



LATE TESTIMONY

February 1, 2016

To: Hawaii State Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, February 1, 2016 (8:30 a.m.)
Place: Hawaii State Capitol, Rm. 229
Re: Testimony of American Association of University Women –
Hawaii in support of S.B. 2310, Relating to domestic abuse
protective orders

Dear Senator Gilbert S.C. Keith-Agaran (Chair), and Senator Maile S.L. Shimabukuro (Vice Chair), and Members of the Committee,

I am grateful for this opportunity to testify in **strong support of S.B. 2310**, relating to domestic abuse protective orders.

My testimony is on behalf of the approximately 400 members of the American Association of University Women (AAUW) in Hawaii, who list gender-based violence as an important current concern. My area of expertise is gender violence, and I worked for many years with survivors of domestic violence in New Zealand.

On behalf of my current constituents, I argue that passage of S.B. 2310 is important, with great potential to smooth the path of domestic violence survivors in court. At the time I lived in New Zealand, and accompanied women to court, judges were not issuing mutual restraining orders because of the unfortunate manner in which this court mechanism had been used previously by perpetrators to inflict additional abuse on their victims. Based on discussions with women in Hawaii, I understand that mutual protection orders are being utilized in harmful ways here against survivors of violence. I ask committee members to listen carefully to the voices of survivors, and please diminish the use of mutual restraining orders.

In conclusion, passage of S.B. 2310 is an important step in increasing access to justice for survivors of violence in Hawaii, and improving the health and wellbeing of our community:

Thank you for the opportunity to testify.

Sincerely
Susan J. Wurtzburg, Ph.D.
Policy Chair



Hawaii Women's Coalition

Senate Committee on Judiciary and Labor

Senator Gilbert S.C. Keith-Agaran, Chair

Senator Maile S.L. Shimabukuro, Vice Chair

LATE TESTIMONY

DATE: February 1, 2016
TIME: 9:30 a.m
PLACE: Conference Room 16

STRONG SUPPORT FOR SB 2310.

Good afternoon Chair Keith-Agaran, Vice Chair Shimabukuro, and members. The Hawai'i Women's Coalition is in **strong support of SB 2310** relating to domestic abuse protective orders.

We urge this committee to eliminate the spontaneous issuance of a mutual protective order (TRO) at an Order to Show Cause Hearing and instead expect each citizen of this community to follow the same process if they feel the need for a TRO.

The process that a victim/survivor engages in to obtain a restraining order is difficult, and most certainly requires courage. When a victim takes this step and ultimately has the unfortunate outcome of a mutual restraining order issued against her as well, the message to the victim is devastating. The consequences of this action not only include a negative experience for the victim for seeking Court protection but may also include a variety of other dangerous challenges for the petitioner as well.

In the instance that both parties are truly a safety concern to one another, it is reasonable to expect the same process be followed for a protective order to be issued by the courts.

This bill highlights, enhances, and underlines our criminal justice's commitment to due process rights in court proceedings and strengthens the Court's response to those who have the need, and the courage to seek a protective order as a vehicle to safety.

The Coalition is in strong support of this bill. Please pass the important bill out of committee.

Mahalo for the opportunity to testify,
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To: Hawaii State Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, February 1, 2016, 9:30 a.m.
Place: Hawaii State Capitol, Rm. 016
Re: Testimony of YWCA O'ahu in support of S.B. 2310, Relating to Domestic Abuse Protective Orders

Good morning Chair Keith-Agaran, Vice Chair Shimabukuro, and members of the committee. On behalf of YWCA O'ahu we thank you for the opportunity to share our testimony in **strong support of SB 2310** relating to domestic abuse protective orders.

The process that a victim/survivor engages in to obtain a restraining order can feel ambiguous, frightening, and vulnerable. Pursuing a restraining order against an intimate partner is a step in the direction to seek safety and peace, and most certainly requires courage. When a victim takes this courageous step and ultimately has the unfortunate outcome of a mutual restraining order issued against her as well, the message to the victim is devastating. The consequences of this action not only include a negative experience for the victim for seeking Court protection but may also include a variety of other challenges for the petitioner as well.

In the instance that both parties are truly a safety concern to one another, it is reasonable to expect the same process be followed for a protective order to be issued by the courts. We urge the committee to eliminate the spontaneous issuance of a mutual protective order at an Order to Show Cause Hearing and instead expect each citizen of this community to follow the same process should they require assistance from the Courts in the form of a protective order.

This bill highlights, enhances, and underlines our criminal justice's commitment to due process rights in court proceedings and strengthens the Court's response to those who have the need, and the courage to seek a protective order as a vehicle to safety.

Thank you for your consideration and for the opportunity to provide testimony on this matter.