

Honolulu, Hawaii

APR 06 2017

RE: S.C.R. No. 163  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred  
S.C.R. No. 163 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO  
CONDUCT AN AUDIT OF THE VOCATIONAL REHABILITATION UNIT IN THE  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, DISABILITY  
COMPENSATION UNIT,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Request the Auditor to conduct a performance audit of the Vocational Rehabilitation Unit of the Disability Compensation Division of the Department of Labor and Industrial Relations for the calendar years of 2015 and 2016;
- (2) Specify certain areas that are requested to be assessed by the Auditor and included in the performance audit;  
and
- (3) Request the Auditor to submit a report of any findings and recommendations, including any proposed legislation, to the Legislature prior to the convening of the Regular Session of 2018.



Your Committee did not receive any written testimony on this measure.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which amends this measure by deleting its contents and inserting language that:

- (1) Requests the Judiciary, in cooperation with the police department of each county and prosecutor of each county, to annually compile and report on statistics regarding arrests, charges, and convictions or other dispositions based on the offense of abuse of a family or household member;
- (2) Specifies the types of information and data that the Judiciary is requested to:
  - (A) Obtain from the police department of each county and prosecutor of each county; and
  - (B) Compile and gather for the annual statistical report regarding arrests, charges, and convictions or other dispositions based on the offense of abuse of a family or household member; and
- (3) Requests the Judiciary to submit a written report of its findings and recommendations, including any proposed legislation, to the Legislature prior to the convening of the Regular Sessions of 2018, 2019, and 2020.

Your Committee received testimony in support of the proposed S.D. 1 from the Domestic Violence Action Center, Hawaii State Coalition Against Domestic Violence, and six individuals. Your Committee received testimony in opposition to the proposed S.D. 1 from the Department of the Prosecuting Attorney, County of Maui and Department of the Prosecuting Attorney, City and County of Honolulu. Your Committee received comments on the proposed S.D. 1 from the Judiciary.

Your Committee finds that domestic violence is a serious social issue in Hawaii. Despite a number of state laws that protect victims of domestic violence, aim to prevent future



incidents of domestic violence, and penalize and provide assistance to domestic violence offenders, the rates of domestic violence occurring in Hawaii have not decreased. Of greater concern is the number of domestic violence incidents committed by repeat domestic violence offenders. Advocates for stronger domestic violence laws contend that part of the problem is that existing law is being circumvented, resulting in a lack of any real consequences on domestic violence offenders, and consequently, no change in their behavior. By requesting the Judiciary to provide specific data and information on how arrests, charges, and convictions or other dispositions based on or related to the offense of abuse of a family or household member are currently handled by the police, county prosecutors, and courts, this proposed S.D. 1 will assist in the establishment and implementation of more tailored laws that prevent domestic violence.

Your Committee has amended this measure by adopting the proposed S.D. 1 and further amending the measure by:

- (1) Making a technical amendment to its title; and
- (2) Making other technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 163, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 163, S.D. 1.

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

  
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GILBERT S.C. KEITH-AGARAN, Chair



The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>SCR 163</b>	Committee Referral: <b>JDL</b>	Date: <b>3/28/17</b>		
<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
KEITH-AGARAN, Gilbert S.C. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes