

LINDA LINGLE
GOVERNOR



LILLIAN B. KOLLER, ESQ.
DIRECTOR
HENRY OLIVA
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

January 24, 2008

LATE TESTIMONY

MEMORANDUM

TO: The Honorable Maile S.L. Shimabukuro, Chair
Committee on Human Services and Housing

FROM: Lillian B. Koller, Director

SUBJECT: **H.B. 2140 RELATING TO THE VIOLENCE AGAINST WOMEN ACT**

Hearing: Thursday, January 24, 2008; 8:30 a.m.
Conference Room 329, State Capitol

PURPOSE: The proposed amendments require the Department of Human Services (DHS) to establish a pilot project to assist undocumented immigrants who are victims of domestic violence.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this bill to provide services to victims of domestic violence. We have the following comments and concerns on this bill.

Under Federal law, victims of domestic violence are protected under the Violence Against Women Act (VAWA) and receive all of the benefits of United States citizens. These benefits include, but are not limited to financial assistance, food stamps, medical assistance, domestic violence services which include legal services, job training and employment services. We already provide many of these services through contracts with community agencies.

To receive VAWA and other Federal benefits, immigrants need to be designated as VAWA by the U.S. Immigration Service. Without this designation, the Department will not be able to provide Federal benefits. The Department is also prohibited from providing services to obtain this designated status.

We would recommend that the pilot project be designed to help victims achieve Federal designated status. As stated before, once the victims are designated as VAWA, they are eligible to receive all of the benefits of United States citizens. Services to achieve designated status need to be provided through a private non-profit agency using State funds.

The Department respectfully requests that any funding for this bill not replace nor adversely impact the priorities in the Executive Supplemental Budget.

Thank you for the opportunity to provide comments on this bill.



LATE TESTIMONY

the formerly battered women's caucus of hawai'i

To: Representative Maile Shimabukuro, Chair
Representative Karl Rhoads, Vice-Chair
Human Services & Housing Committee Members

Date: January 24, 2008

Re: SRONG SUPPORT FOR HB2140

I stand in firm support of HB2140 that seeks to establish a pilot project to assist undocumented immigrant domestic violence victims. Domestic violence is a big enough problem when you speak the language and have a place to call home, but an immigrant victim's plight is so much worse because she has so many additional fears and challenges to overcome if she wants to live a violence-free life.

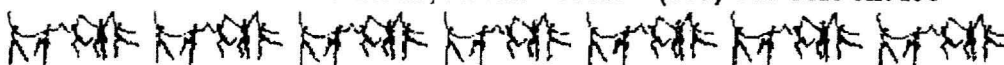
The threat of deportation or surrender to the authorities is a common threat used by domestic violence perpetrators to keep their victims "in line" and this tactic can work successfully for YEARS. Although language access accommodations have been adopted, language can still be a very real problem; I've had so many women who were shamed by the domestic violence then additionally shamed because they couldn't adequately communicate what had happened to them. Hawaii's significant immigrant population makes this issue more pertinent than in other parts of the country and this group is frequently overlooked against the backdrop of the DV problem.

Domestic violence has been categorized as "a women's issue" when it's truly a HUMAN RIGHTS issue. Immigrant domestic violence victims exist in third world conditions although they're in "the land of the free and the home of the brave". Until they're assisted out from domestic violence, they'll never really know what the word "freedom" truly means and until we look closer at this problem, we'll never know how big it really is. Let's do something about it by passing HB2140.

Thank you for your time and consideration.

Dara Carlin, M.A.
Oahu VOICES Representative

hawai'i state coalition against domestic violence
716 umi street suite 210 ~honolulu, hawaii~96819~(808) 832-9316 ext 106



LATE TESTIMONY

HB 2140 Relating to Violence Against Women

HOUSE OF REPRESENTATIVES
THE TWENTY-FOURTH LEGISLATURE
REGULAR SESSION OF 2008

COMMITTEE ON HUMAN SERVICES & HOUSING

DATE: January 24, 2008
TIME: 8:30AM
PLACE: Conference Room 329
State Capitol
415 South Beretania Street

My name is Patricia Lockwood and I am the Executive Director of Hawaii Centers for Independent Living, a non-profit organization operated by and for people with disabilities to ensure their rights to live independently and fully integrated in the community of their choice, outside of institutional care settings. As a non-profit, statewide resource, HCIL serves people of any age with any type of disability. HCIL was founded on the historical constitutional beliefs of civil rights and the empowerment of people with disabilities to have equal access, opportunities, and choices in life, no matter how severe their disability.

This is a key piece of disability community. We are concerned that it does not address the key issue of women who have disabilities and face violence from either family members, care givers, or from other members to the community.

Unfortunately we see another piece of legislation where the needs of persons with disabilities are not being addressed. People with disabilities from different cultures face different issues because of the cultural beliefs toward disabilities. As people move to this country the abuse that is a normal part of the cultural belief towards people with disabilities comes with them. The question then becomes who do they access this program.

An issue of significant concern is persons who are deaf from other cultures. How do they find the program? How does the program find a sign language interpreter who understands the gestural sign language they use rather than the American sign language we use here. There is a genetic form of deafness that is found in people from Micronesia and the Phillipines. Most of the youth who are deaf are not allowed to go to school. How will the women find this program? They find the Center but that has taken us five years to come to that point, Once again we see the state developing programs and leaving out people with disabilities. In this time of little money we need to work together not separately. There is a state law that insures the participation of people with disabilities.

I can bring in women we have worked with who have learned not to tolerate abusive situations, be proud of themselves, get jobs and become self sufficient. HCIL worked with them within our present program. Once again no one asked for our help or expertise in the program. As people with disabilities we live in a society of benign neglect which often results in abuse.

Government is for all the people....not just some.



the formerly battered women's caucus of hawaii

LATE TESTIMONY

To: Representative Maile Shimabukuro, Chair
Representative Karl Rhoads, Vice-Chair
Human Services & Housing Committee Members

Date: January 24, 2008

Re: ~~STRONG~~ SUPPORT FOR HB2140

I stand in firm support of HB2140 that seeks to establish a pilot project to assist undocumented immigrant domestic violence victims. Domestic violence is a big enough problem when you speak the language and have a place to call home, but an immigrant victim's plight is so much worse because she has so many additional fears and challenges to overcome if she wants to live a violence-free life.

The threat of deportation or surrender to the authorities is a common threat used by domestic violence perpetrators to keep their victims "in line" and this tactic can work successfully for YEARS. Although language access accommodations have been adopted, language can still be a very real problem; I've had so many women who were shamed by the domestic violence then additionally shamed because they couldn't adequately communicate what had happened to them. Hawaii's significant immigrant population makes this issue more pertinent than in other parts of the country and this group is frequently overlooked against the backdrop of the DV problem.

Domestic violence has been categorized as "a women's issue" when it's truly a HUMAN RIGHTS issue. Immigrant domestic violence victims exist in third world conditions although they're in "the land of the free and the home of the brave". Until they're assisted out from domestic violence, they'll never really know what the word "freedom" truly means and until we look closer at this problem, we'll never know how big it really is. Let's do something about it by passing HB2140.

Thank you for your time and consideration.

Dara Carlin, M.A.
Oahu VOICES Representative

hawaii state coalition against domestic violence
716 umi street suite 210 ~honorulu, hawaii~96819~ (808) 832-9316 ext 106

