

Honolulu, Hawaii

Feb 3, 2010

RE: H.B. No. 2796

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 2796 entitled:

"A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE ORDERS,"

begs leave to report as follows:

The purpose of this bill is to ensure that victims of domestic abuse are afforded continuous protection under restraining or protective orders issued by the court, by authorizing a temporary restraining order to remain in effect for 90 days or until service of a protective order, whichever occurs first.

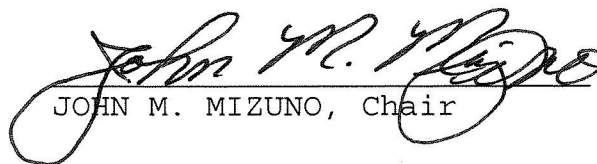
The Honolulu Police Department and Honolulu Department of the Prosecuting Attorney supported this bill. A concerned individual supported this measure with an amendment.

Your Committee finds that a temporary restraining order remains in effect for up to 90 days, but becomes invalid if a protective order is issued by the court during that time. A protective order is not fully effective until it is served on the respondent. Thus, if a petitioner is granted a protective order, and the respondent is proficient at avoiding service, the petitioner is left without legal protection until the protective order can be served. This bill would strengthen legal protections for victims of domestic abuse by removing this loophole in the law.



As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2796 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,


JOHN M. MIZUNO, Chair



