilot program.

3 SECTION 2. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2015-2016 and
6 the same sum or so much thereof as may be necessary for fiscal
7 year 2016-2017 for a grant-in-aid to the Honolulu family justice
8 center to implement the protective order card pilot program.

9 The sums appropriated shall be expended by the department
10 of the prosecuting attorney of the city and county of Honolulu
11 for the purposes of this Act.

12 SECTION 3. This Act shall take effect on July 1, 2050;
13 provided that this Act shall be repealed on December 31, 2018.



Report Title:

Protective Order Card Pilot Program; Protective Orders;
Appropriation

Description:

Establishes the protective order card pilot program within the Honolulu family justice center to issue protective order cards upon request of individuals holding a long-term protective order issued by a court of the first circuit of the State, with specified relevant information about the protective orders and all covered parties. Appropriates funds for a grant-in-aid to the Honolulu family justice center. Effective 7/1/2050. Sunsets on 12/31/2018. (SD2)

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