

STAND. COM. REP. NO. 477

Honolulu, Hawaii

Feb 18 , 2011

RE: H.B. No. 1003
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 1003 entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

begs leave to report as follows:

The purpose of this bill is to provide greater protection to victims of domestic violence by establishing first and second degree murder, second degree assault, and first degree terroristic threatening for a person that causes death or bodily injury to a person or threatens a person who:

- (1) The defendant has been restrained, by order of any court from contacting, threatening, or physically abusing pursuant to domestic abuse protective orders; or
- (2) Is being protected by a police officer ordering the defendant to leave the premises of that protected person during the effective period of the restraining order.

The Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Police Department of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, County of Kauai Office of the Prosecuting Attorney, AngelGroup, and several concerned individuals testified in support of this bill. A concerned individual submitted comments.

HB1003 HD1 HSCR HUS HMS 2011-2275

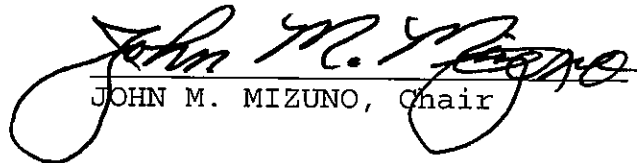


Your Committee has amended this bill by:

- (1) Establishing that a person commits the offense of murder in the first degree if the person intentionally or knowingly causes the death of a person known by the defendant to be a witness in a family court case and the killing is related to the person's status as a witness;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 1003, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1003, H.D. 1, 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



