



TO: Chair Green  
Vice Chair Chang  
Members of the Committee on Human Services

FR: Nanci Kreidman, M.A.

RE: HB 669 HD1 Support

Aloha. And thank you for scheduling this Bill for hearing. This is an issue of great importance, and deserves the legislature's attention.

The requirement for Family Court to make an automatic report to child welfare when a temporary restraining order is sought by a survivor places an unnecessary burden on the child welfare system and creates an unfortunate impact on survivors. Seeking court protection and taking the affirmative step to secure a restraining order is a proactive step that is aimed at providing protection for a family. Involving child welfare, if necessary, could still be done if circumstances warrant such a report.

We would like to suggest an amendment to the Bill proposed. It would be useful for Family Court judges to have the authority, when necessary, and if desired, to direct child welfare services to conduct an investigation and make a report to the Court. Apparently, before this law was in effect (586-10.5) it was difficult to obtain reports from child welfare when the Court was interested in having the agency complete an investigation. Judges are given discretion in many ways, and have maintained consistently they function best with discretion. It appears in these kinds of cases, such discretion is well founded. Cooperation from child welfare services would be beneficial and assist the court and the family in achieving the greatest safety for those at risk.

Additionally, if a person reaches out for help it is an affirmative action and the community should not be forcing other system interventions that may be harmful or threatening in nature. It would be an unintended, and deleterious effect for survivors to avoid working with available resources, like Family Court restraining orders for fear that they would be investigated for potential child abuse. It is not uncommon or unfamiliar that child welfare services is over-extended and cannot conduct an investigation in a timely fashion, requiring multiple appearances by survivors. This burdens the Court and the community's families.

Thank you for your favorable action to amend HRS 586-10.5.

**DOMESTIC VIOLENCE ACTION CENTER**  
ADDRESS: P.O. BOX 3198, HONOLULU, HI 96801-3198  
LEGAL HELPLINE: (808) 531-3771  
TOLL-FREE NEIGHBOR ISLAND HELPLINE: (800) 690-6200  
WEBSITE: [WWW.DOMESTICVIOLENCEACTIONCENTER.ORG](http://WWW.DOMESTICVIOLENCEACTIONCENTER.ORG)  
EMAIL: [DVAC@STOPTHEVIOLENCE.ORG](mailto:DVAC@STOPTHEVIOLENCE.ORG)