

STAND. COM. REP. NO.

1941

Honolulu, Hawaii

APR 17 2025

RE: H.C.R. No. 55
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.C.R.
No. 55, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO
CONVENE A WORKING GROUP TO STUDY HOW EFFECTIVE EXISTING LAWS
ON DOMESTIC VIOLENCE TEMPORARY RESTRAINING ORDERS, PROTECTIVE
ORDERS, AND HARASSMENT BY STALKING ARE IN PREVENTING
CONTINUED ABUSE AND HARASSMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to request the
Judiciary to convene a working group to study how effective the
existing laws on domestic violence temporary restraining orders,
protective orders, and harassment by stalking are in improving
victim safety.

Your Committee received testimony in support of this measure
from the Hawaii State Commission on the Status of Women and four
individuals.

Your Committee received comments on this measure from the
Judiciary and Office of the Public Defender.

Your Committee finds that domestic violence and stalking
continue to be pervasive and serious public safety concerns
affecting individuals and families throughout the State, and



temporary restraining orders and protective orders serve as critical legal tools by providing immediate protection for victims of domestic violence and harassment by stalking. However, concerns have been raised regarding the effectiveness of the laws on domestic violence temporary restraining orders, protective orders, and harassment by stalking in improving victim safety. Your Committee believes that it is essential to evaluate whether enforcement mechanisms are sufficient, and whether additional legislative measures, including funding, may be necessary to enhance their effectiveness. This measure will provide valuable data and insights into the rate of compliance, enforcement challenges, and victim outcomes of existing laws on domestic violence temporary restraining orders, protective orders, and harassment by stalking.

Your Committee believes that the inclusion of a representative from the Office of the Public Defender and the private defense bar in the working group is necessary to generate a more balanced discussion on how defendants are processed through the criminal justice system and what is working or needs improvement to help prevent continued abuse and harassment.

Accordingly, your Committee has amended this measure by:

- (1) Requesting that the working group include:
 - (A) The Public Defender, or the Public Defender's designee;
 - (B) The President of the Hawaii Association of Criminal Defense Lawyers, or the President's designee; and
 - (C) Any other representative with relevant knowledge or experience that the Judiciary deems necessary;
- (2) Clarifying the recipient list for certified copies of this measure; and
- (3) 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 concurs with the intent and purpose of H.C.R. No. 55, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 55, H.D. 1, S.D. 1.

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



KARL RHOADS, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">HCR 55, HD1</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">JDC</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">4/15/25</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)				✓
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton				✓
TOTAL	3			2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="text-align: center; margin-top: 10px;"> </div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes