

Honolulu, Hawaii

March 14, 2008

RE: S.B. No. 2218
S.D. 1
H.D. 1

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

Sir:

Your Committee on Human Services & Housing, to which was referred S.B. No. 2218, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING,"

begs leave to report as follows:

The purpose of this bill is to protect victims of domestic violence from their abusers by allowing the courts to:

- (1) Prohibit contact with the victim by establishing court-defined geographic exclusion zones; and
- (2) Require the defendant to wear a global positioning satellite (GPS) tracking device.

The Domestic Violence Action Center, Hawaii State Coalition Against Domestic Violence, Oahu VOICES, and a concerned individual testified in support of this bill. The Judiciary provided comments.

The Judiciary submitted testimony stating that it would cost approximately \$5 per day to equip each person ordered to wear a GPS tracking device and that many of these offenders will be unable to pay for the costs associated with these devices. The estimated cost for one year is \$523,000. However, your Committee heard compelling testimony that if the whereabouts of a domestic violence victim is unknown, a GPS device is unnecessary, and may



also serve as a means to alert the defendant on the location of the victim. The annual costs would be reduced by exempting these types of situations from the provisions of this measure.

Accordingly, your Committee has amended this bill by:

- (1) Not requiring defendants to wear a GPS device when the location of a protected party is unknown;
- (2) Adding an appropriation to pay for GPS devices and associated costs; and
- (3) Changing the effective date to "upon its approval," except for the appropriation effective on July 1, 2008, and allowing the Judiciary one year to establish and implement provisions relating to the GPS devices.

Other technical, nonsubstantive amendments were made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2218, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2218, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Human Services &
Housing,



MAILE SHIMABUKURO, Chair



