

Honolulu, Hawaii

MAR 23 , 2018

RE: S.B. No. 2343
S.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2343, S.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the courts to convert a previously imposed no-contact or stay-away order to a new post-conviction protective order, subject to certain requirements and conditions:
 - (A) Upon a defendant's conviction in a criminal case involving abuse or harassment of a family or household member; and
 - (B) Prior to the expiration of the defendant's probation;
- (2) Expand the family court's jurisdiction over cases involving harassment of a family or household member;
- (3) Amend the penalties, prohibited conduct, and sentencing for the offense of abuse of family or household members;



- (4) Amend the definition of "family or household member" to include current or former dating relationships; and
- (5) Allow the courts to grant deferred acceptance of guilty or no contest pleas in cases involving misdemeanor abuse of a family or household member, subject to certain conditions.

The Hawai'i State Commission on the Status of Women, County of Kauai Office of the Prosecuting Attorney, County of Maui Department of the Prosecuting Attorney, Honolulu Police Department, Planned Parenthood Votes Northwest and Hawaii, Domestic Violence Action Center, Parents And Children Together, Hawaii Women's Coalition, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and a few individuals testified in support of this measure. The Judiciary, Department of the Attorney General, Office of the Public Defender, and City and County of Honolulu Department of the Prosecuting Attorney provided comments.

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 S.B. No. 2343, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

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



SCOTT Y. NISHIMOTO, Chair



