

STAND. COM. REP. NO. 395

Honolulu, Hawaii
February 20, 2015

RE: H.B. No. 58
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 58 entitled:

"A BILL FOR AN ACT RELATING TO PROTECTIVE ORDERS,"

begs leave to report as follows:

The purpose of this measure is to establish and fund a Hope Card program within the Department of the Attorney General to assist domestic violence victims and others covered by long-term protective orders. The program enables the Attorney General to provide eligible persons with a card that contains the pertinent relevant information about their long-term protective order.

The Department of the Attorney General and Hawaii Family Law Clinic, also known as Ala Kuola, testified in support and provided comments. The Department of Budget and Finance testified in opposition to the creation of a special fund.

Your Committee finds that this program is appropriately established within the Department of the Attorney General as part of that Department's law enforcement functions and its role in recording restraining orders received from the Judiciary into the Hawaii Criminal Justice Data Center and the National Crime Information Center - Protective Order File databases.

HB58 HD1 HSCR JUD HMS 2015-1901-1



Your Committee finds that the Hope Card will allow an easy and durable means for a protected person to carry information on a protective order and enable victims of violence to enlist the assistance of law enforcement when protective orders are violated.

Your Committee has amended this measure by:

- (1) Removing the requirement that the Department hire certain, specified personnel;
- (2) Providing that holders of protective orders issued by state, federal, and certain foreign courts may request a card;
- (3) Removing the creation of a special fund;
- (4) Setting a fee of not more than \$20 for each card after the first card and depositing the fee into the general fund; and
- (5) Making technical, nonsubstantive amendments for clarity 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. 58, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 58, H.D. 1, and be referred to the Committee on Finance.

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



KARL RHOADS, Chair



