

STAND. COM. REP. NO.

670

Honolulu, Hawaii

MAR 03 2017

RE: S.B. No. 519
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 519, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE,"

begs leave to report as follows:

The purpose and intent of this measure is to specify that citizen complaints against a police officer that involve allegations of domestic violence against a family or household member on the part of the police officer are not required to be in writing or sworn to by the complainant.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, Women's Caucus of the Democratic Party of Hawai'i, American Association of University Women of Hawaii, Americans for Democratic Action Hawai'i, Domestic Violence Action Center, Hawaii State Coalition Against Domestic Violence, Hawaii Women's Coalition, and eleven individuals. Your Committee received testimony in opposition to this measure from the Department of the Prosecuting Attorney, County of Maui and State of Hawaii Organization of Police Officers. Your Committee received comments on this measure from the Department of the Prosecuting Attorney, City and County of Honolulu.

Your Committee finds that curtailing domestic violence is important for the health, safety, and welfare of citizens and that



a vital part of reducing domestic violence is ensuring that those reporting acts of domestic violence feel secure and confident in coming forward with complaints. The fear of chilling the voices of those wishing to report acts of domestic violence is particularly worrisome when those reports complain of acts of domestic violence perpetrated by a police officer against a family or household member. Accordingly, this measure allows an individual to make a complaint against a police officer alleging an act of domestic violence against a family or household member without being required to swear to or make the complaint in writing.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (2) 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 Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 519, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 519, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,


GILBERT S.C. KEITH-AGARAN, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 519 SD1	Committee Referral: PSM, JDL	Date: 2/24/17		
<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
KEITH-AGARAN, Gilbert S.C. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado				✓
THIELEN, Laura H.	✓			
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Karl Rhoads</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes