

Honolulu, Hawaii

, 2019

MAR 22

RE: S.B. No. 1047  
S.D. 1  
H.D. 2

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1047, S.D. 1, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to establish a five-year pilot project to strengthen state and county responses to domestic violence and increase offender accountability by:

- (1) Amending the offense of abuse of family or household members to provide for a lesser included petty misdemeanor offense and penalties;
- (2) Allowing an offender charged with the misdemeanor or petty misdemeanor offense of abuse of a family or household member to enter a deferred acceptance of guilty or no contest plea; and
- (3) Requiring data collection and reporting by county police departments, prosecutors, and the Judiciary on the number of arrests, charges, and convictions relating to domestic violence to determine the effectiveness of the pilot project.



The Hawai'i State Commission on the Status of Women, County of Kaua'i Office of the Prosecuting Attorney, Honolulu Police Department, LGBT Caucus of the Democratic Party of Hawaii, Domestic Violence Action Center, Hawaii Women's Coalition, and two individuals testified in support of this measure. The Office of the Public Defender and City and County of Honolulu Department of the Prosecuting Attorney provided comments.

Your Committee has amended this measure by:

- (1) Removing the substantive portions of the bill and inserting language establishing a new petty misdemeanor offense for the intentional, knowing, or reckless striking, shoving, kicking, or other forms of offensive touching of a family or household member;
- (2) Changing its effective date to July 1, 2030;
- (3) Making the repeal date of this measure June 30, 2022;  
and
- (4) Making technical, nonsubstantive amendments for 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 S.B. No. 1047, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1047, S.D. 1, H.D. 2.

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



CHRIS LEE, Chair



