

STAND. COM. REP. NO. 2589

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 2060
S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2060, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ACCUSED TO TRANSPORT WITNESS OR WITNESSES,"

begs leave to report as follows:

The purpose and intent of this measure is to facilitate the prosecution of domestic violence cases by allowing family courts, under certain conditions, to require the accused in a criminal matter to transport any material witness to court, if the witness is a minor, elderly person, or incapacitated person who resides with or is under the custody of the accused.

Your Committee finds that in some instances, domestic violence cases fail to proceed to trial because the court did not have express authority to order the defendant to transport a minor, elder, or incapacitated witness to court. These cases reach a standstill when the accused may be intentionally precluding the appearance of the witness in court, particularly in cases where the witness is the alleged victim of the accused. This measure seeks to empower family courts to hear domestic violence cases in which minors, elders, and incapacitated individuals may have been victimized by their own relatives or caregivers.


Your Committee has amended this measure by making technical nonsubstantive amendments for the purpose of clarity.

SB2060 SD2 SSCR LRB 12-1793.doc



As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2060, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2060, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

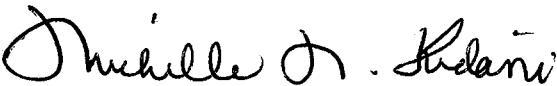


DAVID Y. IGE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2060, SD1	JDL, WAM	2-23-12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
FUKUNAGA, Carol	✓			
KIM, Donna Mercado	✓			
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.				✓
RYAN, Pohai	✓			
TOKUDA, Jill N.	✓			
WAKAI, Glenn	✓			
SLOM, Sam			✓	
TOTAL	12	0	1	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes