



Hearing date and time: February 25, 2008, 10:30am, Committees on Ways and Means

RE: S.B. 2218 SD1, RELATING TO ELECTRONIC MONITORING

TO: Chair Senator Baker, Vice Chair Senator Tsutsui and committee members

FROM: Ana Maring, Hawaii State Coalition Against Domestic Violence

Aloha, my name is Ana Maring and I represent the Hawaii State Coalition Against Domestic Violence (HSCADV). HSCADV is a private non-profit agency which serves as a touchstone agency for the majority of domestic violence programs throughout the state. For many years HSCADV has worked with the Hawaii Legislature by serving as an educational resource and representing the many voices of domestic violence programs and survivors of domestic violence.

HSCADV strongly supports SB2218 SD1.

Research shows that victims intimate partner violence (IPV) often continue to be in danger from their batterer and are in fact likely to be at increased risk once they separate. Statistics show that approximately 75% of the women murdered by a partner or former partner had separated from their batterer or told their batterer they planned to leave. Many victims of IPV seek Temporary Restraining Orders (TRO)/Protective Orders (PO) as a tool to increase their safety.

Electronic monitoring for TRO/PO violators serves as an additional tool that would assist in protecting victims and their children's safety by alerting the victim if the batterer has crossed into an exclusionary zone. As stated in *Electronic Monitoring of Domestic Violence Cases-A Study of Two Bilateral Programs*, "The intimate nature of these relationships means that the offender will be well versed in the victim's routines, and personal and social affiliations, such as family, friends, and membership in organizations. He knows when and where she works, the school where she waits to pick up the children, her telephone numbers, as well as her travel routes to reach home, work, or fulfill other responsibilities, needs or preferences. Such knowledge of her routines furnishes the abuser with numerous opportunities to harass, stalk, intimidate, assault or abuse the victim in violation of protective orders."

According to the Honolulu Probation Office, the estimated cost of this service is approximately \$4 - \$5 dollars a day and would be paid by the offender. The cost of the program is negligible for indigent offenders as they are covered by the fines paid into the system by offenders with resources.

Whether a victim is seeking a temporary restraining order, contacts law enforcement or seeks domestic violence services, they are best equipped to predict how their batterer will respond to different punitive measures. Courts must work with victims considering the use of this technology and explain the limitations of the system. While there is not a single answer to domestic violence GPS electronic monitoring provides another tool to hold batterers accountable and deter future abuse.

For more information about how GPS Electronic Monitoring equipment works please go to <http://www.denvergov.org/ElectronicMonitoring/EquipmentandPrograms/tabid/385950/Default.aspx> .
and
[http://www.officer.com/print/Law-Enforcement-Technology/GPS-Offender-Tracking-and-the-Police-Officer/1\\$25189](http://www.officer.com/print/Law-Enforcement-Technology/GPS-Offender-Tracking-and-the-Police-Officer/1$25189)

Thank you for the opportunity to testify.



The Judiciary, State of Hawaii

Testimony to the Twenty-Fourth State Legislature, 2008 Session

Senate Committee on Ways and Means
The Honorable Rosalyn H. Baker, Chair
The Honorable Shan S. Tsutsui, Vice Chair

Monday, February 25, 2008, 10:30 a.m.
State Capitol, Conference Room 211

by
Janice Yamada
Adult Client Services Branch Administrator
Hawaii State Judiciary

WRITTEN TESTIMONY ONLY

Bill No. and Title: Senate Bill No. 2218, S.D. 1, Relating to Electronic Monitoring.

Purpose: Requires electronic monitoring of persons convicted of violating a domestic abuse temporary restraining order or protective order.

Judiciary's Position:

The Judiciary takes no position on this measure; however, we note the following concern. Although the bill indicates the court may order offenders to pay the costs associated with equipping themselves with electronic monitoring devices, many of these offenders will be unable to pay because they are indigent or have very limited funds. Consequently, this measure must include an appropriation from the legislature to pay for the program.

Thank you for the opportunity to provide testimony on this matter.