

CHARMAINE TAVARES
Mayor



THE TESTIMONY

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THE HONORABLE TOMMY WATERS, CHAIR
THE HONORABLE BLAKE K. OSHIRO, VICE-CHAIR
COMMITTEE ON JUDICIARY

THE HOUSE OF REPRESENTATIVES
THE TWENTY-FOURTH LEGISLATURE
REGULAR SESSION OF 2008
STATE OF HAWAII

TESTIMONY OF BENJAMIN M. ACOB,
PROSECUTING ATTORNEY FOR THE COUNTY OF MAUI,
IN SUPPORT OF SENATE BILL NO. 1343, SD1, HD1
RELATING TO THE PENAL CODE

The Honorable Chairpersons and Committee Members:

The Department of the Prosecuting Attorney for the County of Maui strongly supports S.B. 1343, SD1, HD1, Relating to the Penal Code.

In September of 1999, Bridget Kawamoto was stabbed to death in her shower by her estranged husband, Brian Kawamoto. Just days before her murder, both the police and the court ordered the defendant not to have any contact with Mrs. Kawamoto. However, the defendant ignored those orders. In addition to the murder in the second degree charge, the State charged the defendant with Abuse of a Family or Household Member in violation of Hawaii Revised Statutes Section ("HRS") 709-906(4), and one count of Violation of a Temporary Restraining Order in violation of HRS § 586-4. The defendant was later convicted of those charges.

This bill allows law enforcement greater latitude in protecting victims of domestic violence by increasing the penalties associated with crimes of violence committed against

this particularly vulnerable class of individuals. Indeed, this bill sends a particularly strong message to would be domestic abusers and/or murderers that a violation of a police or court issued stay-away order will result in serious consequences.

In closing, our Department strongly supports this bill. The courts and law enforcement personnel desperately need this change in the law to successfully combat the often deadly consequences of domestic violence.

Thank you for the opportunity to testify.

(S.B. 1343, Relating to the Penal Code)