
From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 02, 2009 10:14 PM
To: JGO Testimony
Cc: peni@hawaii.rr.com
Subject: Testimony for SB672 on 3/3/2009 9:30:00 AM

LATE

Testimony for JGO 3/3/2009 9:30:00 AM SB672

Conference room: 016
Testifier position: support
Testifier will be present: Yes
Submitted by: Penny Hackney
Organization: Individual
Address: 3911 Nioi Place Honolulu, HI
Phone: 735 0828
E-mail: peni@hawaii.rr.com
Submitted on: 3/2/2009

Comments:

For 4 1/2 years we have lived in Wilhelmina we have been harassed by a neighbor and in sept 08 I filed a TRO against her. Officer's tried for 90 days and they were never able to serve her so each time I had to go to court and ask them to please continue to try and server her. The first TRO was dismissed and I re filed and included her husband. After going to court twice I contacted Major Green at HPD and finally the husband was server but lied to officer's and said she wasn't home. We went to court in Dec. and I asked the judge to please tell me another way I can have her served and he told me Hawaii law does not allow for TRO's to be served any other way and that if I want to do something about that to take it up with legislators. Our next court visit the judge called us up and off the record she chastised my husband and I for not have her served yet while her husband stood right next to us. The judge's act annoyed to keep seeing me over and over. And while I have been at court trying to stop her harassment she continues to harass us with complaint's to city and county inspector, the Health dept and even lied to Child Service's claiming we abuse our daughter. I am surprised that it is so easy to avoid service of a TRO. the law should allow another way for serving TRO's when the respondent is avoiding personal service.

From: Dara Carlin, M.A. [breaking-the-silence@hotmail.com]
Sent: Monday, March 02, 2009 8:53 PM
To: JGO Testimony
Subject: SB672 to be heard on Tuesday, March 3rd at 9:30am in Room 016

Importance: High

LATE

TO: Senator Taniguchi, Chair
Senator Takamine, Vice Chair
Judiciary & Government Operations Committee Members

FROM: Dara Carlin, M.A.
881 Akiu Place
Kailua, HI 96734
(808) 218-3457

DATE: March 3, 2009

RE: Support for SB672 with comments

Good morning. HB1229, that is to be heard today at 2:00pm by the House Judiciary Committee, seeks something very similar to this proposal so I was wondering if there were some way to combine what's being sought after. HB1229 talks about publicizing a notice of hearing when a respondent can't be served/is avoiding service (which is an excellent idea providing the Petitioner's name NOT be publicized because in domestic violence cases, doing so could have an unintended potentially lethal consequence if the Respondent learns that the petitioner is attempting to protect themselves). Certified mail is a great option too - I was just thinking in terms of consistency, it might be worthwhile to combine your efforts. In either case, I'm sincerely grateful for your time and attention to this matter.

Most respectfully,

Dara Carlin, M.A.
Independent Domestic Violence Survivor Advocate

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