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From: Corder, Allison [Allison.Corder@shawgrp.com]
Sent: Tuesday, February 23, 2010 12:43 PM
To: JUDtestimony
Subject: Support of HB229 to be heard Tuesday, 23 February 2010 by the Committee on Judiciary

TO: Rep. Jon Riki Karamatsu, Chair
Rep. Ken Ito, Vice Chair
Members of the Committee on Judiciary

FROM: Allison L. Corder
Honolulu, Hawaii

DATE: 23 February 2010

RE: Support for HB229, Relating to the Penal Code

I am a victim of many violations of an Order of Protection I have against my ex-husband. I would like to express my strong support of HB229.

I filed for and was granted a divorce from my ex-husband on June 22, 2005 after 16 years of marriage. On August 1, 2005, after several incidents that made me fear for the safety of my children and myself, I filed for a Protective Order from the Family Court of the First Circuit, State of Hawaii. Based upon the numerous incidents of Harassment, Burglary, and Abuse of Family and Household Member perpetrated by my ex-husband upon myself and my children the Order for Protection was granted.

Even with the Order for Protection in place my ex-husband continued to harass me and my children. I made (26) Honolulu Police Department reports for Protective Order Violations between August 2005 and October of 2005 and approximately (75) Honolulu Police Department reports in total for Protective Order Violation, Arson, Abuse of Family and Household Member and Terroristic Threatening in the First Degree.

My ex-husband was arrested on September 4, 2005 and taken into custody for five (5) Protective Order Violations and was arrested (45) more times and was almost continuously incarcerated from his initial arrest to the present day either because he was pending trial or serving a sentence.

My ex-husband's Protective Order Violations continued to occur many times from his location at the Oahu Community Correctional Center in the form of letters, cards, and telephone calls.

When my ex-husband was released on his own recognizance for a brief period in January 2007, he committed and was arrested for six (6) Protective Order Violations against me during that time period.

My ex-husband has either plead guilty to or been found guilty following trial in Family Court of (14) of the (41) charges the State of Hawaii has filed against him. The sentencing judges in Family Court all granted the State of Hawaii's motions for consecutive jail.

During the time of my ex-husband's incarceration, myself, boyfriend, sister and parents all received dozens of hang-up calls traced back to pay phones in the annex where my ex-husband was housed at the Oahu Community Correctional Center.

Because of my ex-husband's refusal to leave me and my family alone and complete discard of all requests for NO CONTACT and the disregard for the Order for Protection even while in prison, a Cease and Desist Order was drafted by

the Victim/Witness Kokua Division of the Office of the Prosecuting Attorney and that the order was enforced by staff at the Oahu Community Correctional Center, effectively stopping the calls. However, when my ex-husband was transferred to the Halawa Correctional Center the calls began to occur again and with the assistance of a warden and a module unit manager, my ex-husband was issued a permanent loss of phone privileges along with a re-instatement of the Cease and Desist Order and, to date, the calls have stopped.

During the time of my ex-husband's incarceration at the Oahu Community Correctional Center, my ex-husband filed numerous, frivolous motions on the civil and divorce calendars in Family Court which were deeply upsetting and financially difficult for me. On June 25, 2008, on a motion filed by my attorney, the presiding judge declared my ex-husband to be a Vexatious Litigant thereby barring him from filing any future motions involving me on the Family Court of the First Circuit, State of Hawaii, divorce and civil calendars.

Based on my ex-husband's arrests and convictions for crimes against me, Judge Dean D. Del Rosario granted the State of Hawaii's motion to revoke my ex-husband's Circuit Court probation in a criminal case and re-sentenced him to five years incarceration.

My ex-husband is a known drug user of crystal methamphetamine, cocaine and marijuana and has a serious personality disorder which results in impulsive, dangerous and destructive behaviors directed at individuals who refuse to do what he wants.

I believe my ex-husband will never accept or comply with my wish that I no longer want him in my life. I don't want have to go back to guessing what he will do next, looking over my shoulder, staying prepared and never letting my guard down. I initiated the Order for Protection because I need law enforcement and the courts help to make him stop. Each of his convictions for misdemeanors has yet to send this message loud and clear. It has been approximately five years from when I initiated the Order for Protection and there is still no impact and accountability of his actions.

Though my ex-husband's convictions and violations are considered misdemeanors as the law is presently written, they are continuously vicious harassments and stalking in nature. Combined, they are a show of a deeply ingrained pattern of malicious behavior and a marked lack of empathy for the people he hurts. My ex-husband does not intend to stop. He will violate again and again.

I pray that the Committee supports HB229.

Respectfully,

Allison L. Corder

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