

Honolulu, Hawaii

FEB 29, 2008

RE: H.B. No. 3379  
H.D. 2

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 3379, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of the bill is to repeal, revise and recodify the statutes on abuse of family or household members.

The Department of the Attorney General, Department of the Prosecuting Attorney for the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, Honolulu Police Department, County of Maui Police Department, Domestic Violence Action Center, VOICES, and a concerned individual supported this bill. The Hawaii State Coalition Against Domestic Violence supported the intent of this measure. The Office of the Public Defender submitted comments.

Your Committee amended this bill by:

- (1) Deleting references to mandatory sentencing;
- (2) Defining "physical abuse";
- (3) Simplifying the offense of abuse of family or household member in the third degree by making it the intentional subjection of a family or household member to physical abuse;



- (4) Deleting the provision allowing a police officer to order a person to leave a premises based on a belief that there is immediate risk that the person will inflict physical abuse or harm on a family or household member;
- (5) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (6) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3379, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 3379, H.D. 2.

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

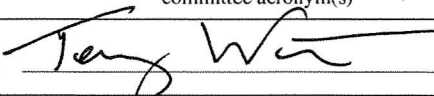
  
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TOMMY WATERS Chair



State of Hawaii  
House of Representatives  
The Twenty-fourth Legislature

**HSCR 985-08**

**Record of Votes of the Committee on Judiciary**

<b>Bill/Resolution No.:</b> HB 3379, HD 1 (HSCR413-08)	<b>Committee Referral:</b> HSH, JUD	<b>Date:</b> 2-21-08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) 2 <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. WATERS, Tommy (C)	/			
2. OSHIRO, Blake K. (VC)	/			
3. EVANS, Cindy	/			
4. GREEN, Josh, M.D.				/
5. ITO, Ken				/
6. LUKE, Sylvia				/
7. McKELVEY, Angus L.K.				/
8. MORITA, Hermina M.				/
9. SONSON, Alex M.				/
10. SOUKI, Joseph M.	/			
11. TSUJI, Clift	/			
12. YAMANE, Ryan I.	/			
13. YAMASHITA, Kyle T.	/			
14. MARUMOTO, Barbara C.	/			
15. PINE, Kymberly Marcos				/
16. THIELEN, Cynthia	/			
<b>TOTAL (16)</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>7</b>
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
<b>Vice Chair's or designee's signature:</b> 				
<b>Distribution:</b> Original (White) – Committee     Duplicate (Yellow) – Chief Clerk's Office				