



the formerly battered women's caucus of hawai'i

To: Representative Shimabukuro, Chair Representative Green, Chair
Representative Rhoads, Vice Chair Representative Mizuno, Vice Chair
Members of the Committees on Human Services & Housing and Health

Date: January 29, 2008

Re: STRONG SUPPORT FOR HB2766

VOICES strongly supports HB2766, with amendments.

There are many "Catch 22s" for victims of Domestic Violence (DV) and leaving the abusive relationship is one of the biggest. "Everyone knows" she needs to leave, but what's not as well known is that by doing so, her chances of being killed by her partner rise substantially. The majority of women killed as a result of DV aren't technically victims - they're actually SURVIVORS because they did indeed leave their abusers, sometimes months or even years prior to their murders. Research shows that DV survivors often continue to be in danger from their batterer post-separation. This is a terrifying fact to face at the point of realizing the danger you're in and having to either stay in a violent relationship and take your chances, or leave the relationship and take your chances. Seeking assistance in the form of a Temporary Restraining Order (TRO)/Protective Order (PO) is one way to increase their safety but as we've come to tragically see, this is not enough. A piece of paper that can't alert anyone to impending danger is a poor safety mechanism against a batterer intent on harming his victim for breaking the cardinal rule: "You will not leave me".

Electronic monitoring for TRO/PO violators would serve as an additional tool that could safeguard victims, survivors and their children by alerting the victim if the batterer has crossed into an exclusionary zone. In circumstances where the batterer is not familiar with the victims new routine or housing, the following language be added to the statute: page 3, line 2 and page 7, line 22 "**exclusion zones known to the defendant including, but not limited to,**". Electronic Monitoring should only be used in appropriate cases so as not to provide the defendant with any information regarding the victim's location or information the defendant could use to deduce where the victim will be based on the exclusionary zone. The courts will need to work with the victims who can best predict how their batterers will respond to different punitive measures and will need to explain the limitations of the system to the victims so they can appropriately plan for their ongoing safety.

Thank you for your time and consideration.

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