

STAND. COM. REP. NO. 754

Honolulu, Hawaii

MAR 04 2021

RE: S.B. No. 829  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.  
No. 829 entitled:

"A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY OR HOUSEHOLD  
MEMBERS,"

begs leave to report as follows:

The purpose and intent of this measure is to add coercive  
control between family or household members to the offense of  
abuse of family or household members as a petty misdemeanor.

Your Committee received testimony in support of this measure  
from the Hawai'i State Coalition Against Domestic Violence,  
Domestic Violence Action Center, Rainbow Family 808, Hawai'i's  
Early Childhood Action Strategy, AAUW of Hawai'i, Ho'ola Na Pua,  
and three individuals. Your Committee received testimony in  
opposition to this measure from the Office of the Public Defender  
and Department of the Prosecuting Attorney of the City and County  
of Honolulu. Your Committee received comments on this measure  
from the Honolulu Police Department.

Your Committee finds that abuse between family or household  
members takes many forms and coercive control is often part of the  
cycle of domestic violence. Your Committee further finds that  
coercive control is defined under section 586-1, Hawaii Revised  
Statutes, in part as "a pattern of threatening, humiliating, or  
intimidating actions, which may include assaults, or other abuse



that is used to harm, punish, or frighten an individual." Your Committee additionally finds that coercive behaviors often carry a threat of violence or are direct precursors to violence.

Your Committee also finds that Act 19, Regular Session of 2020, established a five-year pilot program to strengthen state and county responses to domestic violence and increase offender accountability. Part of this pilot program was the establishment of a petty misdemeanor offense within abuse of a family or household member. Your Committee further finds that the addition of coercive control as a petty misdemeanor offense should be placed within the pilot program established by Act 19, Regular Session of 2020.

Accordingly, your Committee has amended this measure by:

- (1) Including coercive control as part of the petty misdemeanor offense of abuse of a family or household member to the pilot program established by Act 19, Regular Session of 2020; and
- (2) Making 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 that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 829, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 829, S.D. 1, and be placed on the calendar for Third Reading.

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



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KARL RHOADS, Chair



