

---

---

# A BILL FOR AN ACT

RELATING TO DOMESTIC VIOLENCE.

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

1           SECTION 1. The legislature finds that domestic violence is  
2 an epidemic affecting individuals in every community, regardless  
3 of age, economic status, race, religion, nationality, or  
4 educational background. According to the National Coalition  
5 Against Domestic Violence, one in every four women will  
6 experience domestic violence in her lifetime. Between 2008 and  
7 2012, there was an eighteen per cent increase statewide in  
8 arrests relating to abuse of family or household members.  
9 During this same time period, there was also an increase in the  
10 number of persons served by various statewide agencies who  
11 provide services to victims of domestic violence.

12           The legislature further finds that the practices of county  
13 police departments require that all external complaints against  
14 a police officer be in writing and sworn to by the complainant.  
15 The legislature is concerned that this requirement may  
16 discourage individuals involved in a domestic dispute with a  
17 police officer from reporting the abuse. In some cases, a



1 concerned friend or family member may wish to remain anonymous,  
2 or a neighbor may fear retaliation. In other cases, the victim  
3 may need, for safety reasons, to keep the victim's name off the  
4 complaint. The legislature is concerned that mandatory,  
5 written, notarized complaints against an alleged abuser may  
6 result in victims, friends, and family members unwilling to seek  
7 help, thus leaving the victim vulnerable to increasing violence.  
8 The legislature acknowledges that the majority of police  
9 officers enforce the law and act appropriately toward members of  
10 the public.

11 The purpose of this Act is to avoid the re-victimization of  
12 officer-involved domestic violence victims by ensuring that  
13 individuals who wish to report allegations of officer-involved  
14 domestic abuse against a family or household member do not have  
15 to do so in writing or by notarized statement.

16 SECTION 2. Chapter 52D, Hawaii Revised Statutes, is  
17 amended by adding a new section to be appropriately designated  
18 and to read as follows:

19 "§52D- Citizen complaints; officer-involved domestic  
20 violence. Citizen complaints against a police officer that  
21 involve allegations of domestic violence by the police officer



1 against a family or household member shall not be required to be  
2 in writing or sworn to by the complainant.

3 For purposes of this section, "family or household member"  
4 has the same meaning as defined in section 709-906."

5 SECTION 3. New statutory material is underscored.

6 SECTION 4. This Act shall take effect on January 7, 2059.

7



**Report Title:**

County Police Departments; Police Officers; Citizen Complaints;  
Officer-involved Domestic Violence

**Description:**

Specifies 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 shall not be required to be in writing or sworn to by the complainant. Takes effect on 1/7/2059. (SD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

