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March 14, 2013

Comments on HB 245

To: Senator Rosalyn H. Baker, Chair  
Senator Brickwood Galuteria, Vice Chair  
Committee on Commerce & Consumer Protection

From: Annie Hollis, MSW candidate (2013), practicum student  
Hawaii State Commission on the Status of Women

Re: Comments on HB 245, Relating to Domestic Violence.

The Commission wishes to provide comments on HB 245, which would prohibit landlords from terminating the tenancy of tenants who are survivors of domestic violence. The Commission supports the intent of the bill, but would like to offer comments.

Protection from housing discrimination should exist for all survivors of intimate partner violence. Not all survivors choose to pursue Temporary Restraining Orders or other law enforcement interventions, nor do all survivors have equitable access to services such as healthcare providers or licensed clinical social workers. This burden of proof is onerous for victims, especially those who are low-income, uninsured, or who do not speak English as a first language. In addition, many of the employees of organizations providing domestic violence support services are not licensed healthcare providers or clinical social workers. In my former career as a domestic violence advocate, I provided comprehensive legal advocacy and case management to survivors as a bachelor's-level paraprofessional, often for months or years at a time for each survivor. If this bill were passed, my documentation would not be sufficient verification for these victims. These specific requirements except a large number of working professionals who are experts in their field. Therefore, we recommend the language in this bill take from Act 206, which allows survivors to provide a statement from an employee, volunteer or agent of a victims service organization; an attorney or advocate; a healthcare provider; a member of the clergy; or a police or court record. Act 206's language recognizes the broad variety of formal and informal networks and systems that survivors access for safety and support.

The Commission is also concerned with Section 1, 1(A). Perpetrators often stalk and follow victims to try to maintain control over them, especially if a relationship has ended. Section 1(A) could easily be interpreted to hold a survivor responsible for the actions of a perpetrator.

We hope the Committee will consider these comments before advancing HB 245. Thank you for this opportunity to testify.

Annie Hollis, BA, MSW candidate (2013)  
Hawaii State Commission on the Status of Women, practicum student

**LATE**

**HB245**

Submitted on: 3/14/2013

Testimony for CPN on Mar 14, 2013 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dara Carlin, M.A.	Individual	Support	No

Comments: Good Morning Everyone and thank you for the opportunity to provide testimony on this matter. Coincidentally for the past month, I've been looking for housing for several of my DV survivors moms without luck. Most Safety Plans for DV victim-survivors include informing significant people in their lives about the threat they're under by their abusers but doing so - when it comes to landlord-tenant situations (as well as employer situations too actually) - often results in denial of housing. If a DV victim already has a place she's renting and explains her situation to her landlord, few are willing to support her fearing more for the safety of their property (doors, windows, locks, walls, etc. that could all be potentially damaged during a DV incident) then fearing for the safety of the victim and (in most cases) her children. If facing homelessness, the better option for a victim may be to stay with her abuser and for a survivor, returning and begging forgiveness for her "indiscretion" in leaving/notifying anyone of their "personal business" may be the lesser of the evils. Please support this important piece of legislation to better the odds for DV SURVIVORS and their children so that Hawaii has less DV VICTIMS. Respectfully, Dara Carlin, M.A. Domestic Violence Survivor Advocate

**HB245**

Submitted on: 3/13/2013

Testimony for CPN on Mar 14, 2013 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Sandra Sims	Individual	Support	No

Comments: I stand in strong support of HB245, which will allow for protection and prohibit a landlord from terminating the tenancy solely on the tenant's status as a victim of domestic abuse, so long as the victim can confirm she/he is a victim of domestic abuse with certain verification(s). It is important to note that this measure in no way stops the landlord from terminating the tenancy of a victim of abuse, if a lawful reason to terminate the tenancy exists.

### HB245, HD1 LATE TESTIMONY

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Guy Yatsushiro	Individual	Support	No
Mahtab Trueman	Individual	Support	No