

RE: S.B. No. 622

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

Your Committee on Public Safety, Intergovernmental, and Military Affairs, to which was referred S.B. No. 622 entitled:
"A BILL FOR AN ACT RELATING TO RESTRAINING ORDER VIOLATIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to require a court to sentence a person convicted of violating an injunction or restraining order or order of protection during the term of a stay-at-home order imposed by the State or a county in which the violation occurred to a mandatory minimum jail sentence of not less than thirty days and fine of not less than \$5,000.

Your Committee received testimony in support of this measure from the Hawai'i State Coalition Against Domestic Violence and one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that the coronavirus disease 2019 pandemic has caused police, courts, and jails to reprioritize their use of personnel and resources. This can be emotionally and physically devastating for individuals with injunctions or temporary restraining orders who are harassed while a "stay-at-home" order is in place. In some cases, these individuals can become a hostage to their harasser with no real-time recourse, essentially creating an aggravated circumstance that warrants stricter penalties for violations. This measure will increase the penalties for the violation of a restraining order during a stay-at-home order in an attempt to protect victims from their harassers.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 622 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Public Safety, Intergovernmental, and Military Affairs,

CLARENCE K. NISHIHARA, Chair