



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

House Committee on Human Services & Housing

H.B. 3009

Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health

January 31, 2008, 8:40 a.m.

1 **Department's Position:** Opposes

2 **Fiscal Implications:** None

3 **Purpose and Justification:** The Department of Health (DOH) opposes this bill to amend the provisions
4 of the Domestic Violence and Sexual Assault Special Fund (DVSASF) for the purpose of creating
5 domestic violence batterers intervention programs.

6 This bill has a strong focus on the criminal justice system, including penalty fines for domestic
7 violence, which are within the jurisdiction of Law Enforcement, State Judiciary, and Public Safety. The
8 Judiciary has a Spouse and Child Abuse Special Account for special program needs related to the
9 criminal justice system. The Judiciary already has existing batterers programs and victim services,
10 contracts through provider agencies and has a comprehensive system in place. The DOH does not have
11 background and knowledge related to batterer intervention programs, especially related to best practice
12 models, monitoring, and outcomes evaluation. The DVSASF is not the appropriate fund to receive
13 penalty fines resulting from adjudicated domestic abuse.

14 The DVSASF is administered by the DOH to provide for prevention of and intervention in
15 domestic violence and sexual assault, rather than to address criminal issues. For example, with funds

1 from the DVSASF, DOH coordinated a broad statewide planning process to develop a domestic
2 violence prevention and intervention plan, published in 2007 as “Navigating a Course for Peace:
3 Domestic Violence Strategic Plan 2007-2015.” The DOH plans to contract services for the
4 implementation of the strategic plan.

5 The strategic plan asks that the implementation efforts explore additional resources for batterer
6 intervention.

7 The DOH recommends that the State Judiciary continue to be the lead agency in assuring that
8 batterer intervention programs are effectively implemented statewide. The DOH will focus its efforts on
9 the intervention for victim services and prevention of domestic violence in the state of Hawaii.

10 Thank you for the opportunity to testify on this measure.



HB 3009 RELATING TO DOMESTIC VIOLENCE
House Committee on Human Services & Housing

Date: January 31, 2008

Time: 8:40am

Room: 329

The Office of Hawaiian Affairs supports HB 3009 with amendments to establish mandatory minimum and maximum fines for abuse of a family or household members. This bill would require fines to be deposited into domestic violence and sexual assault fund that will be used for programs to stop abuse.

Last year, five individuals faced death in violence in Hawai`i. This is the beginning of 2008, and Hawai`i has seen 3 deaths due to domestic violence. This social issue and violent culture is unacceptable. Hawai`i is in dire need of additional programs to change the psychosocial behaviors that are harmful to every vulnerable citizen, ranging from child to kupuna.

Punishment and fines will temporarily address this issue. It would be ideal to have additional programming for abusers as we have received reports from victims that their partners were not required or mandated to treatment. Additional programs would be helpful in decreasing the number of offenses. New programs to include special population such as gay, lesbian, transgender, youth and female offenders, as well as a focus on prevention education within our school systems are vital in addressing domestic violence.

The Office of Hawaiian Affairs supports HB 3009 with amendments to establish mandatory minimum and maximum fines for abuse of a family or household members Mahalo nui loa for the opportunity to present testimony.



TO: Chair Maile Shimabukuru
Vice Chair Karl Rhoads
Members of the Human Services and Housing Committee

FR: Nanci Kreidman, M.A.
Executive Director

RE: HB 3009

Aloha. Please accept this testimony in opposition to HB 3009. There appear to be several problems with the bill before the Committee today. The Department of Health has as its priority the development and support of prevention programs. It seems inappropriate to reserve monies from fines collected for the Department of Health to support batterers, which are clearly intervention programs.

In addition, funds collected due to imposition of fines would be better spent by supporting programs for victims. Batterers programs still require further review and better coordination with the entire system to maximize their effectiveness. Perhaps after adjustments to system intervention and modification to programs for abusers, additional monies and expansion of programs would be a wise investment.

Thank you for inviting comment on this Bill.