

hscadv HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE

Date: January 28, 2009

To: Representative John M. Mizuno, Chair and Representative Tom Brower, Vice Chair
Committee on Human Services

From: Carol Lee, Executive Director

Re: HB 728

Hearing Date and Time: Thursday, January 29, 2009, 9:00 a.m.

Good morning Representative Mizuno, Representative Brower, and Committee members. The Hawaii State Coalition Against Domestic Violence appreciates the opportunity to submit testimony relating to Temporary Restraining Orders.

Hawaii State Coalition Against Domestic Violence favors having restraining orders readily available to individuals who qualify for this type of protection. However, after much discussion throughout the community and followed by serious negotiation, the current system for obtaining restraining orders in conjunction with the "period of separation" ordered by police officers was deemed best—at the time the current statute was written.

Costs relating to the establishment of a three-year statewide pilot for the electronic filing of requests for and issuance of domestic abuse temporary restraining orders may be cost prohibitive in times of tight budgets and shrinking funding. The Hawaii State Coalition Against Domestic Violence is concerned about preserving funding for core services for victims of domestic violence and their children, although we recognize that expanding services would be ideal.

We appreciate your consideration of our testimony.

Rec'd 1/28/09
6:52pm cm
LATE

~ Together we can do amazing things ~



Domestic Violence Action Center

Formerly the *Domestic Violence Clearinghouse and Legal Hotline*

PO Box 3198 • Honolulu, Hawaii 96801 • Ph:808/534-0040 • Fax:808/531-7228

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

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

RE: H.B. 728

Aloha. It may not be necessary to enact legislation to develop a pilot project for electronic filing of restraining orders. The current statute provides an option for a period of separation which is imposed by law enforcement and which requires the perpetrator to vacate the premises. The period of separation is for 24 hours on weekdays and 48 hours on weekends, or until end of next business day. This was put into place to allow victims the opportunity to obtain safety through the filing of a petition for a restraining order with Family Court.

This provision was developed after a great deal of community discussion and agreement about the importance of available options for victims. Those of us advocating for safety and effective system response share the legislature's desire to implement new strategies as they become apparent and promise effective assistance.

As we are facing such a serious economic shortfall, it may not be possible to fund a new pilot project. It is essential for core services to receive adequate financial support so they are available to continue serving our community's victims. Thank you for continuing to examine creative ways to strengthen our system and stand on the side of safety for victims.

Rec'd 1/28/09
6:40 PM
LATE