



Domestic Violence Action Center

Formerly the *Domestic Violence Clearinghouse and Legal Hotline*

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TO: Chair John Mizuno
Vice Chair Tom Brower
Members of the Committee

FR: Nanci Kreidman, M.A.
Chief Executive Officer

LATE
Testimony

RE: H.B. 892

Aloha. We offer this testimony in opposition to H.B. 892. We have concerns about the requirement that victims return to court, which is no small ordeal, after a court order has been issued and a full hearing has been held.

It has been our vast experience that victims do not seek restraining orders easily or without a great deal of anguish. Having to face the perpetrator is terrifying. All the other inconveniences (child care, time off from work, transportation) are factors, certainly, but safety is key. So the terror and the danger are reason enough not to require that a victim return to court.

If the relationship is over, or the parties have reconciled, action on the restraining order is a natural result. It either has no meaning (if the relationship has ended) or is not necessary-in which case the victim does return to court to have the order dissolved.

This bill appears not to enhance our current system.
Thank you for your consideration.

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LATE
Testimony

HB 892
Support

In making a determination, the court shall consider evidence of abuse and threats of abuse that occurred AFTER the initial restraining order and whether good cause exists to continue the protective order.

If prior evidence is to be considered it would have to be evidence that was substantiated by witnesses other than the complainant, or by evidence of physical harm or damage witnessed by a party other than the complainant.