

Honolulu, Hawaii

March 4, 2011

RE: H.B. No. 1003
H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1003, H.D. 1, 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 who causes death or bodily injury to another person or threatens another person:

- (1) From whom the defendant has been restrained, by order of any court from contacting, threatening, or physically abusing pursuant to domestic abuse protective orders;
- (2) Who 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; or
- (3) Who is 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.

The Attorney General, Honolulu Police Department, Department of the Prosecuting Attorney of the County of Maui, Hawaii County Police Department, Domestic Violence Action Center, and Hawaii



State Coalition Against Domestic Violence testified in support of this bill.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2011; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1003, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1003, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



GILBERT KEITH-AGARAN, Chair



