
A BILL FOR AN ACT

RELATING TO LAW ENFORCEMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 607, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§607- Domestic violence special fund. (a) There is
5 established in the state treasury the domestic violence special
6 fund, into which shall be deposited:

7 (1) The \$ surcharge fee, charges, and other moneys
8 collected under sections 607-4, 607-5, 607-5.6, 607-
9 5.7, 607-6, and 607-8; provided that sections 607-2.5
10 and 607-3 apply;

11 (2) All moneys received from public or private sources for
12 the purposes of this fund; and

13 (3) Any interest accrued or investment earnings on moneys
14 in the fund.

15 Funds raised under this section shall be transmitted to the
16 administrative director of the courts and deposited into the
17 fund, and shall be used solely to provide grants to
18 organizations that provide domestic violence services.



1 (b) The domestic violence special fund shall be
2 administered by the administrative director of the courts, or
3 pursuant to a contract with the administrative director of the
4 courts. If the fund is administered pursuant to a contract with
5 the administrative director of the courts, the contractor shall
6 be a nonprofit organization that has at least one year's
7 experience in administering grants to providers of domestic
8 violence services. The fund administrator shall receive not
9 more than five per cent of the total amount collected under this
10 section each fiscal year as compensation for performing the
11 duties under this section.

12 (c) The fund administrator shall annually accept
13 applications for grants funded from the fund from organizations
14 that provide domestic violence services, including housing,
15 counseling, and legal assistance. Applications shall be
16 received no later than April 15 for assistance in the following
17 fiscal year. The fund administrator shall determine the
18 specific information required of the applicant and, at a
19 minimum, shall require applicants to provide information
20 concerning:

21 (1) Their governance, staffing, and total annual budget;

22 (2) Other funding sources;



- 1 (3) Geographic area of service;
- 2 (4) The number of clients served in the previous fiscal
- 3 year; and
- 4 (5) The nature and scope of services provided.

5 (d) To be eligible for assistance from the fund, an
6 applicant shall meet all of the following standards at the time
7 of application:

- 8 (1) Be either a nonprofit organization incorporated and
- 9 operated exclusively in Hawaii and determined by the
- 10 Internal Revenue Service to be exempt from federal
- 11 income tax;
- 12 (2) Have a governing board whose members have no material
- 13 conflict of interest and serve without compensation;
- 14 (3) Have bylaws or policies that describe the manner in
- 15 which business is conducted, and policies that relate
- 16 to nepotism and management of potential conflict of
- 17 interest situations;
- 18 (4) Have at least one year's experience in providing
- 19 domestic violence services;
- 20 (5) Be licensed and accredited, as applicable, in
- 21 accordance with the requirements of federal, state,
- 22 and county governments;



1 (6) Agree not to charge client fees for services that are
2 funded in any part by a grant from the fund, except
3 that token payments for costs and expenses shall not
4 be considered fees;

5 (7) Agree to use any grant received under this section
6 exclusively to provide domestic violence services; and

7 (8) Have in place sound financial management systems and a
8 method of ensuring the quality of service provided.

9 (e) Funds shall be distributed on a pro rata basis to
10 organizations that meet the criteria in subsection (d), based on
11 the portion of their total budget expended in the prior year for
12 domestic violence services as compared to the combined total
13 expended in the prior year for domestic violence services by all
14 qualifying organizations applying for funding. An applicant
15 that provides services other than domestic violence services may
16 establish its proportionate entitlement to funds based on
17 financial statements which strictly segregate that portion of
18 the organization's expenditures in the prior year which were
19 devoted exclusively to the provision of domestic violence
20 services.

21 (f) As used in this section, unless the context otherwise
22 requires:



1 "Domestic violence" means any means of physical, emotional,
2 or mental abuse, including sexual assault, inflicted upon any
3 person that is a family member, co-habitat, friend, or
4 acquaintance.

5 "Domestic violence services" means direct services provided
6 to victims of domestic violence."

7 SECTION 2. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$ or so much
9 thereof as may be necessary for fiscal year 2009-2010 for a
10 grant to the department of the prosecuting attorney of the city
11 and county of Honolulu for the career criminal prosecution unit,
12 including the hiring of necessary staff.

13 SECTION 3. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so
15 much thereof as may be necessary for fiscal year 2009-2010 for a
16 grant to the department of the prosecuting attorney of the city
17 and county of Honolulu for the victim witness assistance
18 program, including the hiring of necessary staff.

19 SECTION 4. The sums appropriated in sections 2 and 3 shall
20 be expended by the city and county of Honolulu for the purposes
21 of this Act.



1 SECTION 5. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$ or so
 3 much thereof as may be necessary for fiscal year 2009-2010 for a
 4 grant to the department of the prosecuting attorney of the
 5 county of Maui for the career criminal prosecution unit,
 6 including the hiring of necessary staff.

7 SECTION 6. There is appropriated out of the general
 8 revenues of the State of Hawaii the sum of \$ or so
 9 much thereof as may be necessary for fiscal year 2009-2010 for a
 10 grant to the department of the prosecuting attorney of the
 11 county of Maui for the victim witness assistance program,
 12 including the hiring of necessary staff.

13 SECTION 7. The sums appropriated in sections 5 and 6 shall
 14 be expended by the county of Maui for the purposes of this Act.

15 SECTION 8. There is appropriated out of the general
 16 revenues of the State of Hawaii the sum of \$ or so
 17 much thereof as may be necessary for fiscal year 2009-2010 for a
 18 grant to the office of the prosecuting attorney of the county of
 19 Kauai for the career criminal prosecution unit, including the
 20 hiring of necessary staff.

21 SECTION 9. There is appropriated out of the general
 22 revenues of the State of Hawaii the sum of \$ or so



1 much thereof as may be necessary for fiscal year 2009-2010 for a
2 grant to the office of the prosecuting attorney of the county of
3 Kauai for the victim witness assistance program, including the
4 hiring of necessary staff.

5 SECTION 10. The sums appropriated in sections 8 and 9
6 shall be expended by the county of Kauai for the purposes of
7 this Act.

8 SECTION 11. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$ or so
10 much thereof as may be necessary for fiscal year 2009-2010 for a
11 grant to the office of the prosecuting attorney of the county of
12 Hawaii for the career criminal prosecution unit, including the
13 hiring of necessary staff.

14 SECTION 12. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$ or so
16 much thereof as may be necessary for fiscal year 2009-2010 for a
17 grant to the office of the prosecuting attorney of the county of
18 Hawaii for the victim witness assistance program, including the
19 hiring of necessary staff.

20 SECTION 13. The sums appropriated in sections 11 and 12
21 shall be expended by the county of Hawaii for the purposes of
22 this Act.



1 SECTION 14. This Act shall take effect on July 1, 2046;
2 provided that this Act shall be repealed on June 30, 2015.



Report Title:

Career Criminal Prosecution Units; Victim Witness Assistance;
Domestic Violence

Description:

Creates the Domestic Violence Special Fund to provide grants to organizations that provide domestic violence services. Provides grants to the counties for their career criminal prosecution units and victim witness assistance programs. (HB1293 HD1)

