

HB-1614-HD-1

Submitted on: 2/26/2018 9:16:36 AM

Testimony for FIN on 2/27/2018 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Ho`omana Pono, LLC	Support	Yes

Comments:

IN STRONG SUPPORT.

HB-1614-HD-1

Submitted on: 2/25/2018 5:00:52 PM

Testimony for FIN on 2/27/2018 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mo Hannah	Battered Mothers Custody Conference	Oppose	No

Comments:

February 27, 2018

Good Morning Chair Luke, Vice Chair Cullen and House Finance Committee Members and thank you for the opportunity to provide testimony in STRONG OPPOSITION to HB1614.

Suspect found victim via baby sitter, relatives say

<http://archives.starbulletin.com/2008/01/18/news/story02.html>

Does anyone remember the January 2008 Star Bulletin headline that described the brutal murder of *Janel Tupuola*, a mother of 5 who had "successfully escaped" an abusive relationship? In case you're unfamiliar, here's what happened according to the SB article:

A man charged with beating his ex-girlfriend to death with the stock of a shotgun tracked her down by staking out her baby sitter, family members said yesterday.

Alapeti Siuanu Tunoa Jr. is accused of bludgeoning Janel Tupuola to death Wednesday night in front of several witnesses along a public road in Kailua.

Tupuola, 29, who had two children with Tunoa, had left after chronic abuse, family members said, and had found a new address.

A few weeks ago, Tupuola found herself an apartment on Kuulei Road that Tunoa could not find. **But he knew where the different baby sitters were.**

After Janel's highly publicized murder, coming within days of Jenny Hartsock's brutal domestic violence related murder, lawmakers joined the community to vow "Never again" but just 10 years down the road and *this*, HB1614, is what "never again" looks like?

HB1614 is not honest legislation where the body betrays its proclaimed intention: ***Automatic*** Restraining Order? Reads like a ***Financial*** Restraining Order to me but read on further and in the midst of all the financial concerns comes "*Neither party shall remove a minor child of the parties from the island of that child's current residence nor remove a minor child of the parties from the school that child is currently attending.*" If this legislation is put into law, HOW exactly is this going to protect domestic violence survivors and their children from post-separation abuse, abduction and murder? I'll tell you right now: IT WON'T.

Don't like what the Star Bulletin article reveals? Then don't pass HB1614 so we don't have to ever hear of something so preventable and tragic again. Added benefit: your own hands won't be covered with the blood of the next victim who dies courtesy of this legislation. Lay HB1614 to rest as Janel has been.

Respectfully,

Dara Carlin, M.A.

Domestic Violence Survivor Advocate

HB-1614-HD-1

Submitted on: 2/25/2018 8:43:43 PM

Testimony for FIN on 2/27/2018 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Esther McDaniel	Individual	Oppose	No

Comments:

Aloha Finance Committee:

I'm concerned for domestic violence survivors and their children being further harmed by automatic restraining orders during annulment, divorce or separation thus I oppose HB 1614. I understand that the intent of using an automatic restraining order in these situations is meant to keep assets/finances/children safe and fairly divided, but when domestic violence is present in a relationship the automatic restraining order can harm and hinder the partner/spouse who is seeking safety from harm. Please consider revising this bill to make sure domestic violence survivors (parents and children) are taken into consideration.

Thank you,

Esther McDaniel

HB-1614-HD-1

Submitted on: 2/26/2018 12:49:08 AM

Testimony for FIN on 2/27/2018 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Circe Carr	Individual	Oppose	No

Comments:

HB-1614-HD-1

Submitted on: 2/26/2018 8:38:46 AM

Testimony for FIN on 2/27/2018 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Guy Yatsushiro	Individual	Oppose	No

Comments:

HB-1614-HD-1

Submitted on: 2/26/2018 10:38:33 AM

Testimony for FIN on 2/27/2018 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Connie Valentine	Individual	Oppose	No

Comments:

LATE

HB-1614-HD-1

Submitted on: 2/26/2018 3:51:43 PM
Testimony for FIN on 2/27/2018 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Debra Zedalis	Individual	Oppose	No

Comments:

My concern is Section 2, subparagraph 5, which states, "Neither party shall remove a minor child of the parties from the island of that child's current residence nor remove a minor child of the parties from the school that child is currently attending." In short, this means someone fleeing from domestic violence could flee but would do so without their children. Additionally, as has happened in Hawaii, the DV perpetrator would then know the schedule of the child/children and the parent (school schedule) which could lead to additional violence.

LATE

HB-1614-HD-1

Submitted on: 2/27/2018 7:57:46 AM
Testimony for FIN on 2/27/2018 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
May Lee	Individual	Oppose	No

Comments:

This does not take into consideration domestic violence. When a victim finally gets brave enough to leave an abusive situation, part of the safety plan is to leave suddenly to not give the abuser time to plan physical harm to the spouse or the children. This automatic restraining order would make it impossible to get away safely. Most women stay in abusive situations because they are afraid for the safety of their children. This bill would make it impossible to get away safely. This would make it so a woman trying to protect herself could not have access to money and could not legally leave the island with the children to protect herself. This bill is exactly what an abuser would want. We already have huge issues with the legal system keeping an abused woman in an abusive situation because family court tends to force the victim to maintain contact with the abuser and forces her to send her children into an unsafe situation. Now you want to make it so she can't get away from the abuse at all? This is a really terrible situation this bill would create for any kind of safety plan.