

Honolulu, Hawaii
February 19, 2016

RE: H.B. No. 2493
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2493 entitled:

"A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE,"

begs leave to report as follows:

The purpose of this measure is to require law enforcement agencies in Hawaii to record a domestic violence identification code on all incident and arrest reports that arise from offenses that are committed between family or household members and to report the number of incidents and arrests each month to the Attorney General, release the information to the public, and post the information to the agencies' website.

The Hawaii State Coalition Against Domestic Violence, Domestic Violence Action Center, and several concerned individuals testified in support of this measure. The Honolulu Police Department testified in opposition. The Department of the Attorney General provided comments.

Your Committee finds that presently there is no formal tracking or reporting of crimes that are the result of domestic violence, but are not charged under the traditional domestic violence statute, section 709-906, Hawaii Revised Statutes (HRS). As a result, many domestic violence occurrences are excluded or ignored in statistical reports because of strict categorization of crime data.



The critical need to track the number of all domestic violence events through the use of an identification code on incident reports and arrest reports cannot be understated. The lack of meaningful data on the number of domestic violence occurrences prevents law enforcement, first responders, domestic violence service providers, lawmakers, and the general public from accurately assessing the breadth of Hawaii's domestic violence crisis and from developing an effective response.

This measure will ensure that all domestic violence crimes that are attempted or committed between family or household members will be counted in statistical reports. To be clear, this measure is not seeking data solely on section 709-906, HRS offenses. The identification code must be used broadly to accurately quantify occurrences of domestic violence offenses, which can range from property crimes to terroristic threatening to animal abuse.

Your Committee has amended this measure to:

- (1) Provide the Attorney General the flexibility to determine, in consultation with law enforcement agencies having powers of arrest and county prosecutors, which specific crimes are to be identified as domestic violence crimes; and
- (2) Provide the Attorney General and law enforcement agencies with the time to develop the reporting protocols by requiring the first recording and report of domestic violence crime statistics in July 2017.

The amendments are intended to foster consistent data collection on the frequency and diversity of crimes committed by domestic violence perpetrators.

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. 2493, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2493, H.D. 1, and be referred to your Committee on Finance.



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



KARL RHOADS, Chair



