

STAND. COM. REP. NO.

598

Honolulu, Hawaii

FEB 17 , 2023

RE: H.B. No. 1344
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 1344 entitled:

"A BILL FOR AN ACT RELATING TO ANGER MANAGEMENT,"

begs leave to report as follows:

The purpose of this measure is to authorize certain criminal offenders to undergo anger management counseling in lieu of domestic violence intervention as part of their sentences.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawai'i State Coalition Against Domestic Violence, Domestic Violence Action Center, Hawai'i Health & Harm Reduction Center, and three individuals. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that many of the mandatory domestic violence classes defendants must participate in as part of their sentencing were designed for intimate partners and were not intended for family or household members who are not in an intimate relationship. As such, these classes may not be appropriate for family conflicts that involve non-intimate partner relationships, such as those between parents and children, siblings, uncles and aunts and their nephews or nieces, or

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platonic housemates. This measure is intended to allow service providers to provide more appropriate and targeted classes for defendants by authorizing certain defendants to complete anger management counseling, rather than domestic violence intervention counseling.

Your Committee recognizes the hard work done by the Judiciary, Office of the Public Defender, Department of the Prosecuting Attorney of the City and County of Honolulu, Parents and Children Together, and Child Family Services to collaboratively develop the language in this measure.

Your Committee has amended this measure by:

- (1) Clarifying that a person who violates a temporary restraining order must undergo a mandatory assessment before being ordered to complete either a domestic violence intervention course or anger management counseling;
- (2) Inserting language permitting the court to impose a sentence of anger management counseling in cases of domestic abuse protective orders;
- (3) Clarifying that a person who is sentenced or granted a motion for deferral for certain situations regarding abuse of a family or household member must first complete an assessment at a domestic violence intervention program before completing either a domestic violence intervention course or anger management counseling;
- (4) Changing the effective date to July 30, 3000, to encourage further discussion; and
- (5) 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 Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1344, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1344, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on
behalf of the members of the
Committee on Human Services,



JOHN M. MIZUNO, Chair



Record of Votes of the Committee on Human Services

Bill/Resolution No.: <i>HB 1344</i>	Committee Referral: <i>HUS, JHA</i>	Date: <i>02.14.2023</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HUS Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)	<i>✓</i>			
2. AMATO, Terez (VC)	<i>✓</i>			
3. BELATTI, Della Au	<i>✓</i>			
4. ILAGAN, Greggor	<i>✓</i>			
5. KOBAYASHI, Bertrand	<i>✓</i>			
6. TAKENOUCHI, Jenna	<i>✓</i>			
7. NISHIMOTO, Scott Y.	<i>✓</i>			
8. GARCIA, Diamond				<i>✓</i>
TOTAL (8)	<i>7</i>			<i>1</i>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: <i>Jay Curt</i>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				