

Honolulu, Hawaii

FEB 19, 2020

RE: H.B. No. 2060
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2060 entitled:

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

begs leave to report as follows:

The purpose of this measure is to permit family court judges to withhold from public inspection any record of a denied temporary restraining order or denied protective order; provided that these records shall remain accessible to law enforcement officers without a court order.

Your Committee received testimony in support of this measure from American Association of University Women of Hawaii, Midwives Alliance of Hawaii, Domestic Violence Action Center, Breastfeeding Hawaii, Planned Parenthood Votes Northwest and Hawaii, Hawaii Women's Coalition, and four individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Judiciary and Civil Beat Law Center for the Public Interest.

Your Committee finds that victims of domestic abuse who petition the courts for temporary restraining orders or protective orders are sometimes subjected to counter-petitions for the same relief by their abusers. Your Committee further finds that due to the potential negative impacts of these baseless counter-petitions



on victims of domestic abuse, courts should be able to withhold denied temporary restraining orders and denied protective orders from public inspection.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, 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. 2060, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2060, H.D. 1, and be placed on the calendar for Third Reading.

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



CHRIS LEE, Chair



