

STAND. COM. REP. NO. 2952

Honolulu, Hawaii

MAR 04 2022

RE: S.B. No. 2396
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2396, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to clarify that minors who reside in the same household as the victim of domestic abuse will not be compelled by the court to demonstrate that they are a victim of domestic abuse to be named a protected party in an order of protection or a temporary restraining order.

Your Committee received testimony in support of this measure from the Women's Caucus of the Democratic Party of Hawai'i, Hawai'i State Coalition Against Domestic Violence, Parents and Children Together, and three individuals.

Your Committee finds that children who witness abuse between parents are victims despite not being physically harmed because they have a higher risk for long-term physical and mental health problems. They have a greater risk of experiencing anxiety and depression and are more likely to resolve conflict by using violence. This measure will protect children by clarifying that a minor who resides in the same household as a victim of domestic abuse may be included in a petition for an order for protection or temporary restraining order and the court shall not require a minor to demonstrate the minor was a victim of domestic violence.



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. 2396, S.D. 1, and recommends that it pass Third Reading.

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



KARL RHOADS, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2396, SDI	HMS, JDC	02-28-22		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			—
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt	✓			
TOTAL	7	—	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes