



THE JUDICIARY, STATE OF HAWAII

Testimony to the Twenty-Fifth Legislature, Regular Session of 2009

House Committee on Human Services
The Honorable John M. Mizuno, Chair
The Honorable Tom Brower, Vice Chair

Monday, February 2, 2009, 8:15 a.m.
State Capitol, Conference Room 329

by
Frances Q.F. Wong
Senior Judge / Deputy Chief Judge
Family Court, First Circuit

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 1649, Relating to Domestic Violence.

Purpose: Provides that a protective order may be issued by the Court to a victim or witness if a complaint, information, or indictment charging a crime of domestic abuse has been filed.

Judiciary's Position:

The Judiciary takes no position on House Bill No. 1649, which provides that a protective order may be issued by the Court to a victim or witness if a complaint, information, or indictment charging a crime of domestic abuse has been filed.

The protection proposed in this bill is already readily available. An order can be granted in the criminal action (in fact, a "stay-away," no contact order can be made a condition of bail and/or supervised release). Similarly, the HRS Chapter 586 petitioner (civil domestic abuse cases) can simply allege the underlying facts that caused the criminal arrest.

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